

## 8 Responses to Comments on the Draft EIR

This section includes comments received during the circulation of the Draft Environmental Impact Report (Draft EIR) prepared for the San Marin High School Stadium Lights Project (Project), and the Novato Union School District’s (NUSD) responses to the comments on the Draft EIR and corrections and information added to the Final EIR, where appropriate, in response to comments relative to the proposed project and its environmental effects. Corrections or additional text discussed in the responses to comments are also shown in the text of the Final EIR in ~~strikethrough~~ (for deleted text) and underline (for added text) format.

The Draft EIR was originally circulated for a 56-day public review period that began on December 20, 2016 and ended on February 14, 2017. However, on January 31, 2017, the Board of Trustees voted to extend the comment period to March 3, 2017 to accommodate any potential comments after a field trip to Hillsdale High School in San Mateo, California on February 27, 2017; this resulted in a 73-day comment period. NUSD received 155 comment letters on the Draft EIR during the public review period, including the extension. The commenters and the page number on which each commenter’s letter appear are listed below. The comment letters are generally organized alphabetically, with the exception of letters from agencies and organizations, which appear before letters from individuals. Also, a number of comment letters were discovered after an initial numbering and organization of responses and those additional letters are organized alphabetically (with organizations followed by individuals) starting at Letter 98. In addition to responses to written responses received, the District held a Draft EIR Public Comment Hearing on January 24, 2017, at a Special Board meeting of the Board of Trustees at 6:00 PM in the NUSD Board Room, 1015 7th Street, Novato. Responses to verbal comments received at that meeting follow the responses to the written comments received.

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In Section 15088, the California Environmental Quality Act (CEQA) Guidelines require that “[t]he lead agency shall evaluate comments on *environmental issues* received from persons who reviewed the Draft EIR and shall prepare a written response.” (Italics added for emphasis.) Consistent with the Guidelines, the responses to comments focus on those comments that pertain to environmental issues (see also CEQA Guidelines Section 15132).

## 8.1 Master Responses to Comments on the Draft EIR

This subsection includes the Master Responses, which provide responses to recurring written and verbal comments received by the District relating to the environmental analysis and conclusions in the Draft EIR.

- A. Lighting and Aesthetics. Many of the commenters expressed concern regarding the potential light trespass and glare impacts associated with operation of the proposed project and the aesthetic impacts of the light poles themselves. A number of the commenters questioned the analysis and conclusions of the Draft EIR on this topic, including the characterization of ambient lighting conditions at the project site; the conclusions that the light poles would not significantly impact views of the surrounding landscape; that implementation of the proposed project would not significantly impact sky glow; and that the proposed mitigation measures would be sufficient to prevent aesthetic impacts related to light trespass and glare. A number of commenters also expressed concern regarding other potential adverse effects of the proposed lighting system, including the potential for the lights to disturb sleep patterns and the potential long-term health impacts of exposure to LED lighting. Several commenters requested clarification regarding the frequency of use of the lights (number of nights) and the duration of use of the lights (hours of operation).

### *Lighting System Frequency and Duration of Use*

Several commenters requested clarification regarding the frequency of use of the lighting system (number of days) and the duration of use (number of hours per event and cut-off time for the lights on a given evening).

As shown in Table 4 in Section 2.4.1.6, *Proposed Frequency of Use*, of the Final EIR, the stadium lights would be turned on for a maximum of 152 nights during the year. This frequency estimate for use of the stadium lights represents the maximum potential use of the lights and includes 24 nights of possible Marin County Athletic League (MCAL) and North Coast Section (NCS) playoff games. The number of playoff games that would be hosted with implementation of the proposed project would depend on the success of individual sports teams and the resulting playoff schedule. For example, San Marin High School hosted four playoff games during the 2015-16 school year and may host up to three playoff games during the 2016-17 school year, depending on the success of the teams during the remainder of their season. Therefore, the actual frequency of use of the lights may be lower than the estimated maximum in any given year. The main stadium lights would be turned off by 8:00 PM from Monday through Thursday for practices, by 8:30 PM from Monday through Thursday for games, and by 9:45 PM on Fridays. The stadium lights would not be used on Saturdays or Sundays, with the possible exception of Saturday lights usage until 8:30 PM for up to four Saturdays in February and two Saturdays in May for soccer and lacrosse playoff games.

As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, while the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not change significantly compared to existing usage. As described in Section 2.4.1 of the Draft EIR, *Project Overview*, the stadium lights would not be used for community or non-school activities. District staff will develop an Administrative Regulation (AR) for consideration and approval by the Board of Trustees. The

Board would consider and potentially approve the AR at the same time that the Board considers approval of the proposed project. The AR will contain policies and restrictions that implement the requirements contained in the Draft EIR, including policies regarding the shut-off time for the stadium lights, and a prohibition against community or non-school use of the lights.

#### *Existing Ambient Lighting at the Project Site*

Several commenters opined that existing ambient lighting conditions at the project site are either not described in sufficient detail or are mischaracterized in the Draft EIR. Section 4.1.1, *Setting*, of the Draft EIR, under the heading *Existing Light and Glare Conditions*, describes the existing ambient lighting as follows:

Currently, no permanent or portable athletic field lighting is used at the San Marin High School stadium, although the mounted digital scoreboard produces low-intensity light during athletic events. Offsite sources also contribute to existing light conditions (or “illumination”) at the stadium. Existing permanent light fixtures are present at the softball field on the southwest portion of the high school, approximately 750 feet southwest of the stadium. Exterior security light fixtures are located at on-site school buildings. In addition, the stadium receives spillover light to varying degrees from nearby streetlamps and the headlights of cars on San Marin Drive... General sources of glare at the stadium include headlights on and reflected sunlight from automobiles on adjacent streets and parking lots, and reflected sunlight from the windows of nearby buildings.

Section 4.1.2, *Impact Analysis*, of the Draft EIR, under the heading *Methodology*, states that the “E3 lighting zone, which applies to the stadium site, denotes areas of medium ambient brightness, such as urban residential areas (San Diego Unified School District, 2014).” Several commenters argue that the stadium site would be more appropriately classified as lighting zone E2. The International Commission on Illumination (CIE) defines environmental lighting zone E2 as a lighting environment with low district brightness and provides as an example “sparsely-inhabited rural areas” (CIE, 2003). The CIE defines environmental lighting zone E3 as a lighting environment with medium district brightness and provides as an example “well-inhabited rural and urban areas” (CIE, 2003). Although the project site is located near the interface of suburban development and open space, the site itself is best characterized as being located in environmental lighting zone E3. Support for this classification includes the presence of San Marin Drive, a four-lane arterial roadway with streetlamps, directly to the east of the project site, suburban-density single-family housing to the east and northwest of the project site, and multi-family housing to the northeast of the site. In addition, a commercial center that includes medical offices, an animal hospital, and various retail outlets (including a Starbucks and a Subway) is located approximately 0.25-mile east of the project site. Environmental lighting zone E2, which is defined by the example of “sparsely-inhabited rural areas,” is not an appropriate characterization of the project site and surrounding neighborhood. Therefore, the characterization in the Draft EIR of the project site being located in environmental lighting zone E3, which is defined by the example of “well-inhabited rural and urban areas,” is appropriate. As discussed in Section 4.1, *Aesthetics*, of the Draft EIR, impacts related to night lighting would be less than significant with the identified mitigation measures. No changes to the Draft EIR are warranted as a result of comments pertaining to the existing ambient lighting at the project site.

#### *Aesthetic Impacts of the Light Poles*

A number of commenters stated that the height of the light poles would substantially interfere with daytime views of the surrounding landscape, including views of Mt. Burdell. Several commenters also stated that the height of the poles would be incompatible with surrounding structures and would greatly exceed the height of any existing structures in Novato.

Scenic resources on and around the project site are described in Section 4.1.1, *Setting*, of the Draft EIR, under the heading *Existing Visual Character of the Project Site*, as follows:

Scenic resources visible from the project site and public viewing locations in its surroundings, as defined in the City's General Plan (adopted 1996), include ridgelines and hillsides that provide a backdrop for developed areas (Novato 1996). Mt. Burdell, a scenic landmark with an elevation of 1,508 feet, is visible to the northeast of San Marin High School. Figure 6 shows existing views of the stadium from the surrounding area. As shown in Photo 3, the Dwarf Oak Trail provides public views looking south toward the stadium. Some nearby residences have views of the stadium. As shown in Photo 4, the stadium's elevated position relative to San Marin Drive and deciduous and evergreen trees in the roadway's median largely obstruct views of the project site from residences to the southeast. School buildings fully obstruct views of the stadium from O'Hair Park to the south. Trees lining the Dwarf Oak Trail block views from residences to the west. A few single-family residences on San Ramon Way to the north have direct southward views looking down on the stadium.

Section 4.1.2, *Impact Analysis*, of the Draft EIR, under Impact AES-1, analyzes the aesthetic impact of new light poles at the project site on scenic vistas as follows:

The project would introduce eight light poles up to 80 feet tall to the stadium site, incrementally altering existing views of and through the site... the light poles would affect views of scenic resources from local residences and parks. As shown in Photo 4, residences on the east side of San Marin Drive have views across the stadium to the northwest of hillsides and ridgelines in the Mt. Burdell Open Space area. Existing deciduous and evergreen trees in the median of San Marin Drive partially obstruct these views. In addition, equestrians south of Novato Boulevard at Morning Star Farm in O'Hair Park have similar northward views of hillside, atop the one-to-two-story buildings at San Marin High School. New light poles would be partially visible in the foreground of views toward scenic hillsides and ridgelines. However, the narrow light poles would only occupy a sliver of the overall views through the stadium site. The poles would have minimal impact to the overall viewshed from surrounding properties and would not substantially obstruct views of any identified scenic resources. Consequently, impacts to scenic vistas would be less than significant.

None of the comments related to obstruction of scenic vistas by the proposed light poles offered evidence that a scenic vista would be substantially blocked or altered. Several commenters stated that the new poles would be visible when viewing the surrounding landscape, including Mt. Burdell, from public and private viewing locations. The Draft EIR acknowledges this fact, but correctly concludes that the new poles would be narrow, would only occupy a sliver of the overall viewshed, and would not substantially obstruct views of any identified scenic resources. Thus introduction of the poles would not result in a substantial adverse effect on a scenic vista. Therefore, the conclusion in the Draft EIR in Section 4.1, *Aesthetics*, that impacts to scenic vistas from installation of the lights and light poles would be less than significant remains valid and no changes to the Draft EIR are required.

#### *Light Trespass and Glare*

Many commenters suggested that installation of the proposed lighting system would introduce unwanted lighting and glare, would increase the ambient lighting of the surrounding area, and would adversely affect the aesthetics of the neighborhood. Several commenters also stated that Mitigation Measures AES-3 and AES-4, which require development of photometric analysis and adjustments to the lighting system design as necessary, would be ineffective at reducing light trespass and glare to a less than significant level.



The project would introduce new permanent lighting to a stadium that lacks existing lighting, which would result in a substantial increase in lighting on the field when in use. However, the proposed type of lighting system (state-of-the-art LED system) is designed specifically to minimize light trespass and would be operated during restricted time frames outside of normal sleeping hours. First, the approximate 80-foot height of the brightest stadium lights would enable each luminaire to be mounted with a narrow beam angle, which would focus light downward while still covering the athletic field, thereby limiting light trespass at the nearest off-site residences approximately 120 feet away. While it may be counterintuitive that high-mounted light fixtures would reduce light trespass relative to lower fixtures, their narrower beam angle would emit less light visible to neighboring residences. The proposed light fixtures also would feature reflectors and visors to block upward light from the brightest fixtures. While lower-output luminaires mounted at 20 feet on each pole would cast light upward, these fixtures would only be used during games (approximately 58 times per year plus any playoffs or finals) and would not be used during practices.

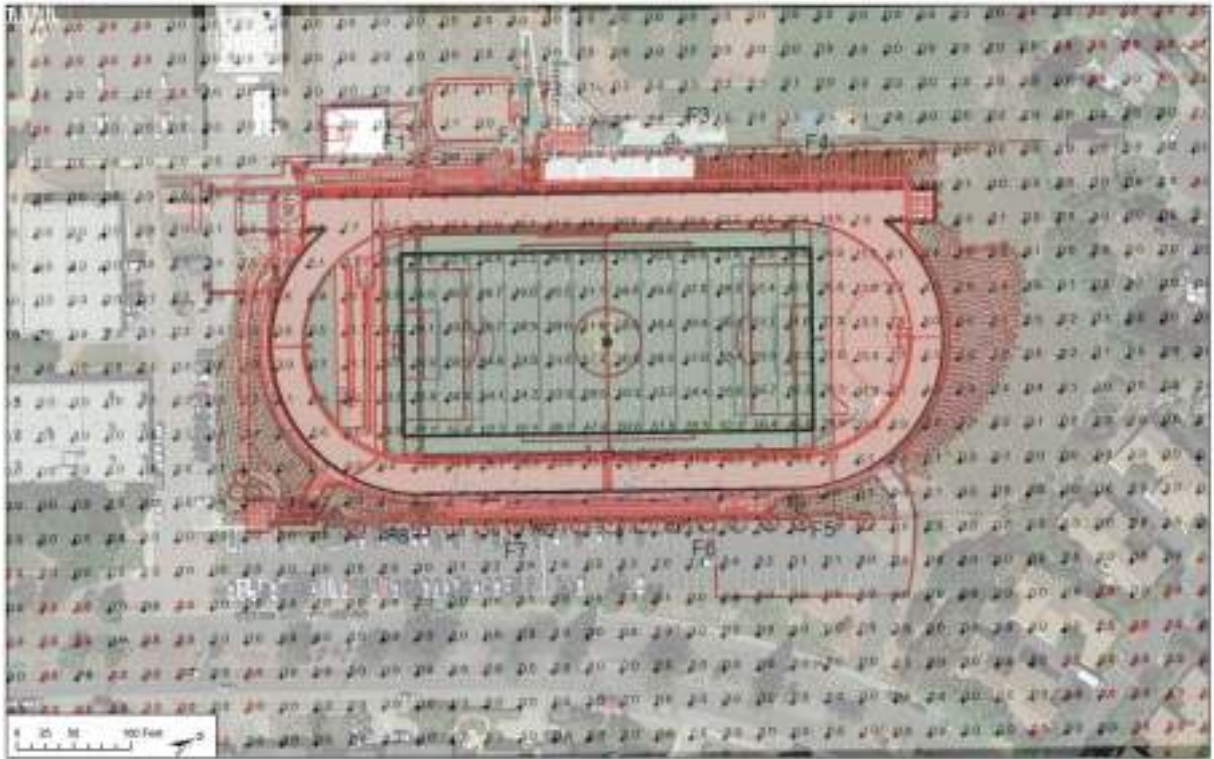
As discussed in Section 4.1.2 of the Draft EIR, under the heading *Methodology*, illuminance is explained as the quantity of incident light on a plane surface and is commonly measured in terms of foot-candles (Pennsylvania Outdoor Lighting Council n.d.). Light impacts can be analyzed by quantifying illuminance from the spillover of light, or “light trespass,” at property lines nearest to residences. Light trespass is measured on both the vertical plane (e.g., light shining through a window) and the horizontal plane (e.g., light falling on a bed), in terms of foot-candles. In this analysis, the District has determined that light trespass would be significant if illuminance produced by the project would exceed two foot-candles, as measured on the vertical and horizontal planes at the property lines nearest to residences.

As discussed in Section 4.1.2 of the Draft EIR, under the heading *Methodology*, discomfort glare is typically measured in terms of candelas. The amount of candelas depends on the luminous power per unit solid angle emitted by a point light source in a particular direction. In layman’s terms, the degree of discomfort glare decreases the farther a viewer is located from a light source, due to the dispersion of light across distance. Based on guidelines from the International Commission on Illumination (CIE), the District has adopted a glare intensity threshold of 10,000 candelas during pre-curfew hours (prior to 10:00 PM).

At the time of publication of the Draft EIR, a photometric study was not completed and therefore the Draft EIR includes Mitigation Measure AES-3, which requires preparation of a photometric study in accordance with industry standards to estimate the vertical and horizontal foot-candles that would be generated by the proposed stadium lighting on the athletic field and at the boundaries of the stadium site. Mitigation Measure AES-3 also requires the District to coordinate with the lighting consultant to ensure that the final design of the lighting system would not allow illuminance to exceed two horizontal or vertical foot-candles at any specific point on the site boundary (i.e., at the perimeter of the stadium).

After publication of the Draft EIR, Musco Sports Lighting, LLC prepared preliminary photometric studies for the proposed project that modeled both illumination and glare in and around the project site. The results are included in this response for informational purposes (the mitigation measure remains part of the Final EIR). Figure A-1 below shows the preliminary modeling results for horizontal foot-candles that would be produced on the athletic fields and surrounding surfaces during operation of the proposed project. Figure A-2 shows the preliminary model results for vertical foot-candles that would be produced during operation of the proposed project.

**Figure A-1: Preliminary Photometric Analysis – Horizontal Illumination**



**Figure A-2: Preliminary Photometric Analysis – Vertical Illumination**



As shown in the preliminary modeling, it is anticipated that the horizontal and vertical foot-candles produced during operation of the proposed project would be below two foot-candles at most locations along the project site boundary. Both horizontal and vertical foot-candles are anticipated to exceed the 2.0 foot-candle threshold for areas east and west of the stadium, in the school parking lot to the east, and at the edge of the baseball field to the west. However, neither horizontal nor vertical foot-candles are expected to exceed the 2.0 foot-candle threshold at District property lines nearest to neighboring residences. Mitigation Measure AES-3 requires a final photometric study prior to commencement of construction confirming that the illumination threshold at the District property line would be met, and also requires that the project lighting design be adjusted, if necessary, to meet the adopted threshold.

As mentioned above, at the time of publication of the Draft EIR, a photometric study was not available and therefore the Draft EIR also includes Mitigation Measure AES-4, which requires preparation of a photometric study in accordance with industry standards to estimate the amount of discomfort glare to which nearby residents would be subjected when facing the proposed stadium lights. Mitigation Measure AES-4 also requires the District to coordinate with the lighting consultant to ensure that the final design of the lighting system would not allow discomfort glare to exceed 10,000 candelas at residential property lines facing the stadium.

After publication of the Draft EIR, Musco Sports Lighting, LLC prepared photometric studies for the proposed project that modeled discomfort glare around the project site. Figure A-3 below shows the amount of discomfort glare (measured in candelas) that would be produced during operation of the proposed project.

**Figure A-3: Preliminary Photometric Analysis – Discomfort Glare**



As shown in the preliminary modeling, it is anticipated that the discomfort glare produced during operation of the proposed project would be below the 10,000-candela threshold at residential property lines facing the stadium. Preliminary modeling also shows that discomfort glare would be low (approximately 3,500 candelas or less) for pedestrians and drivers on San Marin Drive. Mitigation

Measure AES-4 requires a final photometric study prior to commencement of construction confirming that the discomfort glare threshold at the nearest neighboring property lines would be met, and also requires that the project lighting design be adjusted, if necessary, to meet the adopted threshold.

As described in Section 4.1.2 of the Draft EIR, Mitigation Measure AES-3 requires that the lighting system design would limit illuminance at the site boundary (i.e., at the perimeter of the stadium) to below two horizontal or two vertical foot candles. Mitigation Measure AES-4 requires that the lighting system design must limit discomfort glare to 10,000 candelas or less at residential property lines facing the stadium. As discussed in Section 4.1, *Aesthetics*, of the Draft EIR, with implementation of Mitigation Measures AES-3 and AES-4, impacts related to lighting trespass and discomfort glare would be less than significant.

*Sky Glow and Adverse Effects on Nighttime Views*

Many commenters stated an opinion that operation of the proposed project would adversely affect nighttime views and would increase sky glow in the area.

As discussed in Section 4.1.2 of the Draft EIR, under Impact AES-5, light trespass would be limited to the maximum extent feasible by the proposed state-of-the-art lighting design and equipment, which are discussed in Section 2, *Project Description*, of the Draft EIR. A couple commenters questioned whether or not use of the upward-facing lights could be limited to specific events such as punts and kickoffs. Minor changes to the analysis of sky glow were made in the Final EIR in order to clarify the times of use of the upward-facing luminaires and in order to clarify the potential impacts of the proposed project on sky glow. The analysis under Impact AES-5 in the Final EIR has been clarified as follows:

***Impact AES-5 THE PROPOSED STADIUM LIGHTS WOULD BE SHIELDED AND THE BRIGHTEST LIGHTS WOULD BE DOWNWARD-FACING TO REDUCE LIGHT TRESPASS. UPWARD-FACING LIGHTS WOULD ONLY BE USED FOR SHORT DURATIONS TO ILLUMINATE AIRBORNE OBJECTS SUCH AS FOOTBALLS DURING PUNTS AND KICKOFFS DURING GAMES AND WOULD BE DESIGNED TO PROVIDE ONLY THE MINIMUM AMOUNT OF ILLUMINATION NECESSARY TO SEE AIRBORNE OBJECTS IN THE STADIUM. THEREFORE, THE PROJECT WOULD NOT SUBSTANTIALLY INCREASE SKY GLOW. IMPACTS FROM SKY GLOW WOULD BE LESS THAN SIGNIFICANT.***

As discussed in Impact AES-3, the proposed stadium lighting would be designed to minimize light trespass. The approximate 80-foot height of the brightest stadium lights would enable each luminaire to be mounted with a narrow beam angle, which would focus light downward, thereby limiting light trespass outside the athletic fields and reducing sky glow. The proposed light fixtures also would feature reflectors and a visor to block upward light. Although lower-output luminaires would be mounted facing upward at 20 feet on each light pole and would incrementally increase sky glow when in use by reflecting light off clouds and aerosols, these lights would only be used for short durations to illuminate airborne objects such as footballs during punts and kickoffs during games and would be designed to provide only the minimum amount of illumination necessary to see airborne objects in the stadium. Furthermore, the use of all stadium lights would be limited to certain athletic events approximately 152 nights of the year, approximately 83 of which would be games (this estimate includes the maximum number of playoff games that could be played in any given year). For most lighted evenings, the lights would be turned off by 8:30 PM or earlier. For approximately 15 or fewer nights per year, the lights would be cut off by 9:45 PM in the evening. The minimal amount of sky glow that would be introduced with installation of the proposed lighting system would be limited to early evening hours (typically before 8:30 PM), would occur for a maximum of 152 nights per year, and would occur in a location with existing nighttime lighting (including street lamps along the adjacent roadway and security lighting on the adjacent campus). Therefore, they would not substantially contribute to sky glow during sensitive nighttime hours. The City of Novato,

being located in the greater San Francisco Bay Area, also has nighttime skies that are subject to substantial existing light pollution, largely from sources in the U.S. 101 corridor, and that are not sensitive to additional artificial light. Therefore, the proposed stadium lights would not substantially contribute to sky glow near the school site, and impacts would be less than significant.

As discussed in Section 4.1, *Aesthetics*, of the Draft EIR, impacts related to night lighting would be less than significant with the identified mitigation measures.

#### *Sleep Disturbance and Other Health Impacts*

Several commenters stated that use of the proposed stadium lighting system would interfere with their sleep or the sleep of their family members, including children. Several commenters also stated that the proposed lighting system would result in adverse effects to their health.

The main stadium lights would be turned off by 9:45 PM or earlier, with the rare exception of games that extend to overtime, which could require the continued use of main stadium lights incrementally beyond this cut-off time. It is acknowledged that some neighbors of San Marin High School may go to sleep before 9:45 PM. In addition, stadium lighting would emit light in the blue spectrum, exposure to which can suppress production of the hormone melatonin and impair sleep quality in the evening (American Medical Association 2016). However, as described above under the heading *Light Trespass and Glare*, the proposed stadium lights' narrow beam angle, reflectors, and visors would minimize the exposure of nearby residents to lighting that could potentially disturb sleep. As described above, preliminary photometric analyses indicate that potential light trespass would be very low (likely less than 1.0 foot-candle at neighboring property lines). Furthermore, unlike LED streetlights that are illuminated all night and have generated complaints from residents in cities like Davis, California, and Seattle, Washington, the proposed LED lights would be turned off by 8:30 PM most nights and by 9:45 PM fewer than 15 times per year for home football and Powder Puff games. For approximately 210 of the 365 nights of the year, the lights would not be in use. The stadium lights would have a 9:45 PM cut-off time that precedes the "post-curfew" hours of 10:00 PM or later identified by Illuminating Engineering Society of North America's, which correspond to normal sleeping hours.

Due to the low levels of light trespass and glare and the lack of use of the lights during normal sleeping hours, it is not anticipated that implementation of the proposed project would substantially disturb sleep patterns or result in adverse health effects for nearby residents. There is no scientific consensus that LED lighting would result in adverse effects to human health. A thorough review of all available literature on the potential effects of solid-state lighting (e.g., LED lighting) on human health was conducted by the International Energy Agency 4E Solid State Lighting Annex (2014). That review found that in comparison with other lighting technologies, solid-state lighting technology is not expected to have more direct negative impacts on human health with respect to non-visual effects. Commenters also referred to a report entitled "Human and Environmental Effects of Light Emitting Diode (LED) Community Lighting" to support concerns about health effects. However, this report pertains to LED street lights that are on every night and for all or most of the night and not sports field lights that are on for relatively limited durations. It should also be noted that the report states that the "American Medical Association (AMA) support[s] the proper conversion to community based Light Emitting Diode (LED) lighting, which reduces energy consumption and decreases the use of fossil fuels." In addition, the proposed project generally incorporates most of the article's recommendations regarding LED lights, i.e. that they be minimized, shielded and turned off when not needed.

As discussed in Section 4.1 of the Draft EIR, *Aesthetics*, impacts related to night lighting would be less than significant with the identified mitigation measures.

International Energy Agency - Energy Efficient End-Use Equipment (4E) SSL Annex Task 1. 2014. Solid State Lighting Annex: Potential Health Issues of SSL – Final Report. September. Available at: [http://ssl.iea-4e.org/files/otherfiles/0000/0072/IEA\\_4E\\_SSL\\_Annex\\_Health\\_Aspects\\_Study\\_final.pdf](http://ssl.iea-4e.org/files/otherfiles/0000/0072/IEA_4E_SSL_Annex_Health_Aspects_Study_final.pdf)

- B. Noise. Many of the commenters expressed concern regarding the potential noise impacts associated with operation of the proposed project. These concerns focused on the potential for increased noise associated with the upgraded public address (PA) system, increased noise associated with crowds during athletic events, increased noise associated with event-related traffic, the potential for noise to shift from daytime to evening hours and the impact that may have on sleep and the quality of life, and the frequency of noise (i.e., the number of evenings with noise-generating events). A number of commenters questioned whether the PA sound levels described in the Draft EIR could be increased after installation of the proposed project and wondered how the specified PA volume limits would be enforced. Several commenters questioned the validity of the noise measurements, the timing of the noise measurements, and the appropriateness of the noise measurement locations. A few commenters questioned the mitigation measures identified in the Draft EIR and suggested that further analysis of noise mitigation is required.

*Noise Levels Associated with the Proposed Public Address System Upgrades*

A number of commenters expressed concerns related to the noise levels associated with the upgraded PA system that would be installed as part of the project. These concerns included the potential for the upgraded PA system to be heard throughout the neighborhood, the potential impact of the PA system on sleep patterns and evening activities, and the potential for the sound level setting on the digital signal processor (DSP) to be increased beyond the proposed 55 dBA L<sub>5</sub> level. None of the comments resulted in revisions to the conclusions of the Draft EIR, which found that the 55 dBA L<sub>5</sub> threshold would be exceeded by crowd noise associated with athletic events. On football game days, as discussed in Section 4.5, *Noise*, of the Draft EIR, noise levels associated with activities on the field would exceed both the hourly L<sub>5</sub> threshold and the daily CNEL threshold and would result in a significant and unavoidable impact.

The upgraded public address system would be designed to limit the amount of sound that leaves the stadium. As described in Section 2.4.1.2 of the Draft EIR, *Public Address System*, the speakers would be directed towards the spectators and the field, and they would be designed to minimize the amount of sound that would leave the stadium. The public address system would be controlled by an automixer/digital signal processor (DSP) and a control panel located in the press box. The DSP would be set to limit the sound level to conform to the requirements of the applicable local noise ordinance to the extent possible, and upward adjustment of the sound level limit would be prohibited by Mitigation Measure N-1. District staff will develop an Administrative Regulation (AR) for consideration and approval by the Board of Trustees. The Board would consider and potentially approve the AR at the same time that the Board considers approval of the proposed project. The AR will contain policies and restrictions that implement the requirements contained in the Draft EIR, including policies regarding the maximum allowable volume for the PA system.

Mitigation Measure numbering has been updated in the Final EIR so that this measure is now “N-2”. In addition to correcting the mitigation measure numbering error, Mitigation Measure N-1 was revised as shown below to add the phrase “to the extent possible” in two additional locations because it may not be possible to lower the volume of the PA system to a level where the L<sub>5</sub> 55 dBA threshold at neighboring property lines is met while still maintaining a reasonable and intelligible sound level in the bleachers.

~~N-2~~ N-2 Public Address System Design. The District shall design and operate the new PA system to not exceed an L<sub>5</sub> sound level of 55 dBA at the surrounding residences to the extent possible. This would require distributing highly directional and carefully aimed loudspeakers around the bleachers and field. The distance between the loud speakers and the coverage area shall be minimized to reduce spillover noise to the community. In addition, the system output volume shall be regulated by an audio processor with the ability to limit the audio output levels (e.g. compressor/limiter). After installation of the PA system, the District shall retain a qualified

acoustic engineer to test the system and ensure that PA noise does not exceed an  $L_5$  sound level of 55 dBA at the surrounding residences to the extent possible. The PA system shall be adjusted as necessary to comply with the  $L_5$  threshold to the extent possible.

As required by Mitigation Measure N-1, described in Section 4.5.2 of the Draft EIR under Impact N-2 and shown above, the District must design and operate the new PA system to not exceed an  $L_5$  sound level of 55 dBA at the surrounding residences to the extent possible. This would require distributing highly directional and carefully aimed loudspeakers around the bleachers and field. The distance between the loud speakers and the coverage area must be minimized to reduce spillover noise to the community. In addition, the system output volume must be regulated by an audio processor with the ability to limit the audio output levels (e.g. compressor/limiter). After installation of the PA system, the District would have to retain a qualified acoustic engineer to test the system and ensure that PA noise does not exceed an  $L_5$  sound level of 55 dBA at the neighboring property lines to the extent possible. The PA system would be required to be adjusted as necessary to comply with the  $L_5$  threshold to the extent possible.

The significance discussion under Impact N-2 in Section 4.5.2 of the Draft EIR, *Impact Analysis*, noted that it may not be possible to achieve the 55 dBA  $L_5$  sound level at neighboring residences while still maintaining a reasonable and intelligible sound level in the bleachers:

Mitigation Measure N-~~2~~4 would result in noticeable reductions in PA sounds at distant residences with the new PA system; however, even with a state-of-the-art equipment and design, it is possible that an  $L_5$  sound level of 55 dBA at the nearest residences would not be achievable. Furthermore, at locations where the PA noise can be reasonably limited to 55 dBA, noise from the crowd would still exceed 55 dBA. Therefore, the resulting noise levels would exceed the adopted thresholds and remain significant after mitigation. The project's impact related to hourly  $L_5$  noise levels for nearby sensitive receptors during field activities and the increase in CNEL at ST-1 and ST-2 would remain significant and unavoidable.

The upgraded PA system would reduce noise levels compared to the existing PA system. For example, the Noise Analysis (Appendix E of the Draft EIR) found that the noise levels from the existing PA system ranged from 62 to 74 dBA  $L_{max}$  at the nearest homes to the north of the project site, and preliminary estimates of the noise level from the upgraded PA system at those homes is 60 dBA  $L_{max}$ . It may be possible with additional PA system design changes to achieve a PA noise level of 55 dBA  $L_5$  ( $L_5$  noise levels are generally lower than  $L_{max}$  noise levels and therefore the predicted  $L_5$  noise level at the nearest residences to the north would likely be below 60 dBA). However, the Draft EIR properly concluded, as shown above, that it is possible that an  $L_5$  sound level of 55 dBA at the nearest residences would not be achievable. Regardless, noise from the crowd at large events would exceed the 55 dBA  $L_5$  threshold and the daily CNEL increase threshold at the nearest sensitive receptors, which would result in a significant noise impact.

The operational noise impacts associated with the proposed project are described in Section 4.5.2 of the Draft EIR, *Impact Analysis*. As discussed above, crowd noise during athletic events would exceed hourly  $L_5$  and daily CNEL noise thresholds resulting in a significant and unavoidable noise impact.

Implementation of Mitigation Measure N-1 would ensure that noise from the PA would not exceed an  $L_5$  sound level of 55 dBA at the neighboring property lines to the extent possible. Sound levels generated by the improved public address system would generally be lower than the sound levels generated by the crowds at large events such as football games.

#### *Crowd Noise during Athletic Events*

Many commenters expressed concern about the potential impact of crowd noise during and after athletic events.

As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Operational Noise Impact Thresholds*, a future varsity football game was used to model potential hourly and daily noise impacts from crowd noise because a varsity football game represents the worst-case scenario (i.e., the maximum expected noise levels from crowds). While crowd noise from athletic events other than varsity football could also exceed the hourly and daily noise thresholds, the worst-case scenario was used to evaluate the potential exceedance of identified hourly and daily thresholds. Noise from post-event activities was measured as part of the long-term noise monitoring for the football games. The post-game crowd noise was not found to be a dominant factor in the overall event noise exposure from the games. The potential impact of crowd noise throughout the year from all project-related events is evaluated in terms of an increase in the annual average CNEL. The noise analysis methodology is discussed in more detail under a separate heading below.

Under Impact N-2 in Section 4.5.2, *Impact Analysis*, the Draft EIR identified a significant and unavoidable impact from crowd noise during athletic events, including during varsity football games. As described above, post-game crowd noise was not found to be a dominant factor in the overall event noise exposure from games. Crowd noise levels would exceed both the hourly  $L_5$  and daily CNEL thresholds. No feasible mitigation was identified to reduce the significant and unavoidable impact associated with crowd noise. None of the comments result in a change to the impact analysis or significance conclusion under Impact N-2 in the Draft EIR. However, the commenters' concerns are acknowledged and will be forwarded to the District's decision makers for consideration.

#### *Traffic-Related Noise Increases*

While many commenters expressed concern about the potential for increased traffic in general, two commenters specifically opined that the Draft EIR underestimated noise levels associated with increased traffic associated with the proposed project because the traffic noise analysis did not account for traffic leaving events at the stadium and because the traffic noise analysis underestimated the total amount of traffic associated with the proposed project.

As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Traffic Noise Methodology*, predicted increases in traffic noise were based on a traffic noise model and project-related increases in traffic as estimated in the project's traffic study:

Noise levels associated with existing and future traffic along area roadways were calculated using standard noise modeling equations adapted from the Federal Highway Administration Traffic Noise Model (TNM) 2.5 (noise modeling data sheets can be viewed in Appendix E). The model calculations are based on peak hour traffic data from the Transportation Impact Study Draft Report prepared for the project by DKS (see Appendix F)...The TNM model was used to model existing, existing plus project, future (2040), and future (2040) plus project conditions.

Noise from post event activities was measured as part of the long-term noise monitoring for the football games. The post-game noise was not found to be a dominant factor in the overall event noise exposure from the games. Pre-game and post-game noise is primarily due to vehicular traffic on San Marin Drive, which is addressed in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under Impact N-3. As discussed in Impact N-3, potential increases in traffic noise were analyzed based on the predicted increase in traffic from 6:00 PM to 8:00 PM, when the greatest increase in traffic would occur as spectators arrive at a home football game. As shown in Section 4.5.2 of the Draft EIR in Table 31 under Impact N-3, project-related traffic associated with varsity football games during the peak traffic hour between 6:00 PM and 8:00 PM would result in a traffic noise increase up to 1.7 dBA  $L_{eq}$  at several locations along nearby roadways. For six of the 24 modeled sensitive receptor locations, the increase in traffic noise due to project-related traffic would exceed the FTA threshold for traffic noise. However, as stated in the Draft EIR under Impact N-3, this increase in traffic noise would only occur during a limited number of events per year and would not be typical of traffic noise increases associated with the proposed project. Impact



N-3 has been revised as follows in the Final EIR to clarify that graduation would be included along with varsity football games as a large event that would result in traffic noise increases beyond the FTA threshold:

As shown in Table 33-Table 31, traffic generated by the project would incrementally increase roadway noise before and after events. The increase in traffic noise from spectators of football games and graduation attendees would exceed FTA thresholds at four receptor locations on San Marin Drive and two receptor locations on Novato Boulevard. However, this substantial increase in traffic noise on San Marin Drive and Novato Boulevard would only occur approximately 156 times or fewer per year at home football games (plus any home playoff games) and other large events such as graduation and for a maximum duration of two hours total per event. Traffic noise from spectators of football games and graduation attendees would not be typical of the traffic noise associated with project activities during the vast majority of the year. Therefore, traffic noise associated with project activities would not exceed FTA thresholds under typical conditions, and this impact would be less than significant.

Two of the commenters opined that traffic noise impacts were underestimated because the Draft EIR did not analyze traffic noise associated with event attendees leaving large events. Traffic noise increases from attendees leaving large events are expected to be similar to the modeled traffic noise increases associated with attendees arriving at large events. Although the Draft EIR only modeled the increases associated with attendees arriving at a large event, this analysis represents the worst-case scenario because attendees would arrive during peak evening traffic (6:00 PM to 8:00 PM) when existing traffic noise levels are the highest and the FTA threshold for traffic noise increase is the lowest. Because post-event project-related traffic would occur during off-peak traffic hours, the baseline traffic noise levels during the post-event timeframe would be lower than the baseline peak-hour traffic noise levels. The FTA threshold for traffic noise increases would likely increase from 1.0 dBA to 2.0 or 3.0 dBA, based on the expected reduction in existing traffic noise levels. Please see the discussion in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Traffic Noise Methodology*, for an explanation of FTA traffic noise thresholds. Even if the 1.0 dBA FTA traffic noise increase threshold would apply during post-event traffic, the traffic noise impact would be the same as or less severe than the traffic noise impact during pre-event arrival (due the reduction in baseline traffic levels during post-event hours compared to pre-event hours).

As described in Impact N-3 in Section 4.5.2 of the Draft EIR, *Impact Analysis*, traffic noise associated with project activities would not exceed FTA thresholds under typical conditions and potential impacts related to project-generated traffic noise would be less than significant. No changes to the Draft EIR are required as a result of these comments.

#### *Noise Impacts Shifting from Daytime to Evening Hours*

Many commenters stated that the shift in noise from daytime to evening hours that would result with implementation of the proposed project would result in a negative impact on their sleep patterns and their enjoyment of evening activities.

As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Operational Noise Impact Thresholds*, the noise analysis evaluates the increase in CNEL on a day with a varsity football game. The CNEL measurement includes a 5 dBA “penalty” which is added to noise during evening hours (7:00 PM – 10:00 PM) to account for peoples’ sensitivity to evening noise. In order to evaluate the potential impact that would occur as a result of a change from day games to night games, the noise analysis considers the increase in the CNEL on a day when a varsity football game is played at night as compared to the CNEL on a day when a varsity football game is played during the day. Football games are used since these are generally the loudest events at the high school stadium.

Under Impact N-2 in Section 4.5.2, *Impact Analysis*, the Draft EIR identified a significant and unavoidable impact from crowd noise during athletic events, including during varsity football games. Crowd noise levels would exceed both the hourly L<sub>5</sub> and daily CNEL thresholds. The Draft EIR under Impact N-2 also found that the increase in the annual average CNEL from all field sources would be less than significant. The Draft EIR properly considered the noise impact associated with shifting activities from daytime hours to evening hours. No changes to the Draft EIR are required. Nevertheless, although these concerns do not challenge the analysis or conclusions of the Draft EIR, they will be forwarded to the District's decision makers for their consideration.

#### *Frequency of Project-Related Noise Impacts*

Several commenters expressed concern regarding the frequency of noise-generating activities that would result from implementation of the proposed project. As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, while the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not significantly change from existing usage. As shown in Table 4 in Section 2.4.1.6, *Proposed Frequency of Use*, of the Final EIR, the stadium lights would be turned on for a maximum of 152 nights during the year. This frequency estimate for use of the stadium lights represents the maximum potential use of the lights and includes 24 nights of possible Marin County Athletic League (MCAL) and North Coast Section (NCS) playoff games. The number of playoff games that would be hosted with implementation of the proposed project would depend on the success of individual sports teams and the resulting playoff schedule. For example, San Marin High School hosted four playoff games during the 2015-16 school year and may host up to three playoff games during the 2016-17 school year, depending on the success of the teams during the remainder of their seasons. Therefore, the actual frequency of use of the lights may be lower than the estimated maximum in any given year. The main stadium lights would be turned off by 8:00 PM from Monday through Thursday for practices, by 8:30 PM from Monday through Thursday for games, and by 9:45 PM on Fridays. The stadium lights would not be used on Saturdays or Sundays, with the possible exception of Saturday lights usage until 8:30 PM for up to four Saturdays in February and two Saturdays in May for soccer and lacrosse playoff games.

The PA system would be used for a maximum of 41 days per year (typically for approximately two to 3 hours per day). This maximum includes 14 days of PA system use for possible playoff games. As described above, the number of playoff games in any given year (and consequently the number of days with PA usage) may be less than the estimated maximum.

For a discussion of alternatives examined to reduce the severity of potential impacts, including noise impacts, please see Master Response E - Alternatives.

- C. Traffic. Many commenters expressed concern regarding the potential traffic impacts associated with the proposed project, including concerns that the traffic increase associated with project implementation would cause congestion, that project-generated traffic would contribute to decreased traffic safety including pedestrian safety, that implementation of the proposed project would result in a shortage of parking in the neighborhood, and that baseline traffic counts for the traffic impact analysis were measured at the wrong time. As discussed in Section 4.6, *Transportation and Traffic*, of the Draft EIR, traffic impacts associated with implementation of the proposed project would be less than significant. Specific traffic-related comments and concerns are addressed in more detail below.

#### *Project-Generated Congestion*

A number of commenters expressed concern that the level of congestion would rise with implementation of the proposed project, especially before and after large events such as football games.

As discussed in Section 4.6.2 of the Draft EIR, *Impact Analysis*, increases in traffic for the maximum studied event under Existing plus Project conditions would not cause operating conditions to fall below the Level-of-Service (LOS) standard at any of the study intersections. Detailed LOS calculations for the Existing plus Project condition are included in the Transportation Impact Study (Appendix F of the Draft EIR) for both the 6:00 to 8:00 PM and 8:00 to 10:00 PM time periods. As described under Impact T-1 in Section 4.6.2 of the Draft EIR, although the delay per vehicle would increase for most of the study intersections and the LOS would decrease for some of the study intersections during both the 6:00 to 8:00 PM and 8:00 to 10:00 PM time periods, none of the intersections would fall below an acceptable LOS. Also as described in Section 4.6.2 of the Draft EIR, the same conclusions were found to be true under Cumulative plus Project conditions.

It should also be noted that traffic congestion is of greatest concern when it affects motorists on a regular basis, such as during the daily commute, while traffic congestion related to the proposed project would only be occasional and for a relatively short duration. The potential congestion impacts that were analyzed in Section 4.6.2 of the Draft EIR were based on the worst-case scenario (Varsity Football games and graduation), which represents project-related events with the highest levels of attendance. These events would occur 15 or fewer times per year, and related traffic congestion which, as discussed above, would be below established significance thresholds, would occur for fewer than approximately two hours on those days. Therefore, the potential changes in delay per vehicle and LOS reported in Section 4.6.2 of the Draft EIR, while already less than significant, represent a very conservative estimate of project-induced congestion; most project-related activities would generate a substantially lower level of traffic and would result in substantially less congestion than the reported project-induced maximum. As discussed in Section 4.6.2 of the Draft EIR, traffic impacts related to congestion would be less than significant. No changes to the Draft EIR are required.

#### *Impacts Related to Traffic Safety*

Several commenters expressed concern about potential impacts related to traffic safety with implementation of the proposed project. Specifically, some commenters were concerned that project-related increases in traffic would result in increased accidents due to high school students driving cars for the first time or students driving drunk while leaving an athletic event. A few commenters expressed concern that project-related traffic increases would result in increased hazards for pedestrians in the area, including children from the nearby elementary school and attendees leaving an evening event at the stadium.

As discussed in Section 2.4.1.3 of the Draft EIR, *Security, Parking, Crowd and Traffic Control, and Litter Removal*, the District would assign staff to handle security, crowd concerns, and litter removal at home athletic events. In addition, the District would consider hiring, on an as-needed basis, security and outside cleaning companies for large events such as playoff games, rival games, and graduation ceremonies. A detailed safety plan is being developed by the District and will contain elements that address security, crowd control, traffic issues, and litter removal. As described in Item XIV, *Public Services*, of the Revised Draft Initial Study (Appendix A of the Draft EIR), the Novato Police Department stated that there is currently adequate police protection in the area and the Department does not see a reason for elevated crime associated with the project. It is assumed that motorists will generally obey traffic laws and that the police department will enforce those laws. Implementation of the proposed project is not expected to change motorists' behavior as it relates to drunk driving and awareness of pedestrian safety. The commenters offer no evidence that implementation of the proposed project would increase the rate of drunk driving. No changes to the Draft EIR are warranted.

As described in Section 4.6.1 of the Draft EIR, *Setting*, under the heading *Pedestrian and Bicycle Access*, The main pedestrian access to the stadium is from San Marin Drive adjacent to the stadium. There are crosswalks at the intersection of San Marin Drive and San Carlos Way and crosswalks at the intersection of San Marin Drive and Novato Boulevard. The presence of elementary school-aged pedestrians likely

would not coincide with lower-visibility timeframes because the vast majority of elementary school-aged pedestrians would be at home or with their guardians after dark. High school students and other attendees at evening events at the stadium would be able to use sidewalks and crosswalks in the surrounding area and would not be exposed to substantial safety hazards compared to baseline conditions. No significant impacts related to traffic or pedestrian safety would occur with implementation of the proposed project and no changes to the Draft EIR are required.

#### *Parking Availability*

Although parking is not an environmental issue under CEQA, a parking analysis was conducted in conjunction with the Transportation Impact Study prepared for the proposed project (Appendix F of the Draft EIR). Section 3.6 of Appendix F describes existing parking conditions on-site and near the project site. The parking analysis found that existing evening parking utilization is 1 percent for on-site parking and 8 percent for nearby street parking, and that combined utilization of on-site parking and nearby street parking is 5 percent for a typical weekday evening. Section 4.3 of Appendix F describes parking conditions with implementation of the proposed project. The parking analysis found that the combined utilization of on-site parking and nearby street parking would be expected to rise to a maximum of 64 percent. The parking analysis concludes that the expected additional parking demand that would be generated by implementation of the proposed project would be well within the practical capacity of the on-site parking and adjacent street parking supply. No new parking lots are planned as part of the proposed project.

#### *Adequacy of Transportation Impact Study Methodology*

A number of commenters, including the California Department of Transportation, questioned whether or not the baseline traffic counts accurately captured existing conditions for the proposed project. As the Project is defined by the addition of stadium lighting, allowing football games to be played on weekday (usually Friday) evenings, existing conditions are defined by a weekday evening without any traffic associated with a football game. As the study times (6:00 PM – 10:00 PM) are long after any other school activities would occur, there should be no appreciable difference in collecting traffic counts after the school year (or the football season) has ended. As the Project would make no difference to games played on Saturdays, besides reducing the frequency of their occurrence, there is no need to include a Saturday Existing conditions scenario. As discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted.

- D. Public Services and Safety. A number of commenters expressed concerns about crime and public safety associated with the proposed project, including concerns about the possibility that evening events could increase incidences of loitering, tailgating, vandalism, graffiti, litter, jaywalking, driving faster than the posted speed limit, fighting, and wildfires due to improperly discarded smoking materials. Some commenters also expressed concerns about drug and alcohol use in and around the project site and crowd control during events. A few commenters expressed concern about the potential for implementation of the proposed project to interfere with emergency response, including police response and emergency medical response.

#### *Loitering, Tailgating, Jaywalking, and Litter*

As described in Section 2.4.1.3 of the Draft EIR, *Security, Parking, Crowd and Traffic Control, and Litter Removal*, the District would assign staff to handle security, crowd concerns, and litter removal at home athletic events. In addition, the District would consider hiring, on an as-needed basis, security and outside cleaning companies for large events such as playoff games, rival games, and graduation ceremonies. A detailed safety plan is being developed by the District and will contain elements that address security, crowd control, tailgating, traffic issues, and litter removal. District staff will develop an Administrative Regulation (AR) for consideration and approval by the Board of Trustees. The Board

would consider and potentially approve the AR at the same time that the Board considers approval of the proposed project. The AR will contain policies and restrictions that implement the requirements contained in the Draft EIR, including policies regarding the shut-off time for the stadium lights, the maximum allowable volume for the PA system, prohibitions against loitering and tailgating after athletic events, and prohibition against community or non-school use of the lights.

As described in Section 2.4.1.3 of the Draft EIR, trash receptacles would be provided inside and outside of the stadium. The school would remove game- or event-related trash from school property and properly dispose of all event-related trash immediately or no later than the following morning. In addition, the school would be responsible for checking the adjacent properties for litter and all event-related litter would be removed immediately following each event or as soon as practically feasible. Operation of the proposed project is not expected to result in additional garbage compared to existing conditions.

It should be noted that there are existing laws against littering, loitering and jaywalking and that citizens are generally expected to comply with existing laws to a reasonable extent. As discussed under Master Response C – Traffic, impacts related to pedestrian safety (including potential jaywalking) would be less than significant. Regarding litter, if cleaned up promptly as proposed, the typical debris left over after a night game would not result in a significant environmental impact. Football games and other athletic events are currently held at the stadium during daylight hours, including on Saturdays, and the District is not aware of evidence that a significant impact related to loitering, jaywalking, or littering is occurring as a result of current activities. Implementation of the proposed project is not expected to substantially change the behavior patterns of the general student population or visitors related to loitering, jaywalking, or littering. The commenters do not provide specific information or evidence to suggest that a significant environmental impact within the range of topics covered by CEQA would occur related to these issues. No changes to the Draft EIR are warranted.

*Vandalism, Graffiti, Speeding, Alcohol and Drug Use, and Fighting*

As described in Item XIV, *Public Services*, in Appendix A of the Draft EIR (Revised Draft Initial Study), the Novato Police Department reports that there is currently adequate police protection for San Marin High School and the surrounding neighborhood (personal communication Captain Jamie Knox, October 18, 2016). The Department indicated that minor additional patrolling may be required with implementation of the proposed project, but did not indicate that additional resources would be necessary to staff and equip the additional patrol if it is needed. San Marin High School is a drug and alcohol-free campus, and use of these substances would not be permitted at or during any of the activities associated with the proposed project. In addition, there are existing laws against vandalism, graffiti, speeding, underage drug and alcohol use, and fighting, and citizens are generally expected to comply with existing laws to a reasonable extent. As described above, football games and other athletic events are currently held at the stadium during daylight hours. The District is not aware of evidence that a significant impact related to vandalism, graffiti, speeding, drug use, underage alcohol use, or fighting is occurring as a result of current activities. Implementation of the proposed project would not substantially alter the behavior patterns of the general student population or visitors.

As described in in Item XIV, *Public Services*, in Appendix A of the Draft EIR (Revised Draft Initial Study), existing levels of police and fire protection would remain sufficient with implementation of the project and no new police or fire stations would need to be constructed. Although operation of the project would result in a concentration of athletes and spectators at the stadium during evening and nighttime events, those people would travel from the surrounding area where they would have required a similar level of police and fire protection (over a broader area) had they not attended an evening or nighttime event at the project site. Also, the number of people in attendance at any one evening or nighttime event generally would not exceed the number of students that attend San Marin High School each weekday. Therefore, neither the total population served by existing police and fire protection services

nor the periodic concentration of that population on the project site would change relative to existing conditions. Impacts related to public services, including fire protection and police response, would be less than significant and no changes to the Draft EIR are warranted.

Additionally, as stated in the Section 2.4.1.3 of the Draft EIR, Athletic Directors or alternative campus representatives from surrounding high schools with existing stadium lights and evening events were contacted in order to provide clarity regarding their level of security needs and specific campus security commitments. During this time, they were also asked if they have experienced security issues from the stadium lights on their campuses in the past. In general, each campus representative stated that they provide on-site staff for security, and in some cases, especially during large events including homecoming, most campuses hire additional security. No campus reported any specific security related issues or events. A summary of the campus' responses is provided in Appendix B (Event Security and Crowd Safety) of the Draft EIR.

In summary, significant environmental impacts related to these issues would not occur with implementation of the proposed project and no changes to the Draft EIR are required. Nevertheless, the commenters' concerns in this regard will be forwarded to the NUSD Board for their consideration independent of the CEQA process.

#### *Wildfires and Emergency Response*

As described in Item VII, *Hazards and Hazardous Materials*, in Appendix A of the Draft EIR (Revised Draft Initial Study), the proposed project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No changes to the local circulation or access patterns are proposed, and neither construction nor operation of the project would significantly change or impede existing traffic patterns or flow in a manner that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. As described in Item XIV, *Public Services*, of the Revised Draft Initial Study (Appendix A of the Draft EIR), existing levels of police and fire protection would remain sufficient with implementation of the proposed project and no new police or fire stations would need to be constructed. Several commenters opined that fire danger and medical emergencies would increase with implementation of the proposed project, but the commenters do not offer any evidence to support those claims. The project site is primarily surrounded by existing development. While natural open space is located near the stadium at O'Hair Park to the south and in the hills to the northwest, no wildlands are immediately adjacent to the stadium. Implementation of the proposed project would have a less than significant impact related to wildfires and emergency response, and no changes to the Draft EIR are warranted.

- E. Alternatives. Many commenters opined that the evaluation of alternatives in Section 6 of the Draft EIR was inadequate and that additional alternatives should be evaluated. Specifically, commenters requested that additional alternatives be considered that would reduce lighting levels, sky glow, and glare; that would achieve the basic objectives of the project while avoiding impacts including noise; that would be located in an area without neighboring residents, and that would provide a location where both Novato High School and San Marin High School students could practice and host athletic events. A number of commenters suggested that an off-site location, such as a nearby undeveloped area or the existing softball and soccer fields at Indian Valley College, be considered for development of a new lighted stadium that could meet the needs of both Novato High School and San Marin High School. A few commenters questioned why the alternatives analysis did not consider the availability of an additional, on-site turf athletic field as a component of each of the alternatives. A couple of commenters wondered why the Draft EIR did not include a cost-benefit or cost-effectiveness analysis for each of the alternatives.

As described in CEQA Guidelines Section 15126.6(a), an “EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible... [t]here is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.” Although no feasible alternative was identified (other than the No Project alternative) that could eliminate the significant and unavoidable noise impact, the Draft EIR considered a reasonable range of alternatives to the proposed project. Several of the alternatives considered were rejected as infeasible and therefore were not carried forward for detailed analysis. The following discussion examines several alternatives that were raised during public comment on the Draft EIR in terms of their feasibility and their ability to reduce significant environmental impacts associated with the proposed project.

#### *Reduced Lighting Alternative*

A reduced lighting alternative was not considered for the proposed project. The Musco 80-foot Light-Structure System poles with Green Generation LED luminaires (light fixtures) or general equivalent, which are designed specifically to minimize light trespass through reflectors, visors, and the mounting height of the luminaires (which allows for a narrow beam angle that minimizes off-site illumination), would reduce light levels outside of the stadium to very low levels. The lighting system as proposed would be designed to provide only the minimum amount of illumination required to meet the needs of student athletes during night games and practices. As described in Section 4.1.2 of the Draft EIR, *Impact Analysis*, impacts related to light and glare would be less than significant with implementation of mitigation measures. Mitigation Measure AES-3 requires preparation of a photometric study in accordance with industry standards to estimate the vertical and horizontal foot-candles that would be generated by the proposed stadium lighting on the athletic field and at the boundaries of the stadium site. Mitigation Measure AES-3 also requires the District to coordinate with the lighting consultant to ensure that the final design of the lighting system would not allow illuminance to exceed two horizontal or vertical foot-candles at any specific point on the site boundary (i.e., at the perimeter of the stadium). Mitigation Measure AES-4 requires preparation of a photometric study in accordance with industry standards to estimate the amount of discomfort glare to which nearby residents would be subjected when facing the proposed stadium lights. Mitigation Measure AES-4 also requires the District to coordinate with the lighting consultant to ensure that the final design of the lighting system would not allow discomfort glare to exceed 10,000 candelas at residential property lines facing the stadium.

As described above in Master Response A – Lighting and Aesthetics, preliminary photometric analyses show that attainment of the illumination and glare target values required by Mitigation Measures AES-3 and AES-4 would be feasible. Due to the advanced lighting system that would be implemented with the proposed project and due to the lack of significant lighting and glare impacts associated with the proposed project, a reduced lighting alternative was not deemed necessary to reduce the severity of potential impacts. No changes to the Draft EIR are warranted.

#### *Significant Impact Reduction and Avoidance of Sensitive Receptors*

Several commenters suggested that additional alternatives should have been included in the Draft EIR that would achieve the basic objectives of the proposed project while further reducing the severity of environmental impacts, including the significant noise impact. As described in Section 6.2 of the Draft EIR, *Alternatives Considered but Rejected as Infeasible*, several alternative sites were evaluated but were not carried forward for detailed analysis because they were rejected as infeasible during the project’s scoping process. All of the off-site alternatives would require cars or buses to transport student athletes, coaches, and support staff to and from the site for games and practices. Therefore, in addition to other increases in environmental impacts such as mobile-source air pollution, the rejected off-site alternatives would result in increased traffic noise at other sites. Construction of a new, lighted stadium at a nearby off-site location would be expected to result in similar attendance compared to implementation of the

proposed project. As discussed in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, implementation of the proposed project is expected to result in crowd sizes of up to approximately 1,440 persons for playoff and rivalry football games and other large events, such as graduation. As described under Impact N-2 in Section 4.5.2 of the Draft EIR, *Impact Analysis*, crowd noise at a large event such as a playoff or rivalry game would exceed both the hourly L<sub>5</sub> and daily CNEL noise thresholds at the property lines of nearby sensitive receptors, which would result in a significant noise impact. No feasible mitigation was identified to reduce this significant impact to a less than significant level.

The crowd size that would result from implementation of an off-site alternative is expected to be similar to the crowd size that would result from implementation of the proposed project, and the resulting crowd noise levels are also expected to be similar. Because crowd noise cannot feasibly be reduced below the predicted levels, the Draft EIR explored alternative sites that would reduce exposure of sensitive receptors to elevated noise levels. Sensitive receptors, including residences, surround most of the rejected off-site alternatives, including the San Andreas, Hamilton, Sinaloa Middle School, San Jose Middle School, and Hill Recreation Area sites. Therefore, those rejected off-site alternatives would not substantially reduce or avoid the significant noise impact associated with the proposed project. One rejected off-site alternative, O’Hair Park, would reduce the number of nearby sensitive receptors and therefore likely would reduce the severity of the significant noise impact. However, the site is owned by the City of Novato and currently leased by Morningstar Farm through the year 2022. Also, Novato Creek runs through the middle of the site. No athletic facilities currently exist on the site. Development of the site with a stadium may result in new water quality impacts or impacts to sensitive riparian species. Therefore, the O’Hair Park off-site alternative was not carried forward for detailed analysis because although it potentially could reduce the severity of the significant noise impact, it likely would introduce new environmental impacts compared to the proposed project. Also, the O’Hair Park site is not a feasible alternative because it is not certain that the District would be able to acquire or lease the site and because there are currently no athletic facilities at the site and the cost of construction of a new stadium at the site would render the project economically infeasible.

Another off-site alternative, the College of Marin Indian Valley Campus site, would also reduce exposure of sensitive receptors to noise impacts. That off-site alternative is discussed in detail below.

#### *New Off-site Shared Stadium Facilities*

Many commenters expressed an opinion that the College of Marin Indian Valley Campus site (IVC site) would be a feasible alternative to the proposed project, would provide an opportunity for both San Marin High School and Novato High School to host evening athletic events, would achieve all of the basic objectives of the proposed project, and would reduce or eliminate the significant environmental impacts associated with the proposed project. Many commenters also opined that the Draft EIR did not provide sufficiently detailed analysis to dismiss the IVC site as infeasible. The IVC site alternative was described in Section 6.2 (d) of the Draft EIR, *College of Marin Indian Valley Campus (IVC) existing fields*, as follows:

The campus contains two grass athletic fields which are configured for softball and soccer. The fields contain lighting but the lighting is configured to accommodate softball games. Therefore, the fields and lighting system would need to be reconfigured to accommodate football. The fields do not contain a track and could not accommodate track practices or a track meet. In addition, the field would require drainage improvements which would necessitate grading. Therefore, construction-related impacts such as traffic, noise, air pollution, and GHG emissions would be greater than those of the proposed project. No residences are located adjacent to these fields; therefore, the significant and unavoidable operational noise impact would be eliminated with use of this site. However, both the College of Marin and the City of Novato use these fields and would not accommodate NUSD’s proposed usage. The District would have to enter into a three-way agreement with the college and city to use the fields. The District’s schedule may not be accommodated at this facility.



In response to comments received on the Draft EIR, additional analysis of the IVC alternative has been provided in the Final EIR for informational purposes. The additional, more detailed analysis of the IVC site alternative in the Final EIR did not change the original conclusions of the Draft EIR. As described in Section 6.6 of the Final EIR, the IVC site alternative remains infeasible due to the unavailability of the site for use by the District. The College of Marin owns the IVC site, and has entered into a 40-year agreement with the City of Novato. That agreement, which governs use of the fields, will be up for renewal in the year 2036. As described in Section 6.6 of the Final EIR, the City of Novato is unwilling and unable to accommodate use of the site for NUSD evening athletic activities due to existing commitments for use of that field (City of Novato, Letter Re: City of Novato Community Recreation Programming, March 17, 2017). Therefore, although Section 6.6 of the Final EIR provides additional detail about the IVC site alternative, the conclusions of the Draft EIR regarding the feasibility of that alternative remain valid.

#### *Additional On-site Turf Field Alternative*

Several commenters opined that a planned additional on-site turf practice field on the San Marin High School campus would provide sufficient practice and game space to meet all of the project objectives and would alleviate the need to install stadium lights. A few commenters also suggested that the planned additional turf field should be considered as a component of all of the alternatives, including the proposed project. As stated in Section 6.2 (i), *Additional On-site Turf Fields*:

The District plans to install an additional turf practice field at San Marin High School. While an additional turf practice field will help with the number of practice locations it does not solve the larger issue of missed class time. Games times will still need to start at 3:15. Also, in the winter there are four athletic teams that need practice fields. Even with two practice fields, there would not be enough daylight hours in the winter to accommodate four athletic teams. In addition, during overlaps between Fall/winter and winter/spring sports seasons, there can be up to 7 teams that need a place to practice. Finally, the District is considering a later school-day start time, which would reduce available daylight hours for sports practice even further.

As described in the Draft EIR and shown above, installation of an additional on-site turf practice field would not achieve most of the project objectives and therefore is not considered a feasible alternative to the proposed project. The additional turf practice field, although planned, was not yet considered by the Board at the time of publication of the Draft EIR and therefore was not considered an existing component of the proposed project setting. The Bond Implementation Committee and the Superintendent made a recommendation to the Board on the first phase of projects under the Measure G Bond on May 2nd of 2017. The additional on-site artificial turf field was chosen as part of the first phase of projects under the Measure G Bond, but approval of this project was pending at the time of publication of the Draft EIR and implementation of the turf field project was not certain at that time.

#### *Cost-Benefit and Cost-Effectiveness Analysis of Alternatives*

A “cost-benefit analysis” is not a required component of alternatives analyses under CEQA (see CEQA Guidelines Section 15126.6, Consideration and Discussion of Alternatives to the Proposed Project). In addition, pursuant to CEQA Guidelines Section 15126.6, “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” Therefore, in addition to not requiring a cost-benefit analysis of alternatives, CEQA Guidelines specifically state that increased cost need not be considered when choosing between feasible alternatives. However, it should be noted, as described in CEQA Guidelines 15126.6(f)(1), that economic viability is among the factors that may be taken into account when addressing the feasibility of alternatives. An alternative therefore may be rejected as infeasible if the cost of that alternative renders the project economically infeasible.

Although a cost-benefit analysis is not a required component of alternatives analysis under CEQA, the District's decision makers will consider the short-term and long-term benefits and costs associated with the proposed project, in accordance with the legislative intent described in Public Resources Code Section 21001(g).

- F. Property Values. Several commenters expressed concerns about the proposed project's potential effects on property values in the surrounding neighborhood.

Potential changes to property values may be considered a socio-economic impact of the project, but not necessarily a physical impact on the environment. Pursuant to CEQA Guidelines §15131(a):

*“Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.”*

A physical impact may result if a change in property values could be shown to cause an impact on the environment. This could happen if, for example, residents of adjacent neighborhoods vacated their houses and were unable to sell them or find tenants, such that significant environmental impacts such as aesthetically blighted or hazardous conditions would result. Based on the potential neighborhood impacts discussed in the Draft EIR and the general desirability of housing in Novato, changes to property values, if they were to occur, would not result in blighted conditions or otherwise in economic impacts that would reach the point of a significant physical impact on the environment. The commenters do not provide specific analysis or evidence that economic impacts are likely to result in significant physical effects. Although this concern is not relevant to the Draft EIR specifically, it will be forwarded to the District's decision makers for their consideration.

- G. Project Cost. Several commenters also expressed concern related to the cost of the proposed project to the School District.

Similar to the discussion above related to commenter concerns regarding property values, the effect of the project on the District's budget and allocation of public funds may be considered an economic impact of the project, but not a physical impact on the environment. The commenters do not provide evidence that such budget effects would lead to a significant physical impact on the environment. Although this concern is not relevant to the Draft EIR specifically, it will be forwarded to the District's decision makers for their consideration.

## 8.2 Responses to Individual Comments on the Draft EIR

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4

P.O. BOX 23660

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Letter 1



*Serious Drought.  
Help save water!*

February 9, 2017

04-MRN-2016-00032

SCH # 2016082068

Ms. Yancy Hawkins  
Communications and Community Engagement  
Novato Unified School District  
1015 Seventh Street  
Novato, CA 94945

**San Marin High School Stadium Lights – Draft Environmental Impact Report (DEIR)**

Dear Ms. Hawkins:

1 Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans new mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). We aim to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the DEIR.

***Project Understanding***

The project proposes to install new stadium lighting and upgrades to the existing public address (PA) system at San Marin High School. The project is located in the athletic field area of the campus at the intersection of Novato Boulevard and San Marin Drive. Access to the project will be provided by the US 101 on- and off-ramps at De Long Avenue and Atherton Avenue. The lighting installation would consist of two sets of poles (a total of 20 poles). The first set of poles would support lighting fixtures for illuminating the field during sports competitions, practices, and other events. The second set of poles would support lighting fixtures for illuminating the field during post-event egress, clean-up, and potentially during sports team practices. The upgraded PA system would consist of speakers mounted on up to 12 additional poles, each approximately 25 feet tall. The new stadium lighting system would expand the hours of use for the athletic field by allowing use of the field during non-daylight hours and non-school hours. These activities would generally end no later than 9:30 p.m.

***Traffic Impact Study (TIS)***

- 2
- Page 125 of the DEIR claims that Table 33 (LOS Definitions) shows the number of vehicle trips expected to be generated by the project during the pre-event peak arrival period between

2 cont. | 6:00 PM and 8:00 PM. No vehicle trips are shown in that table. Please clarify this apparent error.

- 3 |
- Table 41 on page 138 of the DEIR claims to provide a comparison of Cumulative and Cumulative Plus Project conditions, similar to Table 40 on page 135, however, the table 41 header is apparently missing any distinction between the first two columns of LOS & Del/Veh and the second two columns of LOS & Del/Veh. Please confirm and/or clarify.
  - Appendix F of the TIS notes traffic counts were done on Friday, June 24, 2016, during summer while school was out. All count sheets included after Section 8 in Appendix F note this date. Was any data collected during the football season? If not, why? Were any counts done on a Saturday? In 2016, 8 of the 12 football games at this stadium were played on Saturdays. A reasonable and realistic representation of Existing conditions should include data collected on the day a game is played. Had this been considered?
  - Table 13 on page 37 of Appendix F in the TIS shows there's a significant increase in delay at IS #1, NB US 101 Ramps & Atherton Avenue for both the Existing plus project and the Cumulative plus project conditions. This seems to contradict the claim made in the Summary & Conclusions, Section 8.1, which states, 'No significant impact to intersection operations were found under the Existing Plus Project or Cumulative Plus Project Conditions'. In both cases, the delay is more than doubled once the project is included. Please identify potential mitigation.
  - In Appendix F of the TIS, the Synchro file for Location #1 claims "Existing Plus Project Post-Game 5:00 pm". Please clarify the significance of this calculation. In 2016, all Friday games were played at 7:00 pm.

5 |

6 |

7 | **Multimodal Planning**

The project should be conditioned to ensure connections to existing bike lanes and multi-use trails to facilitate walking and biking to the project site. Specifically, the proposed project should provide connections to the proposed Class II bike lanes on Novato Boulevard as shown in the 2008 Marin County Unincorporated Area Bicycle and Pedestrian Master Plan. Providing these connections with streets configured for alternative transportation modes will reduce VMT by creating multi-modal links to increase ridership of nearby Marin Transit Bus Routes 151, 154, and 251 and Golden Gate Transit Bus Routes 54 and 56.

8 | Additionally:

- The Pedestrian and Bicycle Access section (DEIR pg. 119 / Appendix F section 3.5) is incorrect in stating that "Class II bicycle lanes exist along both San Marin Drive and Novato Boulevard leading to the school site." There are currently no bicycle facilities on San Marin Drive between Novato Blvd and Simmons Lane, which includes a section along San Marin High School and its stadium.
  - The School District should work with the City to expedite the implementation of the proposed Class II bike lanes on San Marin Drive between Novato Blvd and Simmons Lane as part of the City of Novato Bicycle/Pedestrian Plan (2015) and possibly also as part of a Safe Routes to School program. The City should consider upgrading the planned Class II
- 9 |

9  
cont. bike lanes to Class IV bikeways (separated bikeways / cycle tracks) in order to induce more bicycle commuting by students and reduce school-related congestion.

### ***Vehicle Trip Reduction***

10 In Caltrans *Smart Mobility 2010: A Call to Action for the New Decade*, this project falls under **Place Type 4 Suburban Communities - Neighborhoods**, which includes areas with residential subdivisions and complexes including housing, public facilities and local-serving commercial uses, typically separated by arterial corridors. Additionally, this Place Type is typically characterized by a low level of integration of housing with jobs, retail, and services, poorly connected street networks, and low levels of transit service, leading to high levels of VMT and corresponding low levels of active transportation. Given the project site's intensification of use, as well as the opportunities to reduce VMT in this Place Type, we encourage the City to establish a Transportation Management Association (TMA) in partnership with other developments in the area to pursue aggressive trip reduction targets with Lead Agency monitoring and enforcement. In addition, the Transportation Demand Management (TDM) elements described below should be included in the program to promote smart mobility and reduce regional VMT and traffic impacts to the STN:

- Project design to encourage walking, bicycling, and convenient transit access;
- Transit fare incentives for students, employees, and visitors such as subsidized transit passes on a continuing basis;
- Carpooling incentives and dedicated parking spaces for carpooling employees;
- Enhanced bus stops including bus shelters;
- Designated bicycle parking;
- Charging stations and designated parking spaces for electric vehicles; and
- Reducing headway times of nearby Marin Transit Bus Routes 151, 154, and 251 and Golden Gate Transit Bus Routes 54 and 56.

For additional TDM options, please refer to Chapter 8 of FHWA's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference*, regarding TDM at the local planning level. The reference is available online at: <http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>. For information about parking ratios, please see MTC's report, *Reforming Parking Policies to Support Smart Growth*, or visit the MTC parking webpage: [http://www.mtc.ca.gov/planning/smart\\_growth/parking](http://www.mtc.ca.gov/planning/smart_growth/parking).

Ms. Hawkins, Novato Unified School District  
February 14, 2017  
Page 4

Should you have any questions regarding this letter, please contact Erik Bird at 510-286-5521 or Erik.Bird@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Pat C".

PATRICIA MAURICE  
District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse

# Letter 1

**COMMENTER:** Patricia Maurice, District Branch Chief, Local Development – Intergovernmental Review, State of California Department of Transportation, District 4

**DATE:** February 9, 2017

## Response 1.1

The commenter provides information on the California Department of Transportation’s (Caltrans) mission and summarizes the proposed project. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

## Response 1.2

The commenter states that Table 33 (LOS Definitions) on Page 125 of the Draft EIR shows the number of vehicle trips expected to be generated by the project during the pre-event peak arrival period between 6:00 PM and 8:00 PM. The commenter adds that there are no vehicle trips shown in the table and asks for an explanation of this discrepancy.

The table cross-reference was mis-numbered in the Draft EIR. The reference has been updated to refer to the correct table that shows vehicle trips. The Final EIR has been revised as follows:

Table 38 ~~Table 33~~ shows the number of vehicle trips expected to be generated by the project during the pre-event peak arrival period between 6:00 PM and 8:00 PM for an event starting at 7:00 PM. These estimates use the trip generation rates shown in ~~Table 36~~ Table 39.

No new impacts would occur.

## Response 1.3

The commenter states that the header for Table 41 on Page 138 of the Draft EIR is missing a distinction between the first two columns of LOS and Del/Veh and the second two columns of LOS and Del/Veh.

The header of Table 41 (which has been renumbered as Table 43) has been updated in the Final EIR as follows to include the missing distinction:

**Table 41** ~~43~~ **Comparison of Cumulative and Cumulative plus Project Conditions 8:00 to 10:00 PM**

#	Intersections	Control <sup>1</sup>	Existing <del>6:00 - 8:00 - 10:00</del> PM				Significant Impact Y/N
			Future		Future + Project		
			LOS <sup>2</sup>	Del/Veh <sup>3</sup>	LOS <sup>2</sup>	Del/Veh <sup>3</sup>	

No new impacts would occur.

## Response 1.4

The commenter states that Appendix F of the Traffic Impact Study (TIS) notes that traffic counts were done on Friday, June 24, 2016, during summer. The commenter adds that all data sheets also note this date and ask if any data was collected during the football season. The commenter also asks whether any counts were completed on Saturday. The commenter adds that, in 2016, eight of the 12 football games at the stadium were played on Saturdays and suggests that a reasonable and realistic representation of Existing conditions should include data collected on a day that a game is played.

We assume that the commenter is referring to Appendix B of the Transportation Impact Study (TIS). The TIS, along with its three appendices (A, B, and C), is included as Appendix F of the Draft EIR. As the Project is defined by the addition of stadium lighting, allowing football games to be played on weekday (usually Friday) evenings, existing conditions are defined by a weekday evening without any traffic associated with a football game. As the study times (6:00 PM – 10:00 PM) are long after any other school activities would occur, there should be no appreciable difference in collecting traffic counts after the school year (or the football season) has ended. As the Project would make no difference to games played on Saturdays, besides reducing the frequency of their occurrence, there is no need to include a Saturday Existing conditions scenario. As discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted.

### **Response 1.5**

The commenter states that Table 13 on Page 37 of Appendix F (the Transportation Impact Study for the project) shows that there is a significant increase in delay at the intersection of the northbound US 101 Ramps and Atherton Avenue for both the Existing plus project and the Cumulative plus project conditions. The commenter adds that this seems to contradict the claim made in the Summary and Conclusions, Section 8.1 of the TIS, which states “no significant impact to intersection operations were found under the Existing Plus Project or Cumulative Plus Project Conditions.” The commenter adds that, in both cases, the delay is more than doubled once the project is included. The commenter asks whether mitigation is identified for this apparent impact.

As stated on Page 5 in the Standards of Significance section of the TIS, the acceptable standard for signalized intersection operations is LOS D or better. Under both Plus Project Conditions, the LOS would decrease from LOS B to LOS D; however the LOS would not fall below the acceptable standard. Thus, as also discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impact would occur and no mitigation is required.

### **Response 1.6**

The commenter states that in Appendix F of the TIS, the Synchro file for Location #1 claims “Existing Plus Project Post-Game 5:00 PM” and asks for clarity regarding the significance of this calculation because in 2016, all Friday games were played at 7:00 PM.

We assume that the commenter is referring to Appendix B of the Transportation Impact Study (TIS). The TIS, along with its three appendices (A, B, and C), is included as Appendix F of the Draft EIR. This is the result of a default footer value not being changed and has been corrected in the revised TIS in Appendix F to the Final EIR.

### **Response 1.7**

The commenter states an opinion that the project should be conditioned to ensure connections to existing bike lanes and multi-use trails to facilitate walking and biking to the project site. The commenter opines specifically that the project should provide connections to the proposed Class II bike lanes on Novato Boulevard as shown in the 2008 Marin County Unincorporated Area Bicycle and Pedestrian Master Plan.

This project would not change the location nor be expected to have a substantial effect on the mode of transportation used to access the stadium, and thus no significant impact was identified regarding pedestrian or bicycle travel. Therefore, no mitigation measures were identified in this regard. However, this suggestion is noted and will be forwarded to the District’s decision makers for their consideration.



**Response 1.8**

The commenter states that the Pedestrian and Bicycle Access section (Draft EIR Page 199/Appendix F Section 3.5) is incorrect in stating that “Class II bicycle lanes exist along both San Marin Drive and Novato Boulevard leading to the school site,” because there is currently no bicycle facilities on San Marin Drive between Novato Boulevard and Simmons Lane, which includes a section along San Marin High School and its stadium.

The inaccurate reference to bicycle facilities along San Marin Drive has been corrected in the Final EIR as follows:

Class I and Class II bicycle facilities exist in the vicinity of the campus. Class II bicycle lanes exist along ~~both~~ San Marin Drive between US 101 and Simmons Lane, and Novato Boulevard ~~leading to the school site~~ within the study area. In accordance with the City of Novato Bicycle/Pedestrian Plan, Class II bicycle lanes are facilities that provide a striped and stenciled lane for bicycle travel. Class I bikeways, also referred to as shared-use paths, serve the exclusive use of bicycles and pedestrians and are completely separated from the street. Novato Boulevard includes a Class I bikeway from Eucalyptus Avenue to its intersection with San Marin Drive at the campus.

No new impacts would occur based on the changes to the discussion regarding bicycle facilities. The Draft EIR did not identify any impacts related to bicycle facilities or bicycle-related circulation patterns.

**Response 1.9**

The commenter suggests that the School District should work with the City of Novato to expedite the implementation of Class II bike lanes on San Marin Drive between Novato Boulevard and Simmons Lane as part of the City of Novato Bicycle/Pedestrian Plan (2015) and possibly as part of a Safe Routes to School Program. Additionally, the commenter states that the City should consider upgrading the planned Class II bike lanes to Class IV bikeways in order to induce more bicycle commuting by students and reduce school-related congestion. As noted above, the Draft EIR (see Section 4.6, *Transportation and Traffic*) did not identify significant impacts in relation to pedestrian and bicycle facilities. However, this suggestion is noted and will be forwarded to the District’s decision makers for their consideration.

**Response 1.10**

The commenter states that, in Caltrans Smart Mobility 2010: A Call to Action for the New Decade, the project falls under Place Type-4 Suburban Communities- Neighborhood, which includes areas with residential subdivisions and complexes including housing, public facilities, and local-serving commercial uses. The commenter adds that this Place Type is typically characterized by a low level of integration of housing with jobs, retail, and services, poorly connected street networks, and low level of transit service, leading to high levels of VMT and corresponding low levels of active transportation. Based on the project site’s intensification of use as well as the opportunities to reduce VMT in this Place Type, the commenter encourages the City to establish a Transportation Management Association in partnership with other developments in the area to pursue aggressive trip reduction targets with Lead Agency monitoring and enforcement. The commenter outlines specific elements to be included in the program to promote smart mobility and reduce regional VMT and traffic impacts.

As noted above, the Draft EIR (see Section 4.6, *Transportation and Traffic*) did not identify significant impacts related to traffic, transportation or circulation, and no mitigation measures are required. However, this suggestion is noted and will be forwarded to the District’s decision makers for their consideration.

**From:** CoalitionToSaveSanMarin <[coalition@savesanmarin.com](mailto:coalition@savesanmarin.com)>

**Date:** January 19, 2017 at 2:40:25 AM PST

**To:** "Shelley Scott " <[sscott@nUSD.org](mailto:sscott@nUSD.org)>

**Subject:** Stadium lights & sound at SMHS is NOT the answer!

1 | Dear Ms. Scott:

We are writing to you as concerned Novato citizens, homeowners and taxpayers. We have petitions signed by hundreds of Novato citizens who are deeply concerned about the proposed stadium lighting and sound at San Marin High School's athletic field. Many of us have children who now attend SMHS or will in a few years, or have already graduated. We support students and team sports – and would like to find a way to balance the needs of the San Marin community with the wishes of student athletes in all of Novato.

At first glance, some people think having lights at SMHS could be a good thing – **but that's before they realize that the lights would be used up to 6 nights a week.** They are not intended for use at just a handful of games. In fact, the Draft EIR includes a chart detailing 363 evening uses! Has anyone given sufficient thought to the huge negative impact all this elevated light and sound would have on the entire tranquil Northwest corner of Novato?

2 | **Living in Harmony**

San Marin residents have lived in harmony with the school for many years. NUSD is now considering a radical change to the long-standing existing usage by trying to add night activities up to 6 days a week with light and sound as late as 9:45pm. There has rarely been ANY night activity before. Such an extreme shift would completely alter the character of the area.

SMHS has been a good neighbor since the school was built, but it would become a terrible neighbor who invades the privacy of its neighbors' homes if stadium lighting and speakers are installed. Remember, nearby residents are not people who chose to move near a stadium and then discovered that the noise/lights/traffic bothers them. While they accept some daytime inconveniences that come with living near a school, there has almost never been any night activity.

Homeowners have a right to the quiet enjoyment of their homes. The proposed new use of lights – with glare, loudspeakers and crowd noise at night – are a statutory nuisance diametrically opposed to “quiet enjoyment.”

3 | **Lights Taller Than 8-Story Buildings**

Stadium lighting is nothing like street lights, yet that's what people tend to picture. In fact, according to the Carducci Stadium Light Analysis, two of the proposed lights are 100 feet tall – 4 times the height of a street light. That's the height of a 10-story building! Another 6 lights are 80 feet tall, the height of an 8-story building. (Marin County doesn't even allow buildings to be

3 | built that high.) They would interfere with the beautiful view of Little Mt. Burdell and  
cont. | beyond...even without being lit. In addition, there would be more poles with up to 18 lights at  
30 feet and 18 speakers at 30 feet tall.

4 | As elected NUSD school board members, it is now your responsibility to consider whether it's  
truly in the best interest of our community to transform our quiet suburban neighborhoods into  
a noisy "urbanized" nightscape. Do you really think it's acceptable to change the entire  
character of Northwest Novato? Instead, let's focus on finding a different solution that works  
for everyone. We feel it's crucial for you, as board members, to hear all sides – and to honestly  
and fully consider alternatives.

According to SMHS Athletic Directors at the 9/7/16 Scoping Meeting, lighted fields would not  
be needed if there were enough practice fields available. With the passing of Bond Measure G,  
another field will soon be built at SMHS. That will be a big help. In addition, NUSD owns 20  
level acres just a half mile away from SMHS at San Andreas that could easily fit more than 4  
football-size fields with tracks. It's not appropriate to have stadium lights there either, but 2 of  
the 3 main project objectives would be satisfied by having more fields for extended practice,  
eliminating missed class time and increasing safety. And yet, the EIR for the proposed lights at  
SMHS completely dismissed that site due to the cost of developing it WITH LIGHTS. The  
problems could be solved – and no lights would be needed.

5 | **You Could Be Heroes**

If night usage is really what this drive for lights is all about, then the most logical alternative  
would be to work with the City of Novato to use and improve the already existing lighted fields  
at Indian Valley Campus of College of Marin, which is centrally located for all of Novato's  
students to use. Once again, the EIR is incomplete, and dismisses this alternative without  
sufficient documentation. The reason given is that some drainage work and a few additional  
lights would be needed – yet that cost would be far less than the proposed \$1 million light  
installation at SMHS, and it would be at a more centrally located site where night lighting has  
already existed for years!

As Board members, you could be the heroes who are wise enough to consider the needs of all  
NUSD student athletes – not just those from a single school – by focusing on a viable alternative  
for play and practice that won't change the character of the surrounding neighborhoods.

Use of stadium lights at SMHS would negatively impact the quality of life of thousands of  
residents for years – while affecting the lives of very few students for a relatively brief period of  
time. Please ask yourselves if you think it's truly acceptable to compromise the wellbeing of the  
San Marin area residents – when other reasonable alternatives exist and have yet to be fully  
explored. We believe that a judicious examination of this issue will reach the same conclusion.

6 | **County Standards Preserve Marin's Special Beauty**

6  
cont.

SMHS is located within Marin County, and even though NUSD is not required to obtain County approval for its plans, it seems reasonable that those standards – which have been developed as a model of good governance and community preservation – should serve as a guide.

Marin County states that in order for a Use Permit to be granted, that 1) “the design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity,” and 2) “the project will not result in light pollution, trespass, glare, and privacy (impacts).” Novato is an important part of Marin . . . and our choices should reflect Marin's standards.

### 7 Why Was Marin Catholic Lighting Proposal Denied?

You are probably aware that Marin Catholic applied to the county for lights for its athletic field and was denied. The rejection letter from the County indicated that "the addition of a field lighting system at the school would result in a level of light contrast and light pollution that is out of character with the neighborhood." They concluded that "**the combined effects of the project related to the projected light and glare, noise, and traffic congestion would adversely affect the character of the surrounding community.**"

Responsible county officials continued, "There will be a notable change to the noise levels in the surrounding neighborhoods, where the existing ambient noise levels are relatively low during the evening hours." (The same is absolutely true here in Novato – and exactly why you should vote to protect our community.)

The Marin County Senior Planner concluded, "...we hope that you will consider alternatives that reduce the public detriments your project would have on the surrounding community."

### 8 Our Hope For All NUSD Students

Our hope is that you, as NUSD board members, will also do the right thing and deny the proposal for night lighting at SMHS. You can guide the District toward the viable – and lower cost – alternatives that have not been adequately explored. Why don't we act together, instead of in opposition, to find a better way to provide all of NUSD's student athletes with the space they'd like?

We would appreciate a time to meet with you to discuss this issue further. We can host a meeting at one of our homes to facilitate the group dialog.

Respectfully,

**Coalition to Save San Marin**

9 (See following email for names of the hundreds of concerned Novato citizens urging you to re-consider night lights and sound at SMHS and to look for alternatives that benefit all of Novato)



## Letter 2

**COMMENTER:** Coalition to Save San Marin

**DATE:** January 19, 2017

### **Response 2.1**

The commenter states that they are writing as concerned Novato citizens that would like to find a way to balance the needs of the community with the desires of the athletes, and expresses general concerns about neighborhood impacts of the project, including light and noise impacts. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise for information on these topics.

The commenter states an opinion that the proposed lights could be used up to six nights a week, and that the Draft EIR includes a chart that details 363 evening uses at the stadium. Contrary to this comment, the lights would be used for 152 or fewer nights per year, as shown in Table 26 of the Draft EIR and now also shown specifically in Table 4 in Section 2.0, *Project Description*, of the Final EIR, for additional clarity.

### **Response 2.2**

The commenter states an opinion that the project would represent an “extreme shift” in activity at San Marin High School and that the project would completely alter the character of the area, and expresses general concerns about light and noise impacts. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise for information on these topics.

### **Response 2.3**

The commenter states an opinion that, according to the Carducci Stadium Light Analysis, two of the proposed lights would be 100 feet tall, with additional lights at 80 feet, and the height of the lights would interfere with the view of Little Mt. Burdell. Please see Master Response A – Lighting and Aesthetics for a response to this comment.

### **Response 2.4**

The commenter states an opinion that the project would “transform our quiet suburban neighborhoods into a noisy ‘urbanized’ nightscape” and “change the entire character of Northwest Novato.” The commenter does not provide information, analysis or evidence for how the proposed stadium lights project would have such sweeping effects on the larger area. As discussed in the Draft EIR, environmental impacts in all topical areas studied would be either less than significant or less than significant with mitigation except for one significant unavoidable noise impact related to activities on the field during a limited number of events per year.

The commenter states opinions about project alternatives. These comments are noted, but relate to the merits of the project and the alternatives, rather than challenging the analysis or conclusions of the Draft EIR. A specific response is not required.

### **Response 2.5**

The commenter states opinions about project alternatives, including that the Draft EIR dismisses alternatives without sufficient documentation. Documentation related to consideration of offsite alternatives is included in Section 6, *Alternatives*, of the Draft EIR. The commenter does not state what

kind of documentation they believe is missing from the Draft EIR, so a specific response is not possible. See also Master Response E – Alternatives.

The commenter states additional opinions about project alternatives that relate to the merits of the project and the alternatives, rather than challenging the analysis or conclusions of the Draft EIR.

**Response 2.6**

The commenter states an opinion that although NUSD is not required to obtain County approval for its plans, they should seek it. This suggestion is noted, but does not specifically challenge or question the analysis or conclusions of the Draft EIR, and therefore does not require a specific response.

**Response 2.7**

The commenter provides their summary of the results the consideration process for the Marin Catholic Lighting proposal. These comments are noted, but do not specifically challenge or question the analysis or conclusions of the Draft EIR, and therefore do not require a specific response.

**Response 2.8**

The commenter reiterates opposition to the project as proposed. This comment is noted.

**Response 2.9**

The commenter includes reference to an additional email (Letter 3) that includes the names of Novato citizens that oppose the project and would like alternatives considered. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

Letter 3

**From:** CoalitionToSaveSanMarin <[coalition@savesanmarin.com](mailto:coalition@savesanmarin.com)>

**Date:** January 19, 2017 at 2:41:57 AM PST

**To:** "Shelley Scott " <[sscott@nUSD.org](mailto:sscott@nUSD.org)>

**Subject:** **Petitions signed by hundreds of Novato citizens against SMHS lights!**

1 | Ms. Scott:

Per our previous email, attached are the names and signatures of hundreds of Novato citizens who are deeply concerned about the proposed stadium lighting and sound at San Marin High School's athletic field. These are the signatures gathered in just a few days; there are many more to come. We urge you to reconsider the stadium lights proposal and look for alternatives that will benefit all of Novato's student athletes.

**Coalition to Save San Marin**



We the undersigned share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you to discuss how to preserve the San Marin area while providing high school athletes the practice fields they would like.

Let's avoid creating a situation like the one Janet K. Shelton lives with near Hoover High School. She says, "I have athletic field lights shining in my living room window, and though they are distant, they are huge and bright. It's hard to sit in there and look at the view without having one's eyes pulled to the lights...it's never really night anymore."  
Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about :

Name (Print)	Signature	House # & Street Name	Email	3 nights a week	GLARE & FO ISSUES	TRAFFIC	VANDALISM	NOISE & 20' SHY'S	URBANIZATION	Loss of Privacy
JOHN DOLE	[Signature]	35 TAFT CT.	doldole@yahoo.com	✓	✓	✓	✓	✓	✓	✓
LEROY SIMS	[Signature]	28 Lakewood Ct.	leroy.sims3@yahoo.com	✓	✓	✓	✓	✓	✓	✓
NAYAN BUCKWOLD	[Signature]	42 Taft Ct	lntaft@yahoo.com	✓	✓	✓	✓	✓	✓	✓
PETER MITCHELL	[Signature]	5 Taft Ct	sanmarinlawyer@yahoo.com	✓	✓	✓	✓	✓	✓	✓
VERONICA MITCHELL	[Signature]	5 TAFT CT	theveronicamitchell@yahoo.com	✓	✓	✓	✓	✓	✓	✓
Liberty Naegle	[Signature]	17 Taft Ct	libertynaegle@gmail.com	✓	✓	✓	✓	✓	✓	✓
FRANK COLLA	[Signature]	37 TAFT CT	frank@colla.us	✓	✓	✓	✓	✓	✓	✓
Beverly L. Jacob	[Signature]	2 Taft Ct.		✓	✓	✓	✓	✓	✓	✓
Alice Baldridge	[Signature]	6 Taft Ct.	alicebald@comcast.net	✓	✓	✓	✓	✓	✓	✓
Michael J. Sweilte	[Signature]	17 TAFT CT	msweilte@gmail.com	✓	✓	✓	✓	✓	✓	✓
Honny Holms	[Signature]	9 Taft Ct	hholms84@gmail.com	✓	✓	✓	✓	✓	✓	✓
John Holms	[Signature]	9 TAFT CT.	R.HOLMES@TRAVELPIX.NET	✓	✓	✓	✓	✓	✓	✓
Adrienne Russo	[Signature]	670 Arthur Street	buddharussoc@hotmail.com	✓	✓	✓	✓	✓	✓	✓
Dorothy Thomas	[Signature]	10 TAFT CT.		✓	✓	✓	✓	✓	✓	✓
JOSHUA W. THOMAS	[Signature]	10 TAFT CT		✓	✓	✓	✓	✓	✓	✓
ANDREA CRAIG	[Signature]	13 TAFT CT, NOVATO	novatocraig@yahoo.com	✓	✓	✓	✓	✓	✓	✓
Linda Zanko	[Signature]	660 Arthur St. Novato	LZanko@att.net	✓	✓	✓	✓	✓	✓	✓
FRANK ALLISON	[Signature]	31 TAFT CT, NOVATO	frankallison@msn.com	✓	✓	✓	✓	✓	✓	✓
Rosi Smith	[Signature]	21 Taft Ct. Novato	Rosandnick@comcast.net	✓	✓	✓	✓	✓	✓	✓
Jordan Kushner	[Signature]	2 Tyler St. Novato		✓	✓	✓	✓	✓	✓	✓
John Kushner	[Signature]	8 Tyler St. Novato		✓	✓	✓	✓	✓	✓	✓
Patricia Justice	[Signature]	10 Tyler		✓	✓	✓	✓	✓	✓	✓
Cammie Sagerdahl	[Signature]	12 Tyler Street		✓	✓	✓	✓	✓	✓	✓
Rebecca McHenry	[Signature]	20 Tyler St.		✓	✓	✓	✓	✓	✓	✓
Bill H. Kuhn	[Signature]	3		✓	✓	✓	✓	✓	✓	✓
Pamela E. Satter	[Signature]	22 Tyler St		✓	✓	✓	✓	✓	✓	✓
NINA GENTILE	[Signature]	23 Tyler St		✓	✓	✓	✓	✓	✓	✓
Eric Gentile	[Signature]	23 Taylor St		✓	✓	✓	✓	✓	✓	✓
Beverly Stahl	[Signature]	19 Tyler St.		✓	✓	✓	✓	✓	✓	✓
Gina Stahl-Rizzo	[Signature]	713 Bradley Ave.		✓	✓	✓	✓	✓	✓	✓
Gracie Nelson	[Signature]	17 Tyler St		✓	✓	✓	✓	✓	✓	✓
Paul Stahl	[Signature]	12 Tyler		✓	✓	✓	✓	✓	✓	✓
John W. Stahl	[Signature]	#1 Tyler St		✓	✓	✓	✓	✓	✓	✓

We the undersigned share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you to discuss how to preserve the San Marin area while providing high school athletes the practice fields they would like.

Let's avoid creating a situation like the one Janet K. Shelton lives with near Hoover High School. She says, "I have athletic field lights shining in my living room window, and though they are distant, they are huge and bright. It's hard to sit in there and look at the view without having one's eyes pulled to the lights...it's never really night anymore."  
Janet K. Shelton, Resident near Hoover H.S., Escrowado, CA

I am most concerned about :

Name (Print)	Signature	House # & Street Name	Email	0 nights a week	GLANCE if 1-2 times	TRAFFIC	VANDALISM	NOISE if 25+ dB's	URBAN/RURAL TICON	Loss of Peace
D. PLANKA	[Signature]	91 San Carlos	dplanka@comcast.net							
L. RAGGANTI	[Signature]	91 San Carlos	lindaragganti@gmail.com							
FRANCO	[Signature]	95 San Carlos	francofranco@comcast.net				X	X	X	
M. FRANCO	[Signature]	95 San Carlos	michellefranco@gmail.com				X	X	X	
W. WARDEN	[Signature]	96 San Carlos way	tworwarden@gmail.com				X	X	X	
M. SAUSO	[Signature]	94 San Carlos Way	msauso@comcast.net				X	X	X	
Spencer	[Signature]	112 B Olivia Ct		✓	✓	✓	✓	✓	✓	✓
Al Molina	[Signature]	675 Eugenia Lane		X	X	X	X	X	X	X
Susan Children	[Signature]	215 San Ramon Way	children@comcast.net	✓	✓	✓	✓	✓	✓	✓
Tom Childers	[Signature]	215 San Ramon Way	tomchilders@earthlink.net	-	-	-	-	-	-	-
Zach Williams	[Signature]	277 San Marin Dr	zwilliams2010@gmail.com	✓	✓	✓	✓	✓	✓	✓
Kelly Wilson	[Signature]	277 San Marin Dr		✓	✓	✓	✓	✓	✓	✓
Lois Wilson	[Signature]	277 San Marin Dr		✓	✓	✓	✓	✓	✓	✓
Grace Wong	[Signature]	289 San Marin Dr		✓	✓	✓	✓	✓	✓	✓
Ng Wan	[Signature]	289 San Marin Dr		✓	✓	✓	✓	✓	✓	✓
Michael Buealy	[Signature]	235 SAN MARIN DR NOVATO		✓	✓	✓	✓	✓	✓	✓
NICOLÒ RAGGANTI	[Signature]	245 SAN MARIN DRIVE NOVATO		✓	✓	✓	✓	✓	✓	✓
Don Olds	[Signature]	35 Andreas Ct, Novato		✓	✓	✓	✓	✓	✓	✓
Roberto Reselcia	[Signature]	225 SAN MARIN DR NOVATO		✓	✓	✓	✓	✓	✓	✓
Gayle Rossetti	[Signature]	225 SAN MARIN DR, NOVATO		✓	✓	✓	✓	✓	✓	✓
Ermine	[Signature]	288 San Marin Dr. Novato, CA		✓	✓	✓	✓	✓	✓	✓
Fernando Quezada	[Signature]	12 Sandy Creek Way		✓	✓	✓	✓	✓	✓	✓
Mariel Quezada	[Signature]	12 SANDY CREEK WAY		✓	✓	✓	✓	✓	✓	✓
Maria Osuna	[Signature]	12 SANDY CREEK WAY		✓	✓	✓	✓	✓	✓	✓
Zach Bauleke	[Signature]	10 San Marin Dr.		✓	✓	✓	✓	✓	✓	✓
Federico Reyes	[Signature]	60 San Marin Dr.		✓	✓	✓	✓	✓	✓	✓
BRIAN GIBESON	[Signature]	36 SAN MARIN DRIVE		✓	✓	✓	✓	✓	✓	✓
HANNA GIBESON	[Signature]	305 San Marin Drive		✓	✓	✓	✓	✓	✓	✓
CATHERINE HALVERSON	[Signature]	25 San Marin Dr.		✓	✓	✓	✓	✓	✓	✓
Mary Cowtan	[Signature]	11 Andreas Cir		✓	✓	✓	✓	✓	✓	✓
Carliss Myers	[Signature]	17 Andreas Circle		✓	✓	✓	✓	✓	✓	✓
Jennifer Barr	[Signature]	23 Andreas circle		✓	✓	✓	✓	✓	✓	✓
Theresa Buschera	[Signature]	25 Andreas circle		✓	✓	✓	✓	✓	✓	✓
Noel Bartley	[Signature]	31 Andreas Cir		✓	✓	✓	✓	✓	✓	✓

We share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you.

2  
cont.

Name (Print) Signature Street address Email I am most concerned about

Concerned Citizen ~~Barbara Wilson~~ 0 SAN MARIN DR. sample@gmail.com

					GLARE IF 80' HIGHER	NOISE IF 25' HIGHER	TRAFFIC	VANDALISM	Neighborhood Visibility	URBANIZATION
1	Danielle Migale	of Sandy Creek Hwy	amigale@comcast.net		✓	✓	✓	✓	✓	✓
2	Mary Cullen	248 San Ramon Way	Novato, CA		✓	✓	✓	✓	✓	✓
3	Thomas Cullen	248 San Ramon Way	Novato, CA		✓	✓	✓	✓	✓	✓
4	Scott Steinmetz	263 San Ramon Way	Novato, CA		✓	✓	✓	✓	✓	✓
5	Robert Platt	VIA VIC 259 SAN RAMON WAY	NOVATO CA		✓	✓	✓	✓	✓	✓
6	Patricia VANDIS	259 SAN RAMON WAY	NOVATO CA		✓	✓	✓	✓	✓	✓
7	STEVEN D. MURPHY	255 SAN RAMON WAY	NOVATO		✓	✓	✓	✓	✓	✓
8	Jean L Murphy	255 San Ramon	Novato		✓	✓	✓	✓	✓	✓
9	Daniel Murphy	812 RUBEN CT	NOVATO		✓	✓	✓	✓	✓	✓
10	Kathleen Murphy	12 Ruben Court	Novato		✓	✓	✓	✓	✓	✓
11	Dan Lucia	247 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
12	Carrie Lucia	247 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
13	Sarah Lucia	247 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
14	Trevor Dehemann	297 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
15	Carolyn Dodge	235 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
16	Russell Dodge	235 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
17	Mike Hitchcock	239 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
18	MARY Hitchcock	239 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
19	Lawrence Barrett	260 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
20	Sharon Godwin	231 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
21	Sharon Godwin	231 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
22	Allison Bjorn	2 Santa Gabriella Ct	Novato		✓	✓	✓	✓	✓	✓
23	Jusan Gibson	2 Santa Gabriella Ct	Novato		✓	✓	✓	✓	✓	✓
24	NORMA ZEISER	5 SANTA GABRIELLA	NOVATO		✓	✓	✓	✓	✓	✓
25	EVA ZEISER	5 SANTA GABRIELLA CT	NOVATO		✓	✓	✓	✓	✓	✓
26	CECILE SILVAS	4 SANTA GABRIELLA	NOVATO		✓	✓	✓	✓	✓	✓
27	MARIA SILVAS	4 SANTA GABRIELLA	NOVATO		✓	✓	✓	✓	✓	✓
28	Frances Cho	211 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
29	Charles Cho	211 San Ramon Way	Novato		✓	✓	✓	✓	✓	✓
30	Jin Sun Lee	21-C OLIVA DR	Novato		✓	✓	✓	✓	✓	✓
31	Juan Gomez	519 Magnolia Place	Novato		✓	✓	✓	✓	✓	✓
32	Sandra Wu	519 Magnolia Place	Novato		✓	✓	✓	✓	✓	✓
33	Micha Martin	519 Magnolia Place	Novato		✓	✓	✓	✓	✓	✓
34	Patricia	19 Irene Dr	Novato		✓	✓	✓	✓	✓	✓







2

We share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you.

cont.

Name (Print)	Signature	Street address	Email	I am most concerned about <input checked="" type="checkbox"/>					
				GLARE if 80' lines	NOISE if 25' spikes	TRAFFIC	VANDALISM	Nocturnal Wildlife	URBANIZATION
Concerned Citizen	<i>[Signature]</i>	10 San Marin Dr.	sample@gmail.com	✓	✓	✓	✓	✓	✓
GARY MIGALE	<i>[Signature]</i>	64 SANDY CREEK WAY	gmigale@comcast.net	✓	✓	✓	✓	✓	✓
Terry Leach	<i>[Signature]</i>	2468 Vineyard	HLach@earthlink.net	✓	✓	✓	✓	✓	✓
DAVID MCELURE	<i>[Signature]</i>	10 Archibald Ln	mgd@mech.com	✓	✓	✓	✓	✓	✓
WOODY STEE	<i>[Signature]</i>	2488 VINEYARD	capitel.com	✓	✓	✓	✓	✓	✓
MIKE HARTSHORN	<i>[Signature]</i>	31 LAONHEATH AVE	Martshorn4600@aol.com	✓	✓	✓	✓	✓	✓
FELIX GUDINO	<i>[Signature]</i>	21 MARIA COURT NO. 999AS	senar@comcast.net	✓	✓	✓	✓	✓	✓
TONY LAZARO	<i>[Signature]</i>	61 SANDY CREEK WAY	NOV 94942	✓	✓	✓	✓	✓	✓
ALDO DI PASQUA	<i>[Signature]</i>	5 OAK PARK DR		✓	✓	✓	✓	✓	✓
JEFFREY ROTH	<i>[Signature]</i>	419 BLOOM LN	novato 94947	✓	✓	✓	✓	✓	✓
Joan Roth	<i>[Signature]</i>	419 Bloom Lane	Novato 94947	✓	✓	✓	✓	✓	✓
Juan Carlos Escarita	<i>[Signature]</i>	7060 Redwood Blvd #12	Novato	✓	✓	✓	✓	✓	✓
JUAN CARLOS RIVERA	<i>[Signature]</i>	550 Eldridge		✓	✓	✓	✓	✓	✓
RYAN SARGENT	<i>[Signature]</i>	1 QUINCE CT		✓	✓	✓	✓	✓	✓
NOAH SARGENT	<i>[Signature]</i>	1 QUINCE CT		✓	✓	✓	✓	✓	✓
Alice SARGENT	<i>[Signature]</i>	186 Marin Chaucer Rd		X	X	X	X	X	X
RONALD GOODMAN	<i>[Signature]</i>	1991 BUKHART CT	NOVATO CA	X	X	X	X	X	X
MEGAN FINNEY	<i>[Signature]</i>	1015 PEACH ST	NOVATO CA 94945	X	X	X	X	X	X
GABRIELE CAMPBELL	<i>[Signature]</i>	200 FERRARI DR	NOVATO 94949	X	X	X	X	X	X
MICHAEL DENNIS MORRIS	<i>[Signature]</i>	2177 FELIX		X	X	X	X	X	X
ROBERT MEYER	<i>[Signature]</i>	1120 REDWOOD BLVD	94947	X	X	X	X	X	X
TOM STROBEL	<i>[Signature]</i>	8 JEFFERS CT	94945	✓	✓	✓	✓	✓	✓

cont.

We the undersigned share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you to discuss how to preserve the San Marin area while providing high school athletes the practice fields they would like.

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Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about :

Name (Print) .....	Signature .....	House # & Street Name .....	Email .....	Lighting & glare	Glare & 60' lines	TRAFFIC	VANDALISM	NOISE (6:25-8:00)	URBANIZATION	Loss of Privacy
MICHAEL JULY	<i>[Signature]</i>	221 SAN RAMON WAY	MJULY@MOL.COM	✓	✓	✓	✓	✓	✓	✓
JACKLYN M JARVIS	<i>[Signature]</i>	201 SAN FELIPE WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
Patricia	<i>[Signature]</i>	31 SAN RAMON WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
Paula	<i>[Signature]</i>	36 SAN RAMON WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
Robert	<i>[Signature]</i>	30 SAN RAMON WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
Jim	<i>[Signature]</i>	21 SAN BENITO WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
ANGELO CORTILLO	<i>[Signature]</i>	281 SAN FELIPE WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
PAT CHIFFORD	<i>[Signature]</i>	281 SAN FELIPE WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
Heather	<i>[Signature]</i>	6 Santa Yorma Ct	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
DICKI PETRAJ	<i>[Signature]</i>	1-Santa YORMA CT.	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
ANN SENIOR	<i>[Signature]</i>	2 Santa yorma ct.	Novato CA 94945	✓	✓	✓	✓	✓	✓	✓
Richard SENIOR	<i>[Signature]</i>	2-SANTA YORMA CT	CA 94945	✓	✓	✓	✓	✓	✓	✓
Laura McIntosh	<i>[Signature]</i>	6 Santa Yorma Ct	CA 94945	✓	✓	✓	✓	✓	✓	✓
Christine P. July	<i>[Signature]</i>	228 San Ramon Way	94945	✓	✓	✓	✓	✓	✓	✓
RICH ANGIOTTI	<i>[Signature]</i>	224 San Ramon Way	Novato, CA 94945	✓	✓	✓	✓	✓	✓	✓
EVAN OLIVER	<i>[Signature]</i>	216 San Ramon Way	Novato, CA 94945	✓	✓	✓	✓	✓	✓	✓
Jim O'Sullivan	<i>[Signature]</i>	208 San Ramon Way	Novato CA 94945	✓	✓	✓	✓	✓	✓	✓
ERIC STORCH-REATHIE	<i>[Signature]</i>	224 SAN RAMON WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
LARIE WALKER	<i>[Signature]</i>	14-SANTA VICTORIA CT	NOVATO, CA 94945	✓	✓	✓	✓	✓	✓	✓
Dan Lucia	<i>[Signature]</i>	247 San Ramon way	Novato	✓	✓	✓	✓	✓	✓	✓
Thomas Cullen	<i>[Signature]</i>	248 San Ramon Way	Novato, CA 94945	✓	✓	✓	✓	✓	✓	✓
Matthew Cullen	<i>[Signature]</i>	248 SAN RAMON WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
Lynette + Kern Tschas	<i>[Signature]</i>	271 San Ramon way		✓	✓	✓	✓	✓	✓	✓
Victoria Beredetti	<i>[Signature]</i>	10 Santa Victoria		✓	✓	✓	✓	✓	✓	✓
Barbara A. Adams	<i>[Signature]</i>	268 San Felipe way	Novato Ca	✓	✓	✓	✓	✓	✓	✓
Mary Sue Campbell	<i>[Signature]</i>	256 San Felipe way	Novato CA	✓	✓	✓	✓	✓	✓	✓
Rozanna Bishop	<i>[Signature]</i>	248 San Felipe Way	Novato 94945	✓	✓	✓	✓	✓	✓	✓
SEAN BISHOP	<i>[Signature]</i>	218 SAN FELIPE WAY	NOVATO CA 94945	✓	✓	✓	✓	✓	✓	✓
MARTHA SWERRE	<i>[Signature]</i>	244 SAN FELIPE WAY		✓	✓	✓	✓	✓	✓	✓

31  
205 San Felipe



cont.

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Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about

- 6 months or more
- CLARE & BO NISSA
- TRAFFIC
- VANDALISM
- NOISE & 25' SIGN
- URBANIZATION
- Loss of Peace

Name (Print) . . . . . Signature . . . . . House # & Street Name . . . . . Email

DANA GIOVANNINI *Dana Giovanni* 1254 LYNWOOD DR.  
 ROBERT BROONIK *Robert Broonik* 231 SAN RAMON WAY  
 ROBERT GRIFFIN *Robert Griffin* 35 SOPHIA CT. NOVATO  
 SUZANNE McMAHON *Suzanne McMahon* 11 PINTO LN, NOVATO  
 JON McMAHON *Jon McMahon* 11 PINTO LN NOVATO  
 MIKE CARSON *Mike Carson* 81 Shields Novato  
 BOB GRIFFIN *Bob Griffin* 35 SOPHIA CT. NOVATO  
 SANDY CARSON *Sandy Carson* 81 Shields Ln. Novato  
 JUDY Alciati *Judy Alciati* 24 Marshall Ln " "  
 HARRIET sette *Harriet sette* 5 Copper Hill Way Nov.  
 Donna Smith *Donna Smith* 115 APOLO CT  
 DAVID SCUITTO *David Scuitto* 115-A APOLO CT  
 DIFANE RYORDAN *Difane Ryordan* 2032 HATA RD.  
 SANDY DeLong *Sandy DeLong* 65 JAWELL DR.  
 ROBERT RYORDAN *Robert Ryordan* 2032 HATA RD  
 Carol Lusk *Carol Lusk* 2541 Topaz Dr.

We share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you.

2  
cont.

Name (Print) Signature Street address Email I am most concerned about

	Concerned Citizen	Signature	Street address	Email	BLAKE 1 31 min	NOISE 15 25 min	TRAFFIC	INADVISABLE	NOISE INHIBIT	UNSATISFACTORY	
1)	Marianne Migale	[Signature]	4 Sandy Creek Way	4mdecomcast.net	✓	✓	✓	✓	✓	✓	
2)	Stefan Warchol	[Signature]	by Sandy Creek way		✓	✓	✓	✓	✓	✓	
3)	Joe Kaling	[Signature]	69 Sandy Creek Way		✓	✓	✓	✓	✓	✓	
4)	Dave Culbertson	[Signature]	73 Sandy Creek Way		✓	✓	✓	✓	✓	✓	
5)	ANTHONY MORAES	[Signature]	45 SANDY CREEK WAY	anthony.moraes@comcast.net	✓	✓	✓	✓	✓	✓	
6)	TIFFANY MORAES	[Signature]	45 SANDY CREEK WAY	tiffany.moraes@comcast.net	✓	✓	✓	✓	✓	✓	
7)	Jon Papo	[Signature]	52 Sandy Creek Way		✓	✓	✓	✓	✓	✓	
8)	Peter Sarkissian	[Signature]	" "		✓	✓	✓	✓	✓	✓	TEsposte @ comcast
9)	Meaghan Carroll	[Signature]	33 Sandy Creek	meaghan@comcast.net	✓	✓	✓	✓	✓	✓	
10)	Travis Carroll	[Signature]	33 Sandy Creek	travis.carroll@comcast.net	✓	✓	✓	✓	✓	✓	
11)	Sheela George	[Signature]	40 Sandy Creek		✓	✓	✓	✓	✓	✓	
12)	Sheela George	[Signature]	40 Sandy Creek		✓	✓	✓	✓	✓	✓	
13)	Loanna Pedraza	[Signature]	544 Sandy Creek Way		✓	✓	✓	✓	✓	✓	
14)	Cathy Spielman	[Signature]	29 Sandy Creek Way	Novato, CA	✓	✓	✓	✓	✓	✓	Home use decline
15)	Ji Fan	[Signature]	24 SANDY CREEK WAY	Novato, CA	✓	✓	✓	✓	✓	✓	Jerome Pag comcast
16)	JAMES P. DEL CARO	[Signature]	28 SANDY CREEK, NOVATO, CA		✓	✓	✓	✓	✓	✓	delcaro jciou
17)	CHRISTINE DEL CARO	[Signature]	28 SANDY CREEK, NOVATO		✓	✓	✓	✓	✓	✓	
18)	L. WILLIAMS	[Signature]	18 SANDY CREEK WAY		✓	✓	✓	✓	✓	✓	9500 Novato (616) 8320
19)	LISA SMITH	[Signature]	14 Sandy Creek Way	Novato	✓	✓	✓	✓	✓	✓	
20)	Ruth LeBlanc	[Signature]	14 Sandy Creek Way	Novato, CA	✓	✓	✓	✓	✓	✓	
21)	Jon Yim	[Signature]	1039 Payne Dr	Novato CA	✓	✓	✓	✓	✓	✓	
22)	Ralph Lim	[Signature]	3 Sandy Creek Way	Novato	✓	✓	✓	✓	✓	✓	
23)	Liz Boorstein	[Signature]	13 Pepper Creek Way	Novato CA	✓	✓	✓	✓	✓	✓	
24)	Valerie Testa	[Signature]	8 Copper Hill Way	Novato	✓	✓	✓	✓	✓	✓	
25)	Gay Testa	[Signature]	8 Copper Hill Way	Novato	✓	✓	✓	✓	✓	✓	
26)	Paul Sherman	[Signature]	81 Shady Creek Way	"	✓	✓	✓	✓	✓	✓	
27)	DEBORAH HEAPLE	[Signature]			✓	✓	✓	✓	✓	✓	
28)	WILLIAM FAUST	[Signature]	92 SAN MARIN DR		✓	✓	✓	✓	✓	✓	
29)	Ceri McDonough	[Signature]	74 Terry Circle		✓	✓	✓	✓	✓	✓	
30)	Christine Gigliotti	[Signature]	2060 Hawthorne Terrace		✓	✓	✓	✓	✓	✓	
31)	Alice Liao	[Signature]	29 Pepper Creek Way	Novato	✓	✓	✓	✓	✓	✓	
32)	Tammy Clark	[Signature]	33 Pepper Creek Way		✓	✓	✓	✓	✓	✓	
33)	Sylvia Baker	[Signature]	19 Pepper Creek Way		✓	✓	✓	✓	✓	✓	
34)	Robert Sarkissian	[Signature]	19 Pepper Creek Way		✓	✓	✓	✓	✓	✓	
35)	JANIS SHULER	[Signature]	81 Pepper Creek	Novato	✓	✓	✓	✓	✓	✓	
36)	Karen McHugh	[Signature]	Linde Ct		✓	✓	✓	✓	✓	✓	

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Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about :

Name (Print)	Signature	House # & Street Name	Email	6 nights a week	GLARE 11-80 / 18m	TRAFFIC	VANDALISM	NOISE 11-20' 18m's	URBANIZATION	Loss of Peace
Larry Schabel	Larry Schabel	10 Santa Gabriella Ct	lschabel@comcast.net	✓	✓	✓	✓	✓	✓	✓
LYNDA SCHABEL	Lynnda Schabel	10 Santa Gabriella Ct	"	✓	✓	✓	✓	✓	✓	✓
Sharon Kardin		3 Washington St Novato CA 94947		✓	✓	✓	✓	✓	✓	✓
Brenda Valenz		9 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
LINDA VARGAS		11 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
HECTOR VARGAS		11 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
Kim Mazzoni		13 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
Jon Busman		17 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
Anna Busman		17 Washington St	annabusman@hotmail.com	✓	✓	✓	✓	✓	✓	✓
LIM SUESS		21 Washington St	lpsuss@comcast.net	✓	✓	✓	✓	✓	✓	✓
MARY ANNE AHTYE		27 WASHINGTON ST	Mary A. Ahtye	✓	✓	✓	✓	✓	✓	✓
J. 2. Watt		27 WASHINGTON ST	J. Watt	✓	✓	✓	✓	✓	✓	✓
Barbara Munden		22 Taft Ct	Barbara Munden	✓	✓	✓	✓	✓	✓	✓
Jerry Kenney		22 Taft Ct		✓	✓	✓	✓	✓	✓	✓
John Wronkole		25 Taft Ct		✓	✓	✓	✓	✓	✓	✓
ALAN CRESTETTO		29 TAFT CT.		✓	✓	✓	✓	✓	✓	✓
CAROL CRESTETTO		29 TAFT CT.	Carol Crestetto	✓	✓	✓	✓	✓	✓	✓
Thomas Cleary		41 Taft Ct	Thomas Cleary	✓	✓	✓	✓	✓	✓	✓
Madeline Cleary		41 Taft Ct.	M. Cleary	✓	✓	✓	✓	✓	✓	✓
Patricia E. Silva		25 Washington St	Patricia E. Silva	✓	✓	✓	✓	✓	✓	✓
Michael J. Silva		25 Washington St	MIKONP@comcast.net	✓	✓	✓	✓	✓	✓	✓
Susan Oak		225 Michele Cir Novato, Ca 94947		✓	✓	✓	✓	✓	✓	✓
Tom Phillipps		205 Michele Cir Nov. Ca 94947		✓	✓	✓	✓	✓	✓	✓
God Thomas		# 10 Taft	415-897-3679	✓	✓	✓	✓	✓	✓	✓
Segal Raichura		22 Devonshire Dr Nov CA 94947		✓	✓	✓	✓	✓	✓	✓
Chronda Kent Raichura		22 Devonshire Dr Nov CA 94947		✓	✓	✓	✓	✓	✓	✓
Devonshire Dr. Novato, CA 94947				✓	✓	✓	✓	✓	✓	✓
Devonshire Dr. Novato, CA			Sue Smith	✓	✓	✓	✓	✓	✓	✓

2  
cont.

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Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about :

Name (Print)	Signature	House # & Street Name	Email	6 nights a week	CLARE # 80' lights	TRAFFIC	VANDALISM	NOISE # 20' lights	UNREASONABLE LOSS of Privacy
CLARENCE STEINER	[Signature]	206 Alder Pl	Novato	✓	✓				
Kate Turner	[Signature]	205 Alder Pl	Novato	✓	✓	✓	✓	✓	✓
RUTH MEYDOZA	Ruth Meydoza	202 ALDER PL	"						
Henry Stewart	[Signature]	110 Aspen Dr.		✓	✓	✓	✓	✓	✓
PATRICIA SARRIS	[Signature]	102 ASPEN DR	"	✓	✓	✓	✓	✓	✓
RON OPHIR	[Signature]	101 SPANUE PL.		✓	✓	✓	✓	✓	✓
ED KERTEL	[Signature]	409 TAMARACK		✓	✓	✓	✓	✓	✓
Wendy Leary	[Signature]	401 Tamarack	Novato	✓	✓	✓	✓	✓	✓
Jan Wyatt	Lucia Jimenez	536 Acacia Ct	Novato	✓	✓	✓	✓	✓	✓
ED LUCHA	[Signature]	536 ACACIA CT	Novato	✓	✓	✓	✓	✓	✓
Patricia Silveri	[Signature]	201 Alder Pl	Novato, CA	✓	✓	✓	✓	✓	✓
Lauren McManus	[Signature]	733 Walnut Ct	Novato CA	✓	✓	✓	✓	✓	✓
Jeanette Lombardi	[Signature]	309 Conifer Pl.	94945	✓	✓	✓	✓	✓	✓
Stephanie O'Neil	[Signature]	313 Conifer Place,	94945	✓	✓	✓	✓	✓	✓
M. Anderson	[Signature]	314 Conifer Pl	94945	✓					
Marty Adams	[Signature]	737 Walnut Ct	94945	✓	✓	✓	✓	✓	✓
Green Collier	[Signature]	725 Walnut Ct.	94945	✓	✓	✓	✓	✓	✓
Roger M. Lawson	[Signature]	721 Cirrus Ave	94945	✓	✓	✓	✓	✓	✓
CHRIS TURNER	[Signature]	205 ALDER PL.	94945						
HENRY HERPERRA	[Signature]	613 Cedar Pl.	94945						
Kamleen Fosco	[Signature]	901 SYCAMORE DR.	94945	✓			✓		✓
Patricia J. Traktman	[Signature]	2033 Hawthorne Terr	94945	✓	✓	✓	✓	✓	✓
Lee Wyatt	Lee Wyatt	536 Acacia Ct	94945						
Jeffrey [Signature]	[Signature]	2013 Hawthorne Terrace							
Elizabeth Column	With [Signature]	2072 Hawthorne Terrace		✓	✓				
Benny Sutterfield	[Signature]	1028 Poplar Dr	Novato	✓	✓	✓	✓	✓	✓
John Takeshi Kinoshita	[Signature]	1020 Poplar Dr.	Novato	✓	✓	✓	✓	✓	✓
SUZANNE SIMPSON	[Signature]	1010 Poplar Dr.	Novato	✓	✓	✓	✓	✓	✓
Heidi Ebene	[Signature]	Niddle Park	Novato	✓	✓	✓	✓	✓	✓

2  
cont.

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Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about

Name (Print)	Signature	House # & Street Name	Email	GLARE 6-80' High	GLARE 6-80' High	TRAFFIC	VANDALISM	NOISE 6-25' High	URBANIZATION	Loss of Trees
LAMONTAGNE	[Signature]	602 Cedar St.		✓	✓	✓	✓	✓	✓	✓
Jim Bennett	[Signature]	102 Cedar St.		✓	✓	✓	✓	✓	✓	✓
Rosemary Fox	[Signature]	801 Juniper Pl		✓	✓	✓	✓	✓	✓	✓
Robert	[Signature]	1012 Poplar Dr.		✓	✓	✓	✓	✓	✓	✓
Carolyn Lyons	[Signature]	809 Juniper Pl.		✓	✓	✓	✓	✓	✓	✓
Jill O'Hara	[Signature]	2 Pinon Pl.		✓	✓	✓	✓	✓	✓	✓
K. McLaughlin	[Signature]	731 Citrus Pl		✓	✓	✓	✓	✓	✓	✓

Concerned Citizen	Signature	Address	Email	GLARE 6-80' High	NOISE 6-25' High	TRAFFIC	VANDALISM	Loss of Trees	URBANIZATION
GUY SHERMAN	[Signature]	BRIDGE PATH LN		✓	✓	✓	✓	✓	✓
JANE WORTH	[Signature]	185 SAN FELIPE WY		✓	✓	✓	✓	✓	✓
MARILYN BARKER	[Signature]	20154 DORAL CT	Novato	✓	✓	✓	✓	✓	✓
RITA SUMARUK	[Signature]	10 COTTONWOOD PL		✓	✓	✓	✓	✓	✓
AL & LINDA BASHNER	[Signature]	349 SAN MARIN DR		✓	✓	✓	✓	✓	✓
Gregory Brenk	[Signature]	18 Sinaloa Ct.		✓	✓	✓	✓	✓	✓
Regina Winner	[Signature]	1090 Rosalia Dr		✓	✓	✓	✓	✓	✓
Carol Brenk	[Signature]	18 Sinaloa Ct	Novato	✓	✓	✓	✓	✓	✓
Madeleine Clements	[Signature]	2033 Laguna Vista Ct.	Novato	✓	✓	✓	✓	✓	✓
DANA CLEMENTS	[Signature]	2032 Laguna Vista	Novato	✓	✓	✓	✓	✓	✓

From The Coalition to Preserve San Marin

cont.

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Janet K. Shelton, Resident near Hoover H.S., Escondido, CA

I am most concerned about

Name (Print) ..... Signature ..... House # & Street Name ..... Email

Name (Print)	Signature	House # & Street Name	Email	Lighting & Siting	GLARE & BLINDING	TRAFFIC	VANDALISM	NOISE & VIBRATION	URBANIZATION	Loss of Privacy
Don Viday	Don Viday	110 Kaden De Nov.		✓	✓	✓	✓	✓	✓	✓
Kelli Scotto	Kelli Scotto	842 Sutra Ave. Nov.		✓	✓	✓	✓	✓	✓	✓
VAN Scotto	VAN Scotto	" " "		✓	✓	✓	✓	✓	✓	✓
GITI UNDERHILL	GITI UNDERHILL	846 Sutra Ave.		✓	✓	✓	✓	✓	✓	✓
ROLAND UNDERHILL	ROLAND UNDERHILL	846 Sutra		✓	✓	✓	✓	✓	✓	✓
JAMES & Powell	JAMES & Powell	54 Sutra Ave.		✓	✓	✓	✓	✓	✓	✓
Ryan Carr	Ryan Carr	1431 Cambridge St.	rcarr@yahoo.com	✓	✓	✓	✓	✓	✓	✓
Kate Cree	Kate Cree	1731 Cambridge St.	Katie.lapere@comcast.net	✓	✓	✓	✓	✓	✓	✓
Johanna Kutz	Johanna Kutz	141 SAN ANDREAS DR		✓	✓	✓	✓	✓	✓	✓
MARIE KUTZ	MARIE KUTZ	141 SAN ANDREAS DR		✓	✓	✓	✓	✓	✓	✓
Sharon Kambanski	Sharon Kambanski	900 Reichert #411		✓	✓	✓	✓	✓	✓	✓
ROBERT KEMBANSKI	ROBERT KEMBANSKI	900 Reichert #411		✓	✓	✓	✓	✓	✓	✓
Sharon Nieh	Sharon Nieh	5 Pearl Ct		✓	✓	✓	✓	✓	✓	✓
Tin Nieh	Tin Nieh	1587 S. Navato Blvd #205		✓	✓	✓	✓	✓	✓	✓
HEMY NIEH	HEMY NIEH	5 Pearl Ct.		✓	✓	✓	✓	✓	✓	✓
Dennis Phinney	Dennis Phinney	12 Dogwood Ct	dennis.phinney@comcast.net	✓	✓	✓	✓	✓	✓	✓
Patricia Latertier	Patricia Latertier	81 SUNDY CREEK WAY	prill8@comcast.net	✓	✓	✓	✓	✓	✓	✓

2  
cont.

We share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you.

Name (Print) \_\_\_\_\_ Signature \_\_\_\_\_ Street address \_\_\_\_\_ Email \_\_\_\_\_ I am most concerned about  GLARE  NOISE  TRAFFIC  VANDALISM  INSECURITY  URBANIZATION

Concerned Citizen *Richard Birney* 0 San Marin Dr. sample@gmail.com

	Name (Print)	Signature	Street address	Email	GLARE	NOISE	TRAFFIC	VANDALISM	INSECURITY	URBANIZATION
1)	Marianne Migale	[Signature]	4 Sandy Creek Way	4med@comcast.net	✓	✓	✓	✓	✓	✓
2)	Susan Warden	[Signature]	by Sandy Creek Way		✓	✓	✓	✓	✓	✓
3)	Joe Kolinger	[Signature]	69 Sandy Creek Way		✓	✓	✓	✓	✓	✓
4)	Dave Culbertson	[Signature]	72 Sandy Creek Way		✓	✓	✓	✓	✓	✓
5)	ANTHONY MORAES	[Signature]	45 SANDY CREEK WAY	anthony.moraes@comcast.net	✓	✓	✓	✓	✓	✓
6)	TIFFANI MORAES	[Signature]	45 SANDY CREEK WAY	ehom@comcast.net	✓	✓	✓	✓	✓	✓
7)	Ioni Exposito	[Signature]	52 Sandy Creek Way		✓	✓	✓	✓	✓	✓
8)	PETER SAKHISSIAN	[Signature]	" " " "		✓	✓	✓	✓	✓	✓
9)	MEAGHAN CARROLL	[Signature]	33 Sandy Creek	meaghan@comcast.net	✓	✓	✓	✓	✓	✓
10)	Traavis Carroll	[Signature]	33 Sandy Creek	traavis.carroll@sidekick.com	✓	✓	✓	✓	✓	✓
11)	Shirley Georgia	[Signature]	40 Sandy Creek		✓	✓	✓	✓	✓	✓
12)	Georgia Albata	[Signature]	40 Sandy Creek		✓	✓	✓	✓	✓	✓
13)	Joanna Medina	[Signature]	44 Sandy Creek Way		✓	✓	✓	✓	✓	✓
14)	Cathy Spireman	[Signature]	29 Sandy Creek Way, Novato, CA		✓	✓	✓	✓	✓	✓
15)	JJ Fagn	[Signature]	24 SANDY CREEK WAY, NOVATO, CA		✓	✓	✓	✓	✓	✓
16)	JAMES P. DEL CARO	[Signature]	28 SANDY CREEK, NOVATO, CA		✓	✓	✓	✓	✓	✓
17)	CHRISTINE DEL CARO	[Signature]	28 SANDY CREEK, NOVATO, CA		✓	✓	✓	✓	✓	✓
18)	L. WILLIAMS	[Signature]	18 SANDY CREEK WAY		✓	✓	✓	✓	✓	✓
19)	LISA SMITH	[Signature]	14 Sandy Creek Way, Novato		✓	✓	✓	✓	✓	✓
20)	Ruth LeBlanc	[Signature]	14 Sandy Creek Way, Novato, CA		✓	✓	✓	✓	✓	✓
21)	Jouyue Yin	[Signature]	1039 Poplar Dr, Novato CA		✓	✓	✓	✓	✓	✓
22)	Ralph Naim	[Signature]	3 Sandy Creek Way Novato		✓	✓	✓	✓	✓	✓
23)	Liz Boorstein	[Signature]	13 Pepper Creek Way, Novato CA		✓	✓	✓	✓	✓	✓
24)	Valerie Testa	[Signature]	8 Copper Hill Way Novato		✓	✓	✓	✓	✓	✓
25)	Gay Test	[Signature]	8 Copper Hill Way Novato		✓	✓	✓	✓	✓	✓
26)	Paul Sherman	[Signature]	81 Sandy Creek Way "		✓	✓	✓	✓	✓	✓
27)	DEBORAH HEARPLE	[Signature]			✓	✓	✓	✓	✓	✓
28)	WILLIAM FAUST	[Signature]	92 SAN MARIN DR		✓	✓	✓	✓	✓	✓
29)	Geni McDonough	[Signature]	74 Terry Circle		✓	✓	✓	✓	✓	✓
30)	Christine Gigliotti	[Signature]	2060 Hawthorne Terrace		✓	✓	✓	✓	✓	✓
31)	Alice Liao	[Signature]	29 Pepper Creek Way, Novato		✓	✓	✓	✓	✓	✓
32)	Tammie Clark	[Signature]	33 Pepper Creek Way		✓	✓	✓	✓	✓	✓
33)	Sylvia Baker	[Signature]	19 Pepper Creek Way		✓	✓	✓	✓	✓	✓
34)	Robert Sakhissian	[Signature]	19 Pepper Creek Way		✓	✓	✓	✓	✓	✓
35)	TAUB SHOLEK	[Signature]	41 PEPPER CREEK		✓	✓	✓	✓	✓	✓
36)	Kate M. Huey	[Signature]	Linda Ct.		✓	✓	✓	✓	✓	✓

We the undersigned share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you to discuss how to preserve the San Marin area while providing high school athletes the practice fields they would like.

Let's avoid creating a situation like the one Janet K. Shelton lives with near Hoover High School. She says, "I have athletic field lights shining in my living room window, and though they are distant, they are huge and bright. It's hard to sit in there and look at the view without having one's eyes pulled to the lights...It's never really night anymore."  
Janet K. Shelton, Resident near Hoover H.S., Escanaba, CA

I am most concerned about :

Name (Print) ..... Signature ..... House # & Street Name ..... Email

4 nights a week  
GLARE IF ON LINE  
TRAFFIC  
VANDALISM  
NOISE IF ON  
URBANIZATION  
Loss of Privacy

Name (Print)	Signature	House # & Street Name	Email	4 nights a week	GLARE IF ON LINE	TRAFFIC	VANDALISM	NOISE IF ON	URBANIZATION	Loss of Privacy
1. Lynn Schabel	Lynn Schabel	10 Santa Gabouella Ct	lschabel@comcast.net	✓	✓	✓	✓	✓	✓	✓
2. YVON SCHWARTZ	Yvonne Schwart	10 Santa Gabriel Ct	"	✓	✓	✓	✓	✓	✓	✓
3. Sharon Kardin	Sharon Kardin	3 Washington St Novato CA 94947		✓	✓	✓	✓	✓	✓	✓
4. Brenda Valuel	Brenda Valuel	9 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
5. LINDA VAREGAS	Linda Varegas	11 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
6. Hector Varegas	Hector Varegas	11 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
7. KENNETH WAZZ	Kenneth Wazz	13 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
8. Joe Busman	Joe Busman	17 Washington St Novato 94947		✓	✓	✓	✓	✓	✓	✓
9. Anna Busman	Anna Busman	17 Washington St Novato 94947	parabusman@hotmail.com	✓	✓	✓	✓	✓	✓	✓
10. TIM SURGE	Tim Surge	21 Washington St Novato 94947	tsurges@comcast.net	✓	✓	✓	✓	✓	✓	✓
11. MARY ANNE AHLHA	Mary Anne Ahlha	27 WASHINGTON ST Novato, CA		✓	✓	✓	✓	✓	✓	✓
12. J. Watt	J. Watt	27 WASHINGTON ST Novato, CA		✓	✓	✓	✓	✓	✓	✓
13. Barbara Munden	Barbara Munden	22 Taft Ct		✓	✓	✓	✓	✓	✓	✓
14. Jerry Kenney	Jerry Kenney	22 Taft Ct		✓	✓	✓	✓	✓	✓	✓
15. Alan Crestetto	Alan Crestetto	29 Taft Ct		✓	✓	✓	✓	✓	✓	✓
16. CAROL CRESTETTO	Carol Crestetto	29 Taft Ct		✓	✓	✓	✓	✓	✓	✓
17. Thomas Cleary	Thomas Cleary	41 Taft Ct		✓	✓	✓	✓	✓	✓	✓
18. Madeline Cleary	Madeline Cleary	41 Taft Ct		✓	✓	✓	✓	✓	✓	✓
19. Patricia E Silva	Patricia E Silva	25 Washington St Novato, CA		✓	✓	✓	✓	✓	✓	✓
20. Michael J Silva	Michael J Silva	25 Washington St Novato, CA	mike@comcast.net	✓	✓	✓	✓	✓	✓	✓
21. Susan Oak	Susan Oak	225 Michele Cir Novato, CA 94947		✓	✓	✓	✓	✓	✓	✓
22. Tom Phillip	Tom Phillip	205 Michele Cir Novato, CA 94947		✓	✓	✓	✓	✓	✓	✓
23. Jack Howard	Jack Howard	# 10 Taft	415-877-3678	✓	✓	✓	✓	✓	✓	✓
24. Sejal Raichura	Sejal Raichura	22 Devonshire Dr Novato CA 94947		✓	✓	✓	✓	✓	✓	✓
25. Chandrakant Raichura	Chandrakant Raichura	22 Devonshire Dr Novato CA 94947		✓	✓	✓	✓	✓	✓	✓
26. Devonshire Dr Novato, CA 94947				✓	✓	✓	✓	✓	✓	✓
27. Devonshire Dr Novato, CA	Sue Smith			✓	✓	✓	✓	✓	✓	✓



## Letter 3

**COMMENTER:** Coalition to Save San Marin

**DATE:** January 19, 2017

### **Response 3.1**

The commenter states that per their previous correspondence, the names and signatures of Novato citizens who are concerned about the stadium lighting and sound associated with the proposed project are included. The commenter also states general concern about lights and noise associated with the proposed project, and requests that NUSD reconsider the stadium lights proposal and look for alternatives that would benefit all of Novato's student athletes.

The commenter's opposition to the project is noted. Please see Master Response A – Lighting and Aesthetic and Master Response B – Noise.

### **Response 3.2**

The commenter includes a petition with names, signatures, home addresses, and email addresses from various individuals that states, "we the undersigned share many of the above concerns about San Marin H.S. athletic field lighting and would like to meet with you to discuss how to preserve the San Marin area while providing high school athletes the practice fields that they would like."

These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. It is not clear what "the above concerns" refers to; please see Master Responses A through G and the responses to Letter 19.

Letter 4

March 1, 2017

The Novato Unified School District Trustees, Thomas Cooper; Debbie Butler; Maria Aguila; Derek Knell; Greg Mack and Ross Millerick

Jim Hogeboom, Superintendent and Leslie Benjamin, Public Information Officer

c/o Yancy Hawkins – Assistant Superintendent of Business and Operations  
Novato Unified School District  
1015 7th Street  
Novato, California 94945

RE: Response to Draft EIR: SMHS - Lights & Sound

1 This letter serves as a formal statement of opposition to the proposed San Marin High School athletic field lights and sound system project, written on behalf of the Madera Marin Home Owners Association (MMHOA) and its board of directors. Madera Marin is a residential community located directly adjacent to San Marin High School and consists of 146 residential townhouse units.

When the NUSD first notified the neighboring San Marin community by letter dated May 4<sup>th</sup> 2016, of a proposed plan to build an extensive light and sound system at the SMHS football field, numerous resident tenants and owners at Madera Marin became concerned with the project and how it would negatively affect quality of life in the neighborhood. Community members have regularly attended public meetings regarding the project since January of 2016, held by NUSD, the Novato City Council, SMHS, and the San Marin Improvement Association (SMIA), which covers a large geographical area surrounding SMHS.

Issues including excessively bright lights at night, excessive noise, the possible commercialization of the field, traffic, garbage, vandalism, and crime, are all major concerns to the residents in our townhouse community, which consists of many families with young children, as well as elderly residents, some of whom are original owners of the Madera Marin homes, built in 1978.

2 The addition of the lights and sound to the existing setting of the football field at SMHS will greatly change the original plan for the use of the field, and that change is a cause for concern.

3 In July/August of this year, a survey was mailed to all homeowners at Madera Marin, asking how the owners felt about the proposed lights and sound project at SMHS. An overwhelming response to the survey showed that a large majority (70%+) of the owners were very much opposed to the lights/sound project at SMHS and requested that



3 | the Madera Marin Board of Directors draft this position letter in opposition to the  
cont. | project.

4 | As it was written in an 11/21/2016 letter from the County of Marin Community  
Development Agency Planning Division, in refusing to issue a permit to Marin Catholic  
High School for a similar football field light project, it is not just one issue that  
neighbors are opposed to regarding the installation of the lights, but the totality of all  
the issues and the negative impact that the lights and sound would create, in perpetuity,  
in the surrounding residential area.

5 | The Board of Directors of MMHOA respectfully request that the seven elected school  
board members of NUSD consider the expressed opposition of the 146 united members  
of the Madera Marin HOA, due to numerous, possibly non-mitigable issues that will  
occur as a result of this large scale change of use project.

This letter is being submitted as a result of an Environmental Impact Report (EIR),  
ordered and paid for by NUSD. The residents of Madera Marin hope that the NUSD  
board members will consider any and all alternatives to the lights project before voting  
for and agreeing to the construction of permanent lights. The quality of life of all the  
citizens of Novato, and especially the hundreds of neighbors in the immediate vicinity  
of SMHS, should be paramount when deciding how to move forward. Thank you for  
your consideration.

Sincerely,  
Eugene Burger Management Corporation  
As Agent for Madera Marin Homeowners Association

Joe Dorsey  
Community Manager

Chris Turner  
President, Madera Marin Home Owners Association

## Letter 4

**COMMENTER:** Joe Dorsey

**DATE:** March 1, 2017

### **Response 4.1**

The commenter states that they oppose the project on behalf of the Madera Marin Home Owners Association and its Board of Directors. The commenter states general concerns related to bright lights at night, excessive noise, the possible commercialization of the field, traffic, garbage, vandalism, and crime.

The commenter's opposition to the project is noted. Specific concerns and requests for clarification of proposed project details are addressed below under each specific comment.

### **Response 4.2**

The commenter states an opinion that the addition of lights and sound at the existing stadium would change the original plan for the use of the field, and that that change is a cause for concern. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 4.3**

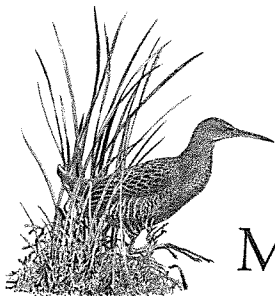
The commenter states that a survey was sent out to homeowners in July/August and approximately 70 percent of them replied that they were opposed to the stadium lights project at SMHS and requested the Madera Marin Board of Directors draft this opposition letter. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 4.4**

The commenter states that the County of Marin Community Development Agency Planning Division refused to issue a permit to Marin Catholic High School for a similar project because of the total negative impact on the surrounding residential area. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

### **Response 4.5**

The commenter requests that the NUSD Board members consider all alternatives before voting for and agreeing to the construction of permanent lights. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.



# Marin Audubon Society

P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG

January 27, 2017

Leslie Benjamin, Director – Communications & Community Engagement  
Novato Unified School District  
1015 7<sup>th</sup> Street  
Novato CA 94945

Re: San Marin High School Stadium Lights Project

Dear Ms. Benjamin,

1 The Marin Audubon Society appreciates the opportunity to comment on the proposed application for the installation of athletic field lights, as well as an upgraded public address system, at the San Marin High School campus in Novato. The purpose of the project is described as expanding the hours of use for the existing ball field to include non-daylight (night time) use. We have reviewed both the Initial Study and the Draft EIR prepared for the project and have the following comments and concerns pertaining to the project's potential impacts to wildlife and habitat, especially as it affects avian species.

Of most concern upon our reading is the lack of a Biological Resources section in the DEIR. The apparent reason for this omission derives from the conclusions arrived at in the Initial Study. The claim that “no biological habitats that would support any species identified as candidate, sensitive, or species status species would be affected” appears to be made without the benefit of any wildlife surveys or vegetation inventories. Photographs included in the DEIR clearly depict a number of native oak and bay trees on the upper north slope of the project site. A site visit by Marin Audubon confirmed the presence of dozens of mature oak species, California bay, and evergreens in the immediate vicinity (approximately 500’) of the ball field. Additionally, the contiguous San Marin High School campus is itself interspersed with numerous mature oaks. Lastly, the campus is bordered to the west by a thickly wooded riparian stream, which, while perhaps over ¼ mile from the ball field, very likely provides nesting and roosting opportunities for raptors such as hawks and owls. So, while the Initial Study claims that “no native wildlife nursery sites have been identified”, the question remains as to what report or data support these

1  
cont.

conclusions. Are they the product of a biological study? If so, it should be cited and included in the document so that the reader can make an informed decision. Surveys should be conducted of these upland habitats to determine their use by songbirds, raptors and woodpeckers. Marin Audubon would also urge that consideration be made for all native species and not just those of special status. After all, protected species do not become that way on their own; they are often the product of weak protections that go unaddressed. We therefore disagree that “further analysis is not warranted”.

2

The Initial Study does not describe the presence (or absence) of the most likely species to be adversely impacted; owls and bats. Night lighting, increased noise and disturbance from humans would certainly stand to impact species that are active at night. There is again no inventory or survey for these species at various times of the year to establish their numbers.

3

The impact of night lighting on wildlife has been studied rather extensively. To its credit, the Initial Study acknowledges that migratory birds rely on celestial navigation for their annual migrations. However, the Study downplays the potential impacts by describing the surrounding area as “an urban area” and one in which there is little foraging opportunity for migratory birds. This characterization of the area is inaccurate. The vicinity of the project is at the very edges of a suburban housing area where it transitions to oak woodlands, a riparian stream, and upland grasslands owned by the Marin County Open Space District. The Study goes on to claim that “current night lighting conditions for the area show bright light sources already present in the urban area of Novato with even brighter light sources present in the greater Bay Area located along Highway 101 and Interstate 580/80 ....Alameda Naval Complex, downtown San Francisco...downtown Oakland.” This analysis is apparently made from views taken from the International Space Station and suggests that night lighting is already impacted by virtue of being in the Bay Area. Just because night lights exist, and there are actually few in the vicinity of the project, does not mean that more should be installed. Some of the most egregious instances of migratory bird impacts of night lighting, in fact, have occurred in highly urban areas. A cumulative impact analysis of the impact of migratory birds should be included.

Rather than depict this site as “urban,” it is more accurately described as being suburban and on the edge of rural West Marin. Be that as it may, even if one were to agree that this is an urban setting with rampant light pollution already in effect, there would be all the more reason to consider this project for its cumulative impacts.

4

Lastly, the DEIR does not analyze the potential impacts of increased noise from night time sporting events on wildlife. Discussions are only based on noise as it pertains to nearby residents. Because there is no inclusion of a Biological Resource section, there is no way to assess the impacts that all these night time activities might have on foraging, nesting and roosting owls and bats.

4  
cont.

In conclusion, Marin Audubon urges that a thorough analysis of potential environmental impacts stemming from this project be provided in the DEIR. This would have been more likely had the Initial Study recognized the need for the inclusion of a Biological Resource section.

Thank you for considering our comments and recommendations in your deliberations.

Phil Peterson  
Co-chair Conservation Committee  
Marin Audubon Society



Barbara Salzman  
Co-chair Conservation Committee  
Marin Audubon Society



## Letter 5

**COMMENTER:** Phil Peterson

**DATE:** January 27, 2017

### Response 5.1

The commenter states that their greatest concern relates to the lack of a Biological Resources section in the Draft EIR. The commenter states an opinion that the analysis and conclusions in the Revised Draft Initial Study (Appendix A of the Draft EIR) appear to be made without the benefit of wildlife or vegetation surveys. Additionally, the commenter states that a site visit conducted by Marin Audubon confirmed the presence of dozens of mature oak species, California bay, and evergreens in the immediate vicinity (approximately 500 feet) of the field. The commenter requests that the biological studies be cited and included in the document for reference and opines that additional surveys should be conducted to determine current use. The commenter concludes by requesting consideration for all native species, not just those that are listed as special status, and disagrees with the findings of the biological resources section of the Revised Draft Initial Study.

A desktop biological study was conducted and is included in the Appendix A of the Draft EIR, Revised Draft Initial Study, under Item IV, *Biological Resources*. The biological study consisted of a desktop analysis, including agency database queries, literature review, aerial imagery review, and construction plan review. Senior Rincon Consultants staff also visited SMHS in May of 2016 to observe general existing conditions at the project site. Based on the desktop analysis, it was determined that impacts to biological resources would not be significant and that therefore biological resources would not need to be addressed further in the Draft EIR. There is no specific provision under CEQA that requires biological surveys or that a separate technical biological report must be included in a CEQA document. Nevertheless, clarification has been provided in the Revised Draft Initial Study (Appendix A of the Draft EIR) under Item IV, *Biological Resources*, to address this and related comments received on the Draft EIR:

a) ***LESS THAN SIGNIFICANT IMPACT.*** ~~Construction of the project would occur within previously disturbed areas on the San Marin High School campus. Ground disturbance would occur on~~The project site is situated in a suburban neighborhood in Novato, California within the campus of San Marin High School. The project site is bordered to south by a parking lot, to the east by a grass field, to the north by baseball fields, and to the west by the high school campus. Residential neighborhood surrounds the high school campus on the south, east, and north. To the south and west, Novato Boulevard separates the high school campus from a riparian corridor along Novato Creek. Approximately 700 feet north of the stadium, and separated from the project site by the residential neighborhood, is open space consisting of oak/grassland vegetation community. Mature trees are present adjacent to the project site on the south and eastern sides and few scattered mature trees are present on the high school campus to the west of the project site. The closest mature trees are located over 100 feet away from the proposed locations for the main stadium light poles.

#### **Sensitive Species**

In order to determine the potential presence of sensitive species or habitat, Rincon Consultants reviewed regulatory agency databases, conducted a literature review, analyzed aerial imagery, and reviewed the construction plans. According to the California Natural Diversity Database (CNDDDB 2016), there is potential for special status wildlife species to occur within a five-mile radius of the project site. The project site itself no longer supports habitat for any special status species and no special status species are expected to occur on the project site. Few special



status birds and bats may fly through or over the project site, but project activities will not have a significant impact on any bird or bat species such that population size is reduced to a level below being self-sustaining.

This additional discussion is based on the preliminary results of light modeling conducted by Musco Lighting (Musco Lighting, 2017) which was provided after publication of the Draft EIR and discussed in more detail in the Final EIR (see Section 8.0). Light impacts can be analyzed by quantifying illuminance from the spillover of light, or “light trespass.” Light trespass is measured on both the vertical plane (e.g., light shining through a window) and the horizontal plane (e.g., light falling on a bed), in terms of foot-candles (more detailed definitions can be found in Section 4.1, *Aesthetics*, of the EIR). Musco’s light modeling found that vertical and horizontal foot-candles with the proposed stadium lights would less than 0.5, and mostly zero, at 100 feet from the stadium. For the trees closest to the stadium lights, only a few would experience vertical foot-candles over 0.3 and no trees would experience horizontal foot-candles above 0.1 (equivalent to approximately one tenth of a standard household flashlight). The modeling also determined that maximum candelas calculated for the project that would affect the trees to the east of the project site are 7,023 candelas at 300 feet from the nearest lights. For context, candela levels of 25,000 are equivalent to automobile high beam headlights, while candela levels of 250 are equivalent to a 100W incandescent light bulb. Therefore, 7,023 candelas would be equivalent to 28 percent of the intensity of an automobile high beam headlight viewed from 300 feet away. This level of lighting would only occur in a small range directly to the east of the stadium. Candela levels drop off rapidly to the north and south of that area.

*Special Status and Other Bat Species.* Native bats species that have not been identified as threatened or endangered may be present in the project area. Seven bat species that could potentially occur around the project site are considered California species of special concern (CSSC) either due to lacking information or because of suspected decline of the species range in California. These species (global and state ranking and CDFW special status included in parenthesis) include: the pallid bat (G5 S3; Class II), Townsend’s big-eared bat (G3G4 S2; Class I), western red bat (G5 S3; Class II), fringed myotis (G4 S3; Class II), long-legged myotis (G5 S3; Class II), western mastiff bat (G5T4 S3S4; Class II), and big free-tailed bat (G5 S3; Class II). Two additional species are placed on the Watch List (WL) because of restricted distribution and the need for additional field efforts to establish population trends. These two species include: the silver-haired bat (G5 S3S4) and the hoary bat (G5 S4). The CDFW lists the primary reasons for bat decline as closures, human disturbance, and direct extermination through “pest control” measures at colony roosting sites (Bolster 1998). Additionally, unsustainable management practices of public and private forest lands for cavity-dwelling species, and farming practices such as removal of riparian forests and use of insecticides are noted as causes of bat declines. No evidence currently exists that would suggest the installation of the stadium lights would have a significant impact on bat populations.

Studies that have shown effects on species biology as a result of artificial light are generally related to long periods of lighting, for example streets and other city lights that are on all night (Rowse et al. 2016). The few hours each night that stadium lights will be on may have some effect on bat foraging behavior, but not to the level of a negative impact on the population. On the contrary, evidence exists that while not natural behavior, bat foraging around lights may have a positive effect by increasing foraging efficiency, especially for insectivorous species that hunt in open spaces above canopy or along vegetation edges (Rowse et al. 2016 and references therein). Many Myotis species have been found to simply avoid lit areas, seemingly preferring to

forage in darkness. The open space to the north of the project site and along the riparian corridor associated with Novato Creek provides ample dark foraging opportunities.

Native bats use roosting habitats such as trees, bridges, and abandoned buildings. However, the proposed project plans do not include the removal of any nearby trees, and no other suitable habitat in proximity to the project site would be impacted. Furthermore, higher quality foraging and roosting habitat is located one quarter-mile south at Novato Creek, making it less likely that any bats would frequent the proposed project area. Bats that are roosting around the project site could generally be considered habituated to human activities and are unlikely to be disturbed by any increased activities associated with the stadium lighting. Bats have been shown to be very resilient to urbanization and urban activities and in some cases have been found to be more diverse and abundant in association with urban landscapes (Jung and Threlfall 2016).

It is possible that bats may forage around the lights during the brief periods lights are on. However, little to no evidence exists that bats would be specifically attracted to the lights (Evans Ogden, 1996) and the lack of light trespass beyond 100 feet from the stadium further reduces the likelihood that bats would be attracted to the lights. The brief period of illumination combined with the distance from any suitable bat roosting areas and lack of light trespass makes it unlikely for lighting to have a negative impact on bat behavior. As discussed in the introductory section to this Initial Study under *Description of Project – Project Components*, project activities would take place during the months of September through January. Since construction would occur early in general mating season for native bats, it would not impact maternity roosting colonies. Based on available information, no evidence exists that the project would negatively impacts bat behavior. Potential impacts to incidental foraging bats would be less than significant.

### **Nesting or Migratory Birds**

Nesting birds and raptors are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC). Common avian species that have adapted to urban and suburban environments, such as sparrows, finches, American crows, and barn owls, are present in the project area.

*Construction.* The nesting season in the area generally extends from February through August. As discussed in the introductory sections to this Initial Study under *Description of Project – Project Components*, project activities would take place during the months of September through January. Therefore, construction during this period would avoid the potential for impacts to nesting birds. In addition, construction of the project would occur within previously disturbed areas adjacent to the sports stadium and parking area on the San Marin High School campus. Work would occur on previously paved areas or areas that are landscaped with non-native vegetation, including non-native lawn grass. No activity would occur on previously undisturbed ground. Disturbed vegetation (consisting primarily of lawn) above trenches and bore pits would be restored to pre-construction conditions following installation of the electrical conduits. No tree removal is proposed as part of this project. No biological habitats that would support any species identified as a candidate, sensitive, or special-status species would be affected by construction or operation of the project. No candidate, sensitive, or special-status wildlife, including bats or raptors are expected to be present on site. According to the California Natural Diversity Database (CNDDDB) there is potential for special status wildlife such as roosting pallid bats (*Antrozous pallidus*) and burrowing owls (*Athene cunicularia*) to occur within a five-mile radius. However, no habitat exists for either of these species. Pallid bats require rocky areas for roosting habitat. There are no rocky areas in the proposed project area so no impacts are

expected for this species. No impacts to candidate, sensitive, or special status bats are expected to occur because no potential habitats would be impacted or trimming is proposed as part of this project. Therefore, no impacts during construction would occur.

Native bats that are not listed would require roosting habitats such as trees, bridges, and abandoned buildings. The proposed project plans do not include the removal of any nearby trees, and no other suitable habitat exists. Furthermore, higher quality foraging and roosting habitat is located one quarter mile south at Novato Creek, making it unlikely that any bats would frequent the proposed project area. Potential impacts to bats would be less than significant on incidental foraging individuals.

Avian species protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Game (CDFG) code include nesting birds and raptors. The area is subject to regular human disturbance due to the existing athletic field. Common avian species such as sparrows, finches, American crows, and barn owls are resident species. Operation. Once constructed, poles would be a maximum of 80 feet (24.3 meters) tall. Given the small surface area of their vertical and horizontal structure, poles would not have a significant impact on bird flight, including during migration.

Nighttime events at the stadium requiring lighting would occur approximately 152 or fewer times per year, with the majority of the light use occurring between October and May. Lighting would occur for approximately two hours per evening during week days (6 to 8 PM) to 3.75 hours during 15 or fewer Friday evenings (6 to 9:45 PM). Therefore, stadium light would be on for only short periods consisting of two to four hours a night for up to four months. There have been some cases where lighting has been shown to impact bird species; however, this has typically occurred where light is otherwise scarce, such as on offshore oil platforms (Huppopp et al., 2015) and in forests (The Nature Conservancy, 2015). There is no evidence that shows birds are attracted to urban areas and are not expected to be affected by the project because the regular use of the existing athletic field would not be suitable. lights (Evans Ogden 1996). Since lighting would occur during short durations and little light trespass would occur, stadium lights are unlikely to result in birds becoming trapped within the light zone, known as the “trapping effect” (Evans Ogden 1996), especially on diurnal (daytime active) birds (Outen 2002). In addition, lighting events would mostly occur during August through December which falls outside the usual nesting bird season. Therefore, lighting is optimally planned to have little to no impact on nesting habitat. The existing owlbirds (Gason et al. 2012).

Three owl boxes have been installed around the margin of the high school campus to the north and west, the nearest of which is approximately 700 feet from the project site, which is beyond the standard agency-required buffer distance of 500 feet between active raptor nests and active project construction activities. These owl boxes near the proposed project area would most likely be occupied by barn owls given the size and location of the owl boxes. Barn owls are also highly adaptive adapted to urban urbanized landscapes and any existing resident barn owls would already be highly tolerant and acclimated to the current level of human activities from the existing athletic field and surrounding residences. Prey The addition of lights and sporting activities carry on for up to 3.75 hours after sunset would have no additional impact on nesting owls above that already occurring during day-time. Natural prey availability for owls, such as native small rodents, is also unlikely to occur in the athletic field area due to and owls are more likely to forage in open space to the north of the project site and along the same level of human disturbance mentioned above. Potential riparian corridor to the west and south. Potential impacts to barn owls would be less than significant. Overall impacts to birds nesting and raptors migratory birds would be less than significant. Based on the project parameters discussed

above, impacts associated with adverse effects on candidate, sensitive, or special-status species would be less than significant and further analysis of this issue in an EIR is not warranted.

b) **LESS THAN SIGNIFICANT IMPACT.** Construction of the project would occur within previously disturbed areas on the San Marin High School campus. Ground disturbance during construction of the proposed project would be limited. Excavation would be required for the installation of pole foundations, and limited trenching and boring would be required for the installation of new electrical connections. This ground disturbance would occur on previously disturbed areas within and near the existing stadium. The nearest riparian area to the stadium is located approximately one-quarter mile to the south and southwest at Novato Creek in O’Hair Park. Although light pollution can adversely affect wildlife in riparian areas, the proposed light fixtures would be narrowly focused on the stadium and downcast, ~~which would minimize spillover of light at the distance of Novato Creek.~~ Light trespass from the stadium at the distance of Novato Creek would be approximately zero (Musco Lighting 2017). The lighting design for the project follows standard recommendations from The Nature Conservancy regarding downward facing design and reduced period when lights are on (The Nature Conservancy 2015, <https://www.nature.org>). Therefore, construction and operation of the project would not have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulation, or by state or federal agencies. The impact on riparian habitat and sensitive natural communities would be less than significant, and further analysis of this issue in an EIR is not warranted.

c) **NO IMPACT.** As described above, ground disturbance associated with construction of the project would occur on previously disturbed areas within and near the existing stadium. As shown on the U.S. Fish and Wildlife Service’s National Wetlands Inventory, there are no federally protected wetlands on or adjacent to the stadium (USFWS, 2016). The nearest mapped wetland area is an intermittent stream that runs immediately north of the San Marin High School tennis courts, located approximately 600 feet southwest of the stadium. Limited ground disturbance within the stadium would not adversely affect this wetland area. Implementation of the project would not result in adverse effects on wetlands and further analysis of this issue in an EIR is not warranted.

d) **LESS THAN SIGNIFICANT IMPACT.** Construction of the project would involve the installation of free-standing poles to support new lighting and upgraded public address systems and underground electrical conduits to supply electricity to those systems, all within the existing stadium. No fences, walls, or other linear obstructions to wildlife movement would be constructed. No streams would be affected. ~~No native wildlife nursery sites have been identified on any of the project site.~~

Trees near the project site and those in the riparian vegetation to the northwest may provide nesting opportunities for birds. However, as discussed in detail under subsection (a), no disturbance to birds nesting behavior would occur. Light disturbance levels at nearby trees that could support nesting would be low relative to ambient levels associated with the residential neighborhood and would be short-term in daily duration. Birds that may nest in the trees near the stadium (approximately 100 feet away from the main stadium light pole locations at the nearest) would likely be habituated to human activity and would not likely be disturbed by the increased activity level and lighting resulting from the project.

Implementation of the project would increase the frequency and intensity of evening and nighttime lighting at the stadium. Although the proposed modern lighting system would be designed to minimize glare and fugitive light, some illumination of nighttime skies would occur.

Many migratory birds use the stars to orient themselves during the spring and fall migratory season (generally April through May and September through November). In overcast conditions or heavy fog, they can become disoriented and attracted to any elevated light source. The birds ~~will~~would fly around the light source rather than continuing to migrate and may excessively use up fat stores. While nighttime bird migration begins about one hour after sunset and continues until about 2:00 AM, peak activity generally occurs after 10:00 PM (Pettingill, 1985). Lighting would not occur after 9:45 PM and would occur that late nine or fewer times a year. Lighting would not have a significant impact on bird migratory behavior.

The project site lies within the general area known as the “Pacific Flyway,” an area that extends across the width of California, though most migration occurs along the immediate coast and offshore and through the inland Sacramento and San Joaquin Valleys. The number of birds present at any one portion of the flyway at a particular time is dependent on a wide variety of conditions, including current weather patterns and the amount of available food resources as the birds need to “re-fuel” during daytime hours to continue their migration.

The project is not expected to “interfere substantially with the movement of any native resident or migratory fish or wildlife species” for multiple reasons. First, migratory bird kills as a result of athletic field lighting at O.co Coliseum in Oakland, Candlestick Park, AT&T Park and other athletic fields in the Bay Area have not been reported. Second, because the project site is within an ~~urban~~suburban area, available food resources for migratory species and most wildlife species are lacking on-site and large numbers of migratory birds do not occur at the project site or in the immediate vicinity. Third, current night lighting conditions for the area show bright light sources already present in the ~~urban~~suburban area of Novato (NASA, International Space Station, 2013); ~~with even brighter light sources present in the greater Bay Area located along Highway 101 and Interstate 580/80 adjacent the bay, Alameda Naval Complex, downtown San Francisco, San Francisco International Airport, Oakland International Airport, and downtown Oakland.~~ Fourth, the proposed lights would be turned off before the peak time period of migratory activity (after 10:00 PM). Impacts related to substantial interference with the movement of any native or migratory fish or wildlife species or their established movement corridors would be less than significant, and further analysis of this issue in an EIR is not warranted.

The following references were added to the Revised Draft Initial Study (Appendix A of the Draft EIR) to support the citations in the above revised text:

- Evans Ogden, L.J. 1996. Collision course: the hazards of lighted structures and windows to migrating birds. World Wildlife Fund Canada and the Fatal Light Awareness Program, Toronto, Canada.
- Gason, K. J., T. W. Davies, J. Bennie, and J. Hopkins. 2012. Reducing the ecological consequences of night-time light pollution: options and developments. *Journal of Applied Ecology* 49: 1256-1266.
- Huppos, O., K. Huppop, J. Dierschke, and R. Hill. 2015. Bird collisions at an offshore platform in the North Sea. *Bird Study* (63)1: 73-82.
- Musco Lighting. 2017. Engineered Design, Illumination Summary. San Marin High School Football. Novato, CA.
- Outen, A. 2002. The possible ecological implications of artificial lighting. In: Sherwood, B., D. Cutler, and J Burton (Eds.), 2002. *Wildlife and Roads, the Ecological Impact*. Imperial College Press, London, 299 pp.

The Nature Conservancy. 2015. Reducing Ecological Impacts of Shale Development: Recommended Practices for the Appalachians. [www.nature.org/shale-practices](http://www.nature.org/shale-practices).

Based on the finding of the biological study conducted for the Revised Draft Initial Study (Appendix A of the Draft EIR), it was concluded that “Impacts associated with adverse effects on candidate, sensitive, or special-status species would be less than significant and further analysis of this issue in an EIR is not warranted.” Please note that the Revised Draft Initial Study addresses the presence of mature trees in proximity to the project site (approximately 100 feet from the proposed locations for the main stadium light poles) and notes that the trees (and birds that may potentially nest in those trees) would not be significantly impacted by the project (see Item IVa and IVd). Please refer to the Revised Draft Initial Study for further discussion on this matter. The conclusions of the Revised Draft Initial Study remains unchanged and potential for impacts remain less than significant.

### **Response 5.2**

The commenter states an opinion that the Revised Draft Initial Study does not describe the presence or absence of owls and bats, and concludes that night lighting, increased noise, and disturbance from humans would impact species that are active at night.

Clarification has been provided in the Revised Draft Initial Study (Appendix A of the Draft EIR) under Item IV, *Biological Resources*, to address owls and bats, as shown in response to Comment 5.1.

The addition of this language in the Revised Draft Initial Study does not change the conclusions of the Draft EIR related to biological resources as discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), and potential impacts to biological resources remain less than significant.

### **Response 5.3**

The commenter states an opinion that the Revised Draft Initial Study (Appendix A of the Draft EIR) mischaracterizes the area in the vicinity of the project site as an area that is already impacted by night light by virtue of being in the Bay Area. The commenter also states that just because night lights exist does not mean that more should be installed and notes that a cumulative impact analysis of the impact of migratory birds should be included in the analysis. The commenter concludes by stating that rather than depict the project site as urban, it is more accurately described as suburban and regardless, the cumulative impacts of light and noise should be evaluated.

The commenter is correct that the vicinity of the project site should not be characterized as urban, but rather suburban. In addition, it is correct that the project site itself is not directly impacted by night light from the greater Bay Area. These points have been clarified in the Revised Draft Initial Study as follows:

Second, because the project site is within an suburban area, available food resources for migratory species and most wildlife species are lacking on-site and large numbers of migratory birds do not occur at the project site or in the immediate vicinity. Third, current night lighting conditions for the area show bright light sources already present in the suburban area of Novato (NASA, International Space Station, 2013), ~~with even brighter light sources present in the greater Bay Area located along Highway 101 and Interstate 580/80 adjacent the bay, Alameda Naval Complex, downtown San Francisco, San Francisco International Airport, Oakland International Airport, and downtown Oakland.~~

Please refer to Response 5.2 and Item IV, *Biological Resources*, in the Revised Draft Initial Study (Appendix A of the Draft EIR) for further discussion on this topic. The conclusion of the Revised Draft Initial Study remains unchanged and potential for impacts remain less than significant. The cumulative impacts of lighting are addressed under the heading *Cumulative Impacts* in Section 4.1.2 of the Draft EIR,

*Impact Analysis.* The conclusion in the Draft EIR that the cumulative impacts for aesthetics would be less than significant with mitigation incorporated and that the project's contribution to cumulative aesthetic impacts would not be cumulatively considerable remains valid. No changes to the Draft EIR are warranted. The cumulative impacts for noise are discussed under the heading *Cumulative Impacts* in Section 4.5.2 of the Draft EIR, *Impact Analysis*. As discussed in Section 4.5.2, cumulative construction noise impacts would be less than significant. Traffic noise associated with the project and cumulative activities would not exceed FTA thresholds under typical conditions and would be less than significant. Implementation of the project would result in a significant noise impact for nearby sensitive receptors during varsity football games and other on-site activities. However, based on the fact that noise dissipates as it travels away from its source, the noise impacts from on-site activities would be limited to the project site and vicinity. Thus, cumulative operational (non-traffic) noise impacts from related projects, in conjunction with project-specific noise impacts, would not have the potential to result in cumulatively considerable adverse effects. Cumulative operational stationary (non-traffic) noise exposure would be less than significant. The cumulative noise impact conclusions in the Draft EIR remain valid and no changes to the Draft EIR are warranted.

#### **Response 5.4**

The commenter states an opinion that the Draft EIR does not analyze the potential impacts of increased noise from night time sporting events on wildlife and that the discussion included in the document is only based on noise as it pertains to nearby residents. The commenter opines that without including a Biological Resources section in the Draft EIR, there is no way to assess the impacts that nighttime activities may have on foraging, nesting, and roosting owls and bats.

Noise effects on wildlife species are poorly known yet it is an important factor for consideration under CEQA. Studies have shown that birds are generally negatively affected by noise and will return to normal behavior and a nest within a short time after a noise-related disturbance (Manci et al. 1988; U.S. Forest Service 1992; Pater et al. 1999). In one study, woodpeckers did not flush when artillery simulators, generating 70 dBA, were more than 400 feet away (Pater et al. 1999). Actual physical damage to bird ears has been reported at noise levels around 125 to 140 dBA (Dooling and Popper 2007). Noise levels measured at the tree line, approximately 100 feet to the east, are at most 74 dBA. The nearest potential nesting opportunity for birds, including raptors, would only ever be exposed to noise levels as high as 74 dBA for a maximum of four hours after sun down on up to 15 evenings throughout the year and a maximum of two hours after sun down on any other evening. Noise levels will not be higher than during regular day-time events, only shifted in timing. As such, birds foraging and breeding in the area of the project are likely already habituated to the sounds emanating from the stadium (see Pater et al. 1999) and are unlikely to be impacted by evening events.

Language has been added to Item IV, *Biological Resources*, of the Revised Draft Initial Study to clarify the conclusion of a less than significant impact on special status wildlife, as shown in response to Comment 5.1. As mentioned in response to Comment 5.1, the clarification of language to address the effects of owls nesting and effect on other wildlife does not change the conclusions in the Revised Draft Initial Study. Increases activities during night events would not result in significant impacts to wildlife or nesting birds beyond that already experienced by current activity levels.

The following references are listed here to support the citations in this response:

Dooling, R. J. Popper, A. N. 2007. "The Effects of Highway Noise on Birds". Environmental BioAcoustics LLC.

Manci, K.M., D.N. Gladwin, R. Vilella, and M.G Cavendish. 1988. Effects of Aircraft Noise and Sonic Booms on Domestic Animals and Wildlife: A Literature Synthesis. U.S. Fish and Wildlife Service National Ecology Research Center, Ft. Collins, CO, NERC-88/29. 88 pp.

Pater et al. 1999. "Assessment of Training Noise Impacts on the Red-cockaded Woodpecker: 1999 Results". US Army Corps of Engineers.

U.S. Forest Service. 1992. Report to Congress: Potential Impacts of Aircraft Overflights of National Forest System Wilderness. U.S. Government Printing Office 1992-0-685-234/61004, Washington, D.C. von Gierke, H.E. 1990. The Noise-Induced Hearing Loss Problem. NIH Consensus Development Conference on Noise and Hearing Loss, Washington, D.C. 22-24 January.





environmental service

*by Papineau*

February 28, 2017

Mr. Yancy Hawkins, Assistant Superintendent  
Business and Operations  
Novato Unified School District  
1015 7th Street  
Novato, California 94945

**Subject: Comments on San Marin High School Stadium Lights Project  
Draft Environmental Impact Report, SCH#2016082086**

Dear Mr. Hawkins:

1 Please find included herewith comments on the Draft Environmental Impact Report dated December 2016. Comments submitted by this letter and attachment are made on behalf of the neighbors of San Marin High School.

The attachment contains eight (8) typewritten pages plus five figures labeled C-1 through C-5. The purpose of the figures is to illustrate the following:

- C-1: Nighttime views generally available from inside and outside the immediate neighborhood of San Marin High School are subject to significant change from upward-directed light and sky glow.
- C-2: San Marin High School is located next to the natural backdrop of Little Mountain Open Space Preserve, Verissimo Hills Open Space Preserve, O'Hair Park, and Morning Star Farm riding stables.
- C-3: San Marin High School also is located next to the backdrop of the Mount Burdell Open Space Preserve. The areas to the north, northwest, west, and southwest generally have no artificial light. Nighttime views show as much, with very dark silhouettes of the ridges.
- C-4: Future appearance can be simulated using photographic simulations. Every simulation will be different depending on the ambient light setting. Scenic backdrops comprised of undeveloped hills and ridges obviously will not look the same as urban backdrops or developed hillsides, and the effects of stadium lights on the two kinds of nighttime views will be very different.
- C-5: Ambient Light Zones near San Marin High School.

If you have any questions about the comments please call me at (510) 881-8574.

Sincerely,

A handwritten signature in blue ink that reads 'Marc R. Papineau'.

Marc Papineau  
Environmental Assessor  
Project Manager

2

- 1. **Ambient light setting is not discussed in the DEIR. CEQA Guidelines require discussion of the existing setting as the essential baseline from which impacts are to be assessed. In specific regard to light, glare, and sky glow, there is no photograph showing the existing night sky and there is no scientific justification for labeling the area as brightness Zone E3.**

3

The San Marin High School (SMHS) site is located adjacent at the western edge of Novato at the interface between residential neighbors, Morning Star Farm riding stables, O’Hair Park, and undeveloped open space. Undeveloped ridges form a natural backdrop to the northwest, west and southwest. The Little Mountain (also known as Doe Hill) 214-acre Open Space Preserve is located southwest of SMHS. The 115-acre Verissimo Hills Preserve connects to the Little Mountain Preserve in the north and the Indian Tree Preserve across Vineyard Road to the south. The habitats here are predominantly grassland mixed with oak/bay woodlands. North of SMHS is the 1,627-acre Mount Burdell Open Space Preserve is located to the north. Mount Burdell rises to a peak elevation of 1,558 feet above sea level, which is approximately 1,452 feet above the SMHS stadium field and track at 106 feet above sea level. The two preserves are unlighted, natural, oak-studded hillsides which form a dark evening backdrop to their surroundings. There is zero sky glow from Little Mountain and Mount Burdell, other open space, the community park, or the stables.

SOURCE:

<http://www.marincountyparks.org/depts/pk/divisions/open-space/main/preservemaps>

4

The CIE light zone, according to assertion in the DEIR, is Zone E3. This appears to be based solely on the designation of the school and residential neighborhood as “suburban land,” without any consideration of the actual ambient light setting of the neighborhood or its surroundings.

The true ambient light setting of the neighborhood is low brightness, with street lights but without lighted signs or business district lights. The adjacent open space preserves and riding stables are unlighted. Therefore, the true CIE light zone of the neighborhood adjoining SMHS is best classified as Zone E2. The open space areas are either Zone E1 or Zone E2 depending on location.

While the DEIR does include a few photographs of daytime conditions, there are no photographs showing nighttime conditions when the absence of lights and scarcity of lights would be obvious. CEQA Guidelines §15125(a) requires a description of the environmental setting, which means the physical environmental conditions at the time the analysis was begun. This then becomes the benchmark against which environment effects of a proposed project are gauged.

According to the DEIR, page 35:

5

*Mt. Burdell, located north of the city, is a natural landmark that dominates views of Novato from U.S. 101 and most areas north and west of State Route (SR) 37. The 1,508-foot-high Mt. Burdell is part of an open space managed by the Marin County Department of Parks and Open Space which offers expansive views of Novato from a number of hiking and biking trails. Hillsides provide a scenic backdrop for developed areas...*

5  
cont.

*The high school is located at the interface between suburban development and open space. The City's approximately 98-acre O'Hair Park, which includes equestrian facilities at Morning Star Farm, the Dogbone Meadow dog park, and trails through open space areas, is located across Novato Boulevard south of the school. The Dwarf Oak Trail to Mt. Burdell and single-family residences on Sandy Creek Way about the school site to the west. Open hillsides with grassland and scattered oak trees rise to the north and west of San Marin High School. (Draft EIR, p. 35)*

DEIR, Figure 5, Photos 1 through 4, pages 37-38, shows the extensive undeveloped hillsides and ridges adjoining the vicinity. If shown at nighttime, these unlighted areas would reveal the very low brightness of the existing environmental setting. There is no discussion of existing ambient light conditions or nighttime views in the DEIR, which does, however, acknowledge Item 4 (pp. 38-39):

*An aesthetic impact is considered significant if the addition of stadium lights would create a new source of substantial light or glare that would adversely affect day or nighttime views. (DEIR, pp. 38-39)*

6

- 2. Guidance levels for illumination, glare, and sky glow are numerical thresholds which are published by independent lighting organizations such as CIE and are cited in the DEIR. The applicable thresholds depend on the existing ambient light setting and have to be correctly selected. Application of the numerical thresholds is a step toward analysis of a project's potential aesthetic impact; however, simple comparisons to numerical thresholds are insufficient to assess effects on specific daytime and nighttime views. When correctly conceived, analysis of views has to consider representative views or entire viewsheds from identified vantage points.**

7

The DEIR lacks a meaningful evaluation of sky glow or glare on specific nighttime views from vantage points in the viewshed of Little Mountain and Mount Burdell. The viewshed is substantial, and these hillsides and ridges can be viewed from numerous locations in Novato. Figure C-1 shows one example of the viewshed of Little Mountain and Mount Burdell from vantage points located along a particular segment of Novato Boulevard east of San Marin High School.

8

Instead, the evaluation (DEIR, pp. 40-41) moves from discussion of inappropriate thresholds on page 40 to a discussion on page 41 of the visual impacts of the light poles themselves—not of the potentially intrusive spillover light, glare or sky glow of the luminaires. This discussion of daytime views of the light poles is relatively unimportant, or a low-priority discussion, and distracts focus from a key issue—the effect of stadium lighting on nighttime views.

The DEIR focuses on daytime views and completely misses key points to be analyzed relative to potential effects on dusk or nighttime views of Little Mountain and Mount Burdell. No evaluation is presented about the key potential effect of the stadium lighting on nighttime views of the hills and ridges, visibility of the lights or and sky glow over the stadium.

9

The numerical thresholds stated in the DEIR are incorrect based on CIE's schema for ambient brightness zones. The appropriate classification is Zone E2. The DEIR, however, addresses particular threshold value of spillover illumination (2 or 2.5 foot-

9  
cont.

candles) which are not among the CIE thresholds for any of the E1, E2, or E3 ambient brightness zones.

10

In Zone E2, which is the appropriate classification of the existing setting of SMHS, pre-curfew thresholds are very different from those discussed in the DEIR. Correct guidance levels during pre-curfew hours based on Zone E2 ambient setting are listed as follow:

- For illumination, 3 lux (0.3 foot candle), in the vertical plane
- For glare, luminous intensity of 7,500 candela from any individual luminaire
- For sky glow, less than 2.5% upward directed light as a ratio relative to illumination on the field in the horizontal plane.

11

The DEIR indicates in mitigation measures MM-AES-3 and MM-AES-4, on pages 43-44, that numerical thresholds will be applied as performance standards in the lighting design. Evaluation is not presented in the DEIR which addresses the feasibility of meeting either correct CIE Zone 2 guidance levels or the incorrect guidance levels set forth in the DEIR. Alternatives which could avoid or lessen the potential adverse effect of stadium lighting on nighttime views, therefore, are not fully developed in the DEIR. One of the alternatives considered—the Portable Lighting alternative—actually could have more or less severe effects on nighttime views than the proposed project. Analysis of options that could make things worse is the opposite of CEQA’s substantive mandate (Pub. Resources Code, §21002).

12

**3. Alternatives considered in the DEIR are not reasonable alternatives. Illumination levels for high school football could be other than 50 fc,--even as low as 40 fc,--yet a reduced light level alternative is not even discussed. This is especially important because the purpose and need for the proposed project could be met with lower illumination at reduced cost to the district and with no detriment to player safety.**

13

CEQA requires discussion of a reasonable range of alternatives to a proposed action in addition to the No Action alternative. The statement of project objectives in the Draft EIR (DEIR, pp. 2 and 142) essentially asserts that a lighted football field is necessary to avoid releasing athletes (*e.g.*, football, soccer, track or lacrosse players) from final period classes during the practice and playing season and also asserts that another objective is to provide a nighttime place for student entertainment. The list of objectives is probably clear enough to satisfy CEQA Guidelines Section 15124(b); however, the ensuing evaluation does not meet statutory mandate.

CEQA’s substantive mandate (Pub. Resources Code, §21002) is that “[P]ublic agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects” of the project. The purpose of developing meaningful alternatives and alternatives analysis is to determine whether there is a feasible way to achieve the basic objectives of the project, while avoiding impacts (Pub. Resources Code, §21002.1.). When the alternatives are not meaningful, or when the evaluation of alternatives is shallow, the basic CEQA mandate is circumvented.

14

According to the DEIR, page 26:

14  
cont.

*There are three main reasons for the installation of stadium lights at San Marin High School. The first is to provide students with extended practice/game times to reduce time out of class, the second is to increase athlete safety, and the third is to provide the opportunity for students, parents and community members to participate in evening football games on Friday nights [rather than hosting games during daytime on Saturdays] and other evening school events. (DEIR, page 26)*

It is highly questionable that a lighted field could “improve academic performance” by eliminating early releases for football, soccer, track or lacrosse players. There clearly is a tradeoff between the later time on the field under the proposed action and time at home or time spent at home doing homework (DEIR, pp. 2 and 142, Objective 1). Later practice times simply eat into at-home time and homework time. It is equally questionable that San Marin High School has a mission or an appropriate role in increasing ticket sales of any kind or providing a nighttime meeting place or entertainment opportunities for its student body (DEIR, pp. 2 and 142, Objectives 2 and 3). And, it is even more questionable that lighted nighttime football, soccer, lacrosse or track games, meets, or practices could be safer than practice or play in daylight (DEIR, pp. 2 and 142, Objective 4).

15

Rather than assert academic improvement, increased ticket sales, or Friday night entertainment as tenuous “purposes” of the project, the DEIR would be more straightforward to state some particular problem or need for the lights. For example, if true, the DEIR might state San Marin High School athletics department has been unable to solve a sports team scheduling problem owing to multiple overlapping team demands for the track and football, soccer, lacrosse stadium field. Field lighting is proposed to provide high school teams with better access to playing and practice fields. Field lighting could have potential significant impacts on sky glow, glare, and evening views of Novato’s unlighted open space hillsides. Therefore, reasonable alternatives might include 1) development of a new field for daytime use by the lacrosse and soccer teams or 2) a collaborative agreement or permit for use of an off-campus field. Both action alternatives potentially could avoid significant glare nuisance and aesthetic impacts of the proposed field lighting project.

As another example, if true, the DEIR might state San Marin High School has been unable to maintain its early period 7:26-8:18 a.m. M-Th-Fri class due to federal budget cutbacks; therefore, all students would be required to attend school starting at Period 2 (8:23 - 9:15 a.m. M-Th-Fri and 8:20-9:55 a.m. W). As a consequence of this change (*i.e.*, the shortened school day), permissions for early release for participation on a sports team, which previously had been given routinely, would no longer be given. Field lighting is proposed to provide high school players on outdoor sports teams later access to playing and practice fields. In this hypothetical example, a set of alternatives logically would be developed to avoid and substantially lessen the significant impacts of the proposed project.

16

According to CEQA Guidelines, §15126.6, subd. (a), an EIR must describe and analyze a range of reasonable alternatives to the project that:

- 1) are potentially feasible,
- 2) would “feasibly attain most of the basic objectives of the project,” and
- 3) would avoid or substantially lessen any of the project’s significant effects.

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In this regard, the current DEIR as written is way off base. The list of objectives is so long and so specific that stadium lighting at SMHS seems to be the only option. The DEIR fails to set out any lighting alternative that could provide a lower, yet safe, illumination level at the San Marin High School Stadium, thereby avoiding potential sky glow and glare impacts. Even the upward (skyward) facing luminaires are described as being operable (DEIR, page 45)

17

The only on-site lighting alternative even mentioned is Alternative 3 (Portable Lighting). The Portable Lighting alternative is criticized in the DEIR for “increasing impacts to air quality and greenhouse gas emissions” not for any difference in its effect on sky glow, glare or nighttime views. Even though the air quality and GHG impacts of the proposed action are not significant impacts, they are variably characterized as significant or insignificant in the DEIR (DEIR, pp. 3, 55, 92, and 149). Assuming that the air quality and GHG impacts of the proposed project are insignificant, the discussion of these effects in the alternatives analysis distracts focus from key effects of the proposed project on ambient light levels, glare, sky glow and nighttime views.

18

Examples of the variable characterization of impacts of the proposed project and alternatives in the DEIR:

- DEIR, page 55: As shown in Table 11, the BAAQMD construction emissions thresholds would not be exceeded. *Because the **proposed** project would not exceed BAAQMD thresholds for any pollutant, it would not expose sensitive receptors to substantial pollutant concentrations. Therefore, these impacts would be **less than significant**.*
- DEIR, page 92: *As indicated above in Impact GHG-1, **GHG** emissions associated with the **proposed** project would be less than significant, and the project's impacts are therefore also cumulatively **less than significant**.*
- DEIR, page 3: *Also, all of the **action** [sic, development] alternatives would introduce additional or more severe impacts compared to the proposed project for certain resource areas. For example, Alternative 2 would result in increased impacts to transportation and traffic, and Alternative 3 would result in increased impacts to air quality and greenhouse gas emissions. [underline added] Among the considered **action** alternatives to the proposed project, the Novato High School Stadium Lighting alternative (Alternative 2) is the environmentally superior alternative.*
- DEIR, Page 149, Portable Lighting Alternative: *Overall, air quality impacts would be increased compared to the proposed project under this alternative... Overall, [**greenhouse gas**] GHG impacts would be increased compared to the proposed project under this alternative.*

19

Just because portable lighting uses an electricity generator does not mean that its effects on air quality or greenhouse gas emissions are significant. The statement in the DEIR that air quality impacts would be “increased” compared to the proposed project is ambiguous or even misleading and diverts attention away from CEQA’s fundamental mandate, which is to develop meaningful alternatives and alternatives analysis, to determine whether there is a feasible way to achieve the basic objectives of the project

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while avoiding significant adverse effect or, also known as, impacts (Pub. Resources Code, §21002.1.). Such a meaningful discussion, if it could be found in the DEIR, would have explored alternatives that can lessen light, sky glow, glare, and adverse effects nighttime views rather than air quality or GHG emissions.

20

A proper evaluation of the proposed project and the Portable Lighting alternative would find that effects of either on air quality or GHG emission are insignificant. With fairly articulated information, decision-makers would not have a valid environmental reason to pick the proposed project over the Portable Lighting alternative based on air quality or GHG effects. Decision-makers with fairly articulated information about lighting effects might have an environmental reason to pick one alternative or the other. However, the DEIR, as written, fails to provide this information on many accounts (*e.g.*, illumination level, sky glow, glare, or impact on nighttime views).

21

The above examples are intended to illustrate how the DEIR is logically flawed. It sets out alternatives that it subsequently concludes would introduce “increased” impacts even more severe than the insignificant impacts of the proposed action. In accordance with CEQA’s substantive mandate and CEQA Guidelines, reasonable alternatives would include those which can lessen the potential significant adverse effects of the proposed San Marin High School Stadium Lights Project. Alternatives which could avoid or substantially lessen the project’s significant adverse effects on sky glow, glare and nighttime views are not evaluated in the DEIR and some of them (*i.e.*, Reduced Light Level alternative) are not even identified in the DEIR.

22

**4. None of the neighbors of SMHS was specifically evaluated. Neighbors of SMHS live at a variety of locations and elevations relative to the football stadium. Glare depends on viewing line-of-sight to an individual luminaire relative to the aiming line of the luminaire. Glare increases as the two lines approach coincidence; however, some glare occurs even with less-than-perfect coincidence between line-of-sight and aiming line.**

Houses at 48 and 52 San Marin Drive are located approximately 10-13 feet below the grade of the playing field. Houses at 28 and 32 San Marin Drive are located 12-15 feet below the grade of the playing field. These fronts of these houses are 190-200 feet from the outer edge of the track.

Ground level at 5, 9, and 10 Santa Gabriela Way is approximately 33 feet above the grade of the playing field, and the upper stories are even higher above the playing field. These backs of these houses are approximately 146-220 feet from the nearest edge of the track, and the outdoor deck at 10 Santa Gabriela Way is as close as 134 feet.

Off-campus locations that are depressed in elevation compared to the playing field are especially susceptible to adverse glare effect from the downward-directed luminaires mounted at 80-feet above the playing field. Off-campus locations that are elevated relative to the playing field are susceptible to adverse glare effect from the upward-directed luminaires. Both situations would be represented at SMHS—the first (glare from downward-directed luminaires) by the houses 28, 32, 48 and 53 San Ramon Drive and the second (glare from upward directed luminaries) by the houses at 5, 9 and 10 Santa Gabriella Way.

23

Without a photometric analysis, the degree of glare impact is unknowable, but the houses which could have problems with glare are readily identifiable. These include the houses along San Marin Drive and Santa Gabriella Way which would have lines-of sight to the far side luminaires. For example, at the particular houses at 28 and 32 San Marin Drive, lines-of-sight may be only 11-12 degrees “over” the aiming angle with no horizontal offset.

Neither one nor any collection of specific locations in the neighborhood of SMHS (e.g., a house, a development, group of houses on a section of a particular street) is specifically considered in the DEIR. Glare effects are particularly dependent on light-of-sight in relation luminaire aiming lines. Maximum glare generally occurs on the playing field, where the aiming line of a luminaire and line-of-sight coincide. However, glare occurs off-site even from other lines-of sight toward the stadium.

24

**5. Upward directed light is proposed which will create sky glow. This is not addressed at all in the DEIR even though the viewshed includes very dark natural hillside open space to the northwest, west and southwest of SMHS.**

25

Evaluation of Impact AES-5 is unsupported and conclusory. The “evaluation” asserts that sky glow would not result from the proposed project or that the effect would not be significant because, according to the DEIR, the night sky of the Bay Area already has substantial light pollution that the night skies of Novato, being located the Bay Area, are not sensitive to additional artificial light.

*The proposed light fixtures also would feature reflectors and a visor to block upward light. Although lower-output luminaires would be mounted facing upward at 20 feet on each light pole and would incrementally increase sky glow when in use by reflecting light off clouds and aerosols, these lights would only be used for short durations to illuminate airborne objects such as footballs during punts and kickoffs. Furthermore, the use of all stadium lights would be limited to certain athletic events, and lights would be cut off by 9:45 PM in the evening. Therefore, they would not substantially contribute to sky glow during sensitive nighttime hours. The City of Novato, being located in the greater San Francisco Bay Area, also has nighttime skies that are subject to substantial existing light pollution, largely from sources in the U.S. 101 corridor, and that are not sensitive to additional artificial light. Therefore, the proposed stadium lights would not substantially contribute to sky glow near the school site, and impacts would be less than significant. (DEIR, p. 45)*

Buried within this paragraph from the DEIR is an additional false assumption—that the upward sky-facing luminaires would only be used for short durations to illuminate airborne objects such as footballs during punts and kickoffs. This is false because there could be no practical way to operate the sky-facing luminaires in that on-and-off fashion during football, lacrosse, or soccer. Even if the technology were developed, it would not be practical for sports like soccer with continuous play (i.e., no stoppages for clearing the ball, or other long kicks other than goal kicks and corner kicks).

26

A scientific evaluation or even a meaningful discussion is not presented in the DEIR, which instead seems to employ rhetorical tactics: 1) if the school can control all of the proposed upward light limiting it to brief periods during kickoffs and punt returns, then sky glow will not occur or not for long and, while sky glow will occur briefly during long



26  
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kicks, 2) the night skies over all Novato are so light-polluted that the environment would not be sensitive to the additional artificial light. Neither premise in #1 or #2 (above) is true and the conclusions drawn are both false.

27

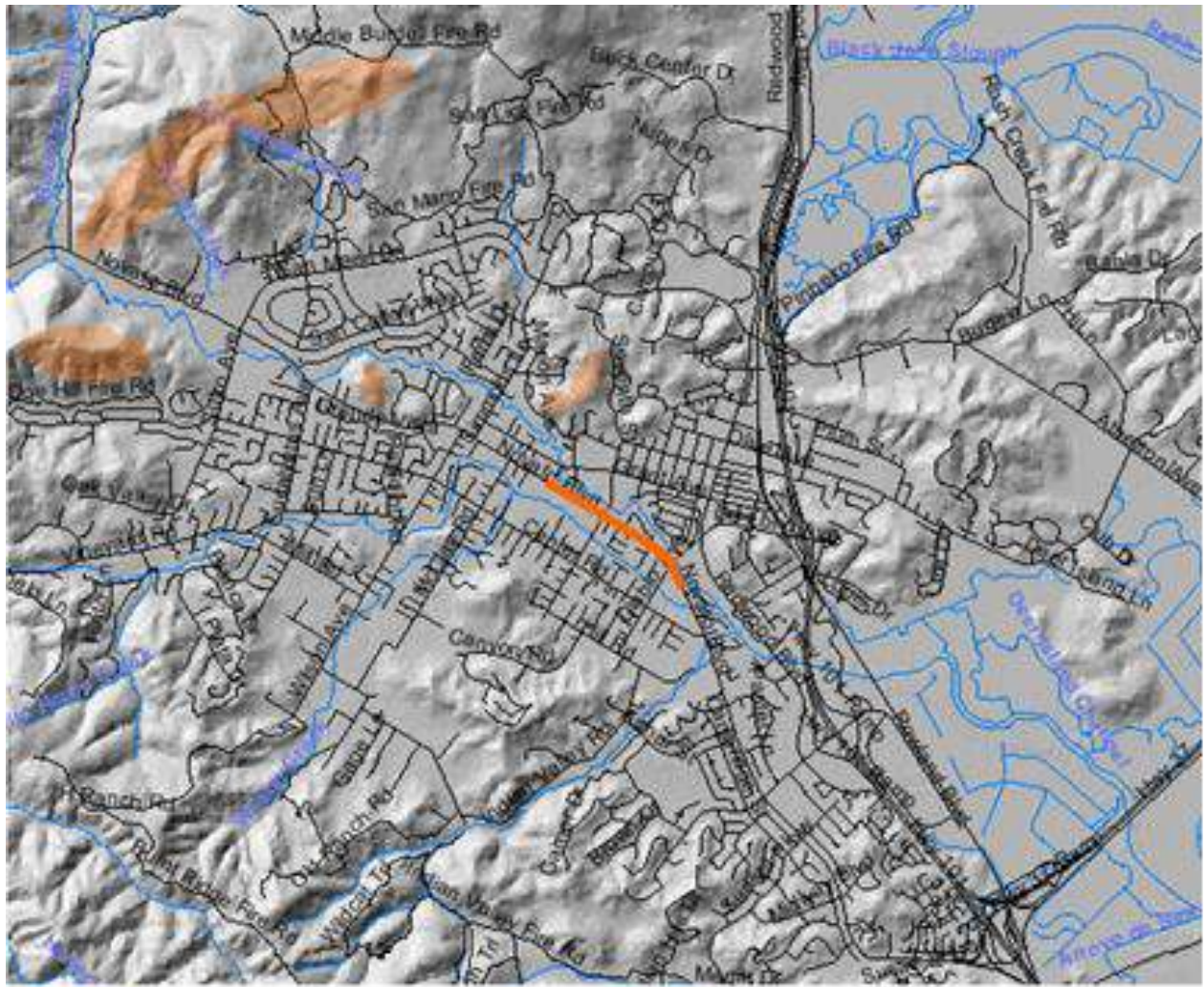
Factually, sky glow is a potential impact in Zone E2 when upward light ratio (upward luminous flux as a percentage of total luminous flux) equals or exceeds 2.5%. The DEIR, as written, by only asserting the night skies over the U.S. Highway 101 corridor are subject to substantial existing light pollution, presents no scientific basis for characterizing the nighttime skies of neighborhood as light-polluted. In view of the existing darkness of the unlighted ridges and hillsides which form the scenic backdrop to the northwest, west and southwest of SMHS, existing nighttime views of the dark hills and ridges could be very sensitive to sky glow over the stadium.


Sky glow results not only from upward directed light from luminaires but also from reflected light that is reflected from the illuminated field surface, concrete surfaces, aluminum bleachers and buildings. The amount of reflected upward light can vary depending on weather conditions with more reflection from wet surfaces and upward light scattering from aerosols or fog. This is not evaluated in the DEIR.

28

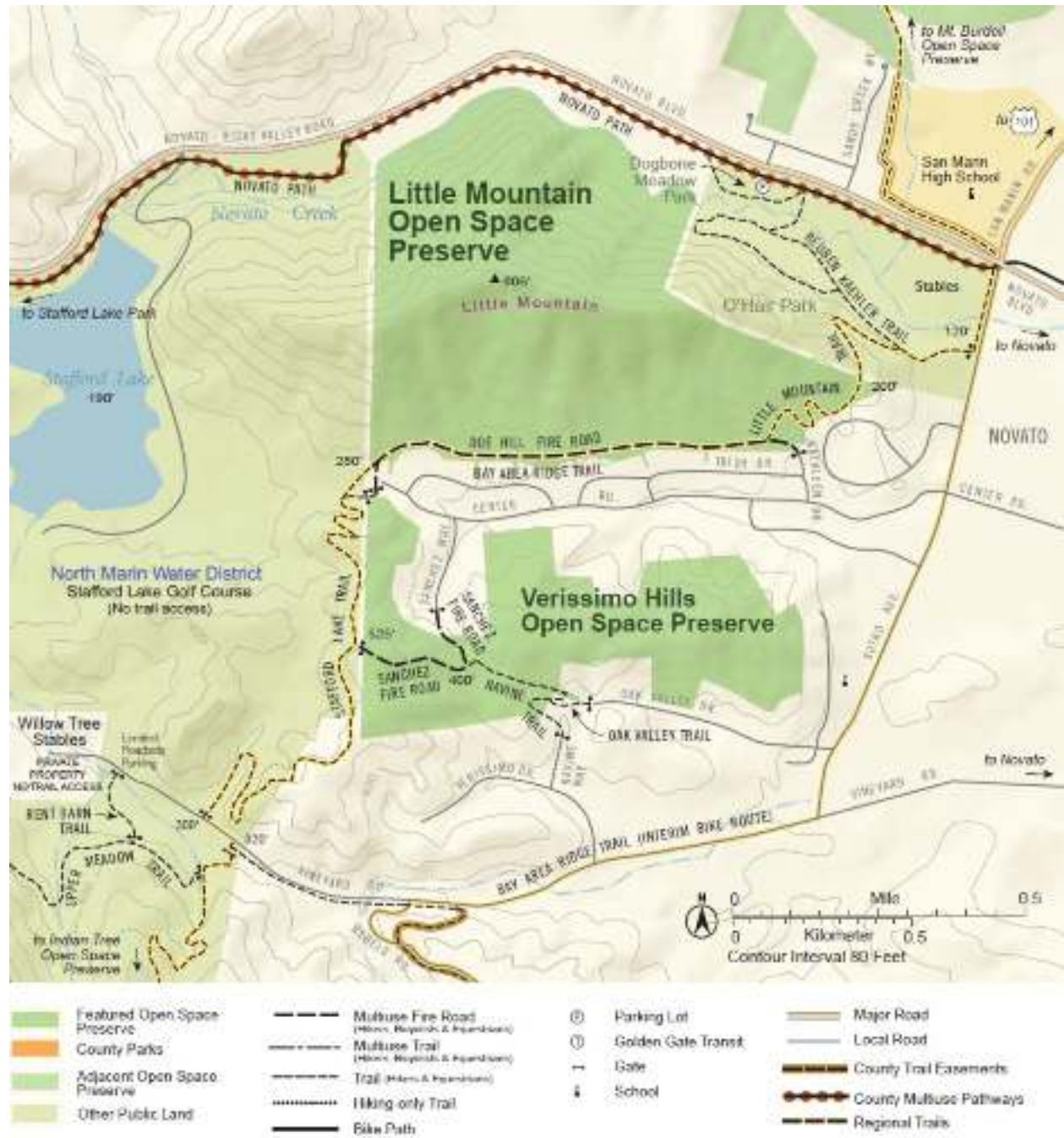
### **Summary**

The proposed project's potential significant effects on light, glare, sky glow, and visual quality of nighttime views of the natural hillside and ridges, are not evaluated in any meaningful way in the DEIR. Views of Little Mountain and Mount Burdell Open Space Preserves are available to a broader segment of the Novato population than the immediate neighbors living around SMHS, yet daytime or nighttime views of these aesthetic resources are not evaluated. Conclusory statements are asserted generally without technical support and, in one instance, with rhetorical tactics which include multiple false assumptions. This pattern emerges early in the discussion of aesthetics, light and glare, and it interferes with the development of meaningful alternatives. It is unclear, based on the DEIR, as written, if any alternative,--meaningfully developed and evaluated (e.g., Portable Lighting alternative, Reduced Light Level alternative, Off-Campus Facility alternative),--could avoid or lessen the potential impacts of the proposed San Marin High School Stadium Lighting Project on sky glow, glare, or nighttime views. It is clear only that such an alternative is not articulated in the DEIR.



 Viewshed from a limited number of vantage points along Novato Boulevard includes undeveloped hilltops and hillsides.

**Figure C- 1 An Example of Views of the Ridges and Hillsides Available from the East**



**Figure C-2 Little Mountain, Verissimo Hills and O'Hair Park in relation to San Martin High School**

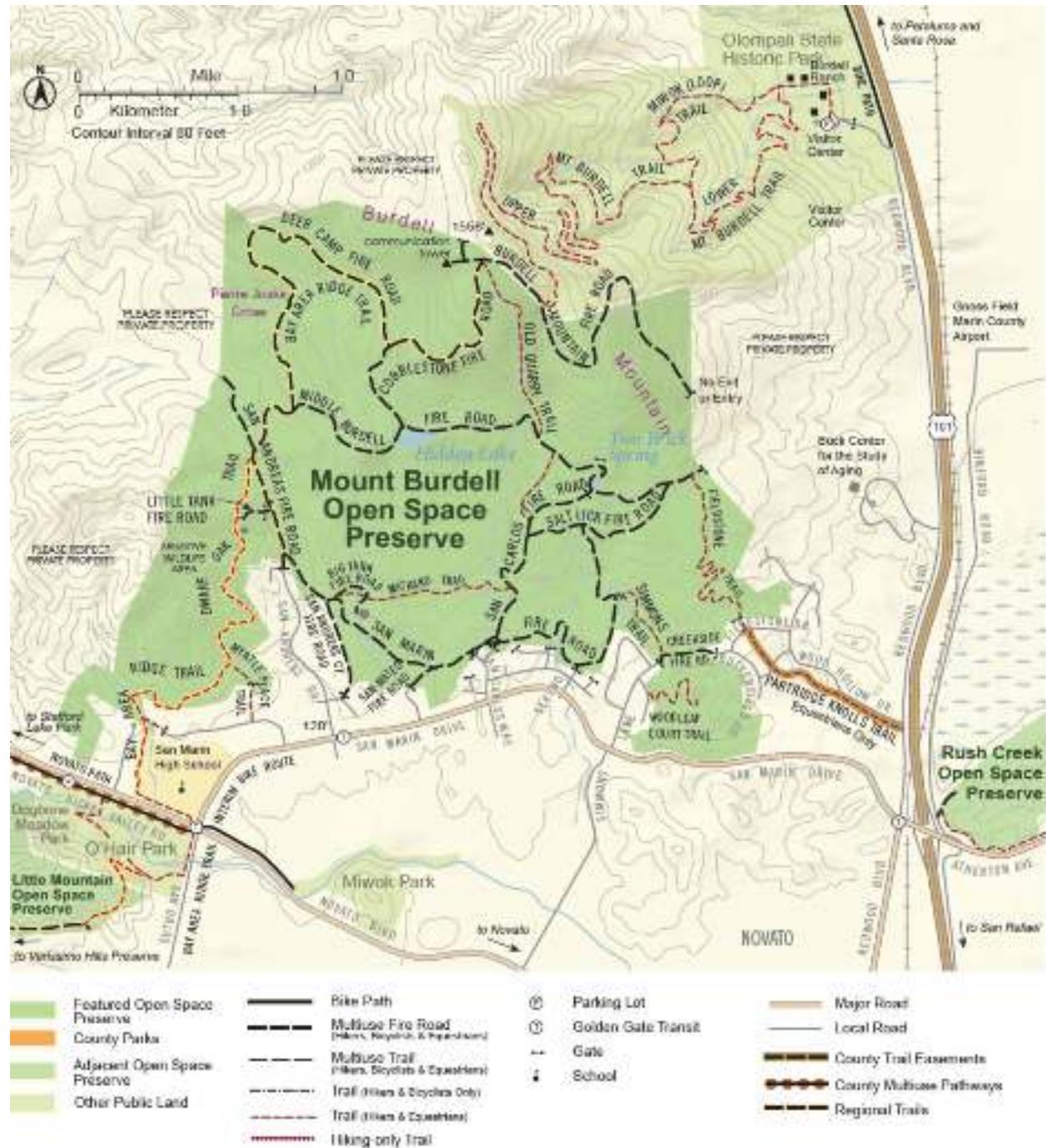


Figure C- 3 Mount Burdell Open Space in relation to San Marin High School



View-02 Existing Evening **Draft 1** 03.18.2015 Red Morton Community Park Redwood City, California digital imaging audio 



View-02 Proposed Evening **Draft 1** 03.18.2015 Red Morton Community Park Redwood City, California digital imaging audio 

**Figure C- 4 Example Before & After Simulation of New Stadium Lights Showing Light Sources, Field Illumination and Sky Glow**



## Letter 6

**COMMENTER:** Marc Papineau

**DATE:** February 28, 2017

### Response 6.1

The commenter provides an introduction to their letter and states that the comments included in the letter and attachment are made on behalf of the neighbors of San Marin High School. The commenter's specific comments on the project and Draft EIR are addressed in the following responses.

### Response 6.2

The commenter states an opinion that the ambient light setting is not discussed in the Draft EIR. The commenter adds that CEQA Guidelines require discussion of the existing setting as the essential baseline from which impacts are to be assessed and states that there are no photographs showing the existing night sky and no scientific justification for labeling the area as brightness Zone E3.

Contrary to the commenter's assertion that the ambient light setting is not discussed in the Draft EIR, Section 4.1.1 of the Draft EIR, *Setting*, under the heading *Existing Light and Glare Conditions*, discusses the existing lighting on and around the project site. Sources of light discussed in Section 4.1.1 of the Draft EIR include nearby permanent light fixtures at the softball field on the southwest portion of the high school, exterior security light fixtures located at on-site school buildings, nearby streetlamps, and headlights of cars on San Marin Drive. In addition, Section 4.1.2 of the Draft EIR, *Impact Analysis*, under the heading *Methodology*, describes the ambient lighting conditions of the project area as lighting zone E3. Contrary to the commenter's assertion, photographs are not required in order to accurately describe the existing environmental setting. For a detailed discussion of the appropriateness of the E3 lighting zone designation, please see Master Response A — Lighting and Aesthetics.

### Response 6.3

The commenter provides general information on land uses and existing conditions in the site vicinity, including night time light conditions. These comments are noted, but do not directly challenge or question the information in the Draft EIR.

### Response 6.4

The commenter opines that the CIE light zone should be classified as Zone E2 rather than Zone E3, and that the open space around the project site would either be Zone E1 or E2. The commenter also states that the Draft EIR includes a few photographs of daytime conditions but no photographs showing the absence of lights at night, and notes that CEQA Guidelines §15125(a) requires a description of the existing environmental settings to provide a benchmark for which the environmental effects of a proposed project are gauged. The existing environmental setting in relation to lights is described in Section 4.1, *Aesthetics*, under subsection 4.1.1, *Setting*. Contrary to the commenter's assertion, night photographs are not required in order to accurately describe the existing environmental setting. The presence of nearby undeveloped open space is noted in this section as well, and is shown in Figures 5 and 6. For a detailed discussion of the appropriateness of the E3 lighting zone designation, please see Master Response A — Lighting and Aesthetics.

**Response 6.5**

The commenter quotes Page 35 of the Draft EIR and states that Figure 5, Photos 1 through 4, on pages 37-38 shows the extensive undeveloped hillsides and ridges adjoining the vicinity. The commenter suggests that if these photos were shown at nighttime, the unlighted areas would reveal very low brightness and states an opinion that there is no discussion of existing ambient light or nighttime views in the Draft EIR. The commenter concludes by stating that the Draft EIR does, however, acknowledge, “an aesthetic impact is considered significant if the addition of stadium lights would create a new source of substantial light or glare that would adversely affect day or nighttime views.” Please see Response 6.2 for a discussion of how ambient lighting is addressed in the Draft EIR. Because the proposed new lights would not cast light on the undeveloped hillsides over 700 feet from the project site, a detailed description of light conditions there was not necessary for reasonable disclosure of the project’s potential impacts in this regard. Please see also Master Response A —Lighting and Aesthetics.

**Response 6.6**

The commenter states that guidance levels for illumination, glare, and sky glow are numerical thresholds that depend on existing ambient light setting and have to be correctly selected. The commenter adds that the use of numerical thresholds is a step toward analysis of a project’s potential aesthetic impact, but that numerical thresholds alone are insufficient to assess effects on specific day and nighttime views.

An analysis of the effects of implementation of the proposed project on both daytime and nighttime views is provided in Section 4.1.2 of the Draft EIR, *Impact Analysis*. The analysis includes both a qualitative and numerical evaluation of the potential aesthetics impacts associated with the proposed project. The commenter’s guidance on the appropriate methodology for aesthetic analysis is noted. This comment does not challenge the analysis or conclusions of the Draft EIR. No changes to the Draft EIR are warranted.

**Response 6.7**

The commenter states that the Draft EIR lacks a meaningful evaluation of sky glow or glare on specific nighttime views from vantage points in the viewshed of Little Mountain and Mount Burdell. The commenter includes a figure that they state shows one example of the viewshed along the mountain range from vantage points located along a particular segment of Novato Boulevard that is located east of San Marin High School.

The Draft EIR analyzes the potential impacts of both glare and sky glow in terms of the significance thresholds identified in Section 4.1.2 of the Draft EIR, *Impact Analysis*. Contrary to the commenter’s assertion, the Draft EIR provides a meaningful evaluation of nighttime views from vantage points in the viewshed of Little Mountain and Mount Burdell, including from residences nearest to the proposed project where potential lighting impacts would be the greatest. In Section 4.1.2 of the Draft EIR, under Impact AES-4, nighttime views are discussed in terms of glare impacts on nearby residences, which are located in the viewshed of Little Mountain and Mount Burdell, as follows: “nearby residents would have at least partial views of the proposed stadium lights from San Ramon Way north of the stadium and east of San Marin Drive.” Impact AES-4 concludes that with implementation of mitigation measures, glare impacts on nighttime views for nearby residents (the sensitive receptors nearest to the proposed project) would be less than significant. It should be noted that the undeveloped hillsides of the surrounding open space are not highly visible at night. Existing lights within the neighborhood (such as street lights on San Marin Drive) are visible at night, and the proposed project would be located within the developed suburban area. No changes to the Draft EIR regarding nighttime views are warranted.



For further discussion of nighttime lighting impacts as analyzed in the Draft EIR, please see Master Response A —Lighting and Aesthetics.

### **Response 6.8**

The commenter states an opinion that the Draft EIR moves from discussion of inappropriate thresholds to a discussion of the visual impacts of the light poles themselves. The commenter states that the discussion of daytime views of the light poles is relatively unimportant and distracts from the effect of the stadium lighting on nighttime views. The commenter adds that the Draft EIR focuses on daytime views and does not analyze the potential effects on dusk or nighttime views of Little Mountain or Mount Burdell and suggest that no evaluation is presented about the key potential effect of the stadium lighting on nighttime views of the hills or ridges.

The Draft EIR analyzes the potential aesthetic impacts in terms of the significance thresholds identified in Section 4.1.2 of the Draft EIR, *Impact Analysis*. Those thresholds of significance address the aesthetic impact of the light poles themselves as well as the aesthetic impacts of illumination and glare that would result with implementation of the proposed project. The fact that the Section 4.1.2 of the Draft EIR, *Impact Analysis*, evaluates the potential aesthetic impact of the light structures themselves prior to evaluating the potential aesthetic impact of light and glare on nighttime views in no way distracts from or diminishes the value of the latter analysis. Contrary to the commenter's assertion, the Draft EIR does analyze the potential impact of the proposed project on nighttime views, the visibility of the lights (glare), and sky glow. Please see the discussion of light impacts under Impacts AES-3 through AES-5 in Section 4.1.2 of the Draft EIR, *Impact Analysis*. Please see Master Response A —Lighting and Aesthetics.

### **Response 6.9**

The commenter states an opinion that numerical thresholds stated in the Draft EIR are incorrect based on CIE's schema for ambient brightness zones. The commenter adds that the appropriate classification is Zone E2 and that the Draft EIR discusses thresholds that are not among the CIE thresholds for any of the E1, E2, or E3 ambient brightness zones.

As described under the heading *Methodology* in Section 4.1.2 of the Draft EIR, *Impact Analysis*, the lighting zone classification E3 for the project site was used to determine the appropriate threshold of significance for potential glare impacts (10,000 candelas prior to 10:00 PM). As described in the same section, the threshold of significance for potential illumination impacts was based on a previously adopted District threshold and is consistent with other California school districts' standards for light trespass. For a discussion of the appropriateness of the E3 lighting zone classification, please see Master Response A —Lighting and Aesthetics.

### **Response 6.10**

The commenter states that in lighting zone E2, which they opine is the appropriate classification for the project site, pre-curfew thresholds are very different from those discussed in the Draft EIR. The commenter includes a list of the correct guidance levels during pre-curfew hours based on the Zone E2 ambient setting.

Please see Response 6.9. For a discussion of the appropriateness of the E3 lighting zone classification, please see Master Response A—Lighting and Aesthetics.

**Response 6.11**

The commenter states that the Draft EIR indicates in mitigation measures MM-AES-3 and MM-AES-4 that numerical thresholds will be applied as performance standards in the lighting design. The commenter adds an opinion that there is no evaluation in the Draft EIR that addresses the feasibility of meeting the standards set forth. The commenter states an opinion that therefore, alternatives which could avoid or lessen the potential adverse effect of stadium lighting on nighttime views were not fully developed in the Draft EIR. The commenter also states that the Portable Lighting Alternative could have more or less severe effects on nighttime views than the proposed project and concludes by stating that analysis of options that could make things worse is the opposite of CEQA's substantive mandate (Public Resources Code Section 21002).

The feasibility of Mitigation Measures AES-3 and AES-4 was assessed prior to publication of the Draft EIR based on typical levels of light trespass and glare for the proposed lighting system (Musco 80-foot Light-Structure System poles with Green Generation LED luminaires or general equivalent). Preliminary photometric analyses of light trespass and glare for the proposed project were developed after publication of the Draft EIR. Those preliminary analyses confirmed the feasibility of Mitigation Measures AES-3 and AES-4. For a discussion of the preliminary photometric analyses for the proposed project, please see Master Response A — Lighting and Aesthetics. For a discussion of the development of alternatives in the Draft EIR and their ability to reduce the severity of potential impacts, please see Master Response E – Alternatives.

**Response 6.12**

The commenter states an opinion that alternatives included in the Draft EIR are not reasonable. Specifically, the commenter states that a reduced light level alternative is not discussed. The commenter states that this is important because the purpose and need for the proposed project could be met with lower illumination at reduced cost with no detriment to player safety.

A reduced lighting alternative was not explored for several reasons. First, Section 4.1.2 of the Draft EIR, Aesthetics, found that with implementation of Mitigation Measures AES-3 and AES-4, impacts related to light trespass and glare would be less than significant. Second, the state-of-the-art lighting system that would be installed with implementation of the proposed project is designed specifically to minimize light trespass and would be operated during restricted time frames outside of normal sleeping hours. Third, the lighting system as proposed would be designed to provide only the minimum amount of illumination to meet the needs of student athletes during night games and practices. For a discussion of the reasonableness of the range of alternatives presented in the Draft EIR, please see Master Response E – Alternatives.

**Response 6.13**

The commenter states that CEQA requires discussion of a reasonable range of alternatives to the proposed action in addition to the No Action alternative. The commenter opines that the statement of project objectives in the Draft EIR asserts that a lighted football field is necessary to avoid releasing athletes from final period classes during the practice and playing season and also asserts that another objective is to provide a nighttime place for student entertainment. The commenter adds that the list of objectives may be clear enough to satisfy CEQA Guidelines §15124(b) but suggests that the ensuing evaluation does not meet statutory mandate. The commenter quotes CEQA's substantive mandate and states that the purpose of developing meaningful alternatives is to determine whether there is a feasible way to achieve the basic objectives of the project while avoiding impacts. The commenter also states that when the alternatives are not meaningful, or when the evaluation of alternatives is shallow, the basic CEQA mandate is circumvented.

For a discussion of the reasonableness of the range of alternatives presented in the Draft EIR, please see Master Response E – Alternatives.

**Response 6.14**

The commenter quotes page 26 of the Draft EIR, which discusses the three main reasons for the proposed project. The commenter questions whether a lighted field could improve academic performance by eliminating early releases. The commenter states an opinion that there is a tradeoff between later time on the field and time at home doing homework. The commenter also states that it is questionable that San Marin High School has a mission or appropriate role in increasing ticket sales of any kid or providing a nighttime meeting place or entertainment opportunities for the student body. The commenter concludes this point by stating that it is even more questionable that lighted games, meets, or practices could be safer than the same events during the day.

These comments on the merits of the project are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

**Response 6.15**

The commenter states an opinion that the Draft EIR would be more straightforward if it stated a particular problem or need for the lights. The commenter provides two examples of alternative needs and purposes and also provides examples of potential alternatives that they find reasonable.

These suggestions regarding the District’s objectives are noted. For a discussion of the reasonableness of the range of alternatives presented in the Draft EIR, please see Master Response E – Alternatives.

**Response 6.16**

The commenter states that according to CEQA Guidelines §15126.6, subsection (a), an EIR must describe and analyze a range of reasonable alternatives. The commenter opines that as written, the Draft EIR is off-base and that the list of objectives is so long and specific that stadium lighting at SMHS seems to be the only option. The commenter also opines that the Draft EIR fails to set out any lighting alternative that could provide a lower, yet safe, illumination levels at SMHS that would also avoid the potential sky glow and glare impacts.

For a discussion of the reasonableness of the range of alternatives presented in the Draft EIR, please see Master Response E – Alternatives.

**Response 6.17**

The commenter opines that, because the portable lighting alternative is discussed as increasing impacts to air quality and greenhouse gas emissions, which are not significant impacts under the proposed project, the discussion of these in alternatives distracts focus from the effects of the project on ambient light levels, glare, sky glow, and nighttime views.

Per the requirements of CEQA § 15126.6(d), the Draft EIR compares the environmental impacts for topics studied in the Draft EIR for all alternatives.

**Response 6.18**

The commenter provides four examples that they assert show the variable characterization of impacts of the proposed project and alternatives in the Draft EIR.

These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR. The examples that the commenter provides do not demonstrate variable characterization of impacts of the proposed project and alternatives in the Draft EIR. The statements quoted by the commenter are generally consistent with one another and the commenter does not demonstrate otherwise.

### **Response 6.19**

The commenter states an opinion that just because portable lighting would use an electricity generator, does not mean that its effects on air quality and greenhouse gas emissions are significant. The commenter is correct; the Draft EIR does not suggest that the emissions under this alternative would be significant, but simply that they would be greater than those of the project. Additionally, the commenter opines that the statement in the Draft EIR that air quality impacts would be increased compared to the proposed project is ambiguous or misleading and diverts attention from CEQA's fundamental mandate, which is to develop meaningful alternatives and alternative analysis. On the contrary, consistent with CEQA Guidelines Section 15126.6, the discussion of alternatives facilitates their "comparison with the proposed project." Each alternatives discussion in Section 6, *Alternatives*, of the Draft EIR specifically addresses aesthetics, including lighting, as well. The commenter adds an opinion that Draft EIR should explore alternatives that may lessen light, sky glow, glare, and adverse effects of nighttime views rather than air quality and greenhouse gas emissions.

Please see response to Comment 6.17 and Master Response E – Alternatives.

### **Response 6.20**

The commenter states that a proper evaluation of the proposed project and Portable Lighting Alternative would find that effects on air quality and greenhouse gas emissions are insignificant. The commenter is correct; this is consistent with the analysis and conclusions of the Draft EIR.

The commenter states an opinion that decision-makers would not have a valid environmental reason to pick the proposed project over the Portable Lighting project based on the air quality and GHG effects. Additionally, the commenter opines that as written, the Draft EIR fails to provide information about the lighting effects for the various alternatives. Please note that each alternatives discussion in Section 6, *Alternatives*, of the Draft EIR specifically addresses aesthetics, including lighting, in addition to the other EIR study topics.

The Draft EIR found that impacts related to air quality and GHG emissions would be greater under this alternative, but still less than significant. Contrary to the commenter's assertion, the Draft EIR provides information about the lighting effects for the various alternatives in Section 6.3.2, *Impact Analysis*, Section 6.4.2(a), *Aesthetics*, and Section 6.5.2(a), *Aesthetics*. Although Section 6.3.2 of the Draft EIR, *Impact Analysis*, stated that the No Project alternative "would have no environmental effects" and that "no lighting system would be installed," light trespass and glare are not specifically mentioned as avoided impacts. The text of Section 6.3.2, *Impact Analysis*, in the Final EIR has been revised as follows to clarify that light trespass and glare would be among the potential environmental impacts that would be avoided:

In addition, operational impacts associated with light trespass and glare, air pollution and GHG emissions, nighttime PA system and crowd noise, and nighttime event traffic would not occur.

Please also see response to Comment 6.17 and Master Response E – Alternatives.

**Response 6.21**

The commenter states an opinion that the examples provided in the previous points illustrate how the Draft EIR is flawed in their opinion and suggest that the document sets out alternatives that it concludes would introduce increased impacts that are more significant than the proposed project. The commenter adds that in accordance with CEQA's substantive mandate and CEQA Guidelines, reasonable alternatives would include those that may lessen the potential adverse effects of the proposed project. The commenter concludes this point by stating that alternatives that could reduce or avoid the project's significant adverse effects on sky glow, glare, and nighttime views are not evaluated in the Draft EIR.

Contrary to the commenter's assertion, the Draft EIR does not identify a significant impact related to light trespass, glare, or sky glow with implementation of the proposed project. As described in Section 4.1.2 of the Draft EIR, *Impact Analysis*, all lighting impacts would be less than significant with implementation of mitigation. Please see response to Comment 6.17 and Master Response E – Alternatives.

**Response 6.22**

The commenter states that none of the neighbors of SMHS were specifically evaluated and explains that glare depends on viewing line-of-sight to an individual luminaire relative to the aiming line of the luminaire. The commenter also provides detail on a variety of houses surrounding the project site and states the general grade of the houses. The commenter adds that off-campus locations that are depressed in elevation compared to the playing field are especially susceptible to adverse glare effect from the downward-directed luminaires and off-campus locations that are elevated relative to the playing field are especially susceptible to adverse glare effect from the upward-directed luminaires.

Potential impacts on nearby sensitive receptors related to glare were analyzed in Section 4.1.2 of the Draft EIR, *Impact Analysis*. The analysis in the Draft EIR found that the potential glare impacts associated with the proposed project would be less than significant with implementation of Mitigation Measure AES-4. It was not necessary to prepare individual glare analyses for each property in proximity to the site to provide an adequate and complete discussion of these impacts and to identify the mitigation approach. For a discussion of the feasibility of Mitigation Measure AES-4, please see Master Response A – Lighting and Aesthetics.

**Response 6.23**

The commenter states that without a photometric analysis, the degree of glare impact is unknown, but the houses that may be impacted are not. The commenter provides specific locations that they opine would be most impacted by the glare from the luminaires and states that no collections of specific locations in the neighborhood were considered in the Draft EIR. The commenter also states that maximum glare generally occurs on the playing field, where the aiming line of a luminaire and line-of-sight coincide. The commenter concludes by stating that glare occurs off-site even from other lines of sight toward the stadium.

Please see Master Response A – Lighting and Aesthetics.

**Response 6.24**

The commenter states that upward directed light is proposed, which may create new sky glow. The commenter adds that this is not addressed in the Draft EIR even though they opine that the viewshed includes very dark natural hillside open space to the northwest, west, and southwest of SMHS.

Contrary to the commenter's assertion, potential impacts associated with sky glow are discussed under Impact AES-5 in Section 4.1.2 of the Draft EIR, *Impact Analysis*. For a discussion of clarifications to the analysis of sky glow in the Final EIR, please see Master Response A – Lighting and Aesthetics.

### **Response 6.25**

The commenter states an opinion that evaluation of Impact AES-5 is unsupported and conclusory, and provides discussion relative to this opinion. The commenter also quotes the Draft EIR and states an opinion that there is a false assumption that the upward sky-facing luminaries would only be used for short durations to illuminate airborne objects. The commenter suggests that there is no way to operate sky-facing luminaries in that fashion, and, even if there was, it would not be practical for sports with continuous play.

For a discussion of clarifications to the analysis of sky glow in the Final EIR, please see Master Response A – Lighting and Aesthetics.

### **Response 6.26**

The commenter states an opinion that a scientific evaluation is not presented in the Draft EIR related to sky glow and instead opines that the evaluation of sky glow is based on the idea that if the school can control all of the upward light and limit it to brief periods during kickoffs and punt returns, then sky glow would not occur or not for long, in addition to the idea that Novato is so light-polluted that the environment would not be sensitive to the additional artificial lights. The commenter asserts that neither of the claims that the Draft EIR is based on are true. However, the commenter does not provide data or analysis that contradicts these reasonable findings of the Draft EIR. Both the duration of the lighting and context in terms of existing sky glow are directly relevant to the impact determination and mitigation approach.

For a discussion of clarifications to the analysis of sky glow in the Final EIR, please see Master Response A – Lighting and Aesthetics.

### **Response 6.27**

The commenter states that sky glow is a potential impact in Zone E2 when upward light ratio equals or exceeds 2.5 percent and suggests that the Draft EIR, as written, presents no scientific basis characterizing the nighttime skies of the neighborhood as light-polluted. The commenter adds that the hills and ridges could be very sensitive to sky glow over the stadium. Additionally, the commenter states that sky glow results not only from upward directed light from luminaries but also from light that is reflected from the illuminated field surface, concrete surfaces, bleachers, and buildings. The commenter also states that the amount of light reflected upward can vary depending on weather conditions, which they opine is not evaluated in the Draft EIR.

For a discussion of the appropriateness of the E3 lighting zone classification and a discussion of clarifications to the analysis of sky glow in the Final EIR, please see Master Response A – Lighting and Aesthetics.

### **Response 6.28**

The commenter generally summarizes and restates the assertions made in the comments responded to above.

Contrary to the commenter's assertions, the Draft EIR did not identify significant impacts related to light, glare, sky glow, or visual quality of nighttime views or the natural hillside and ridges. Daytime and

nighttime views are evaluated in Section 4.1.2 of the Draft EIR, *Impact Analysis*. The commenter's claim that the aesthetics analysis lacks technical support for the aesthetics significance conclusions is broad and non-specific, and therefore does not require a specific response. Specific comments related to purported deficiencies in the aesthetics analysis are addressed above in Responses 6.1 through 6.27. Please see Master Response A – Lighting and Aesthetics. Please see also Master Response E – Alternatives.



February 28, 2017

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rhhtran@aol.com

Mr. Yancy Hawkins  
Assistant Superintendent of Business & Operations  
Novato Unified School District  
1015 7<sup>th</sup> Street  
Novato, CA 94945

Re: DEIR Traffic Comment on San Marin High School Stadium Project on Behalf of  
San Marin Neighborhood Group SAVE SAN MARIN

1 | This is a peer review the traffic impact analysis prepared for the San Marin High School Stadium Improvements Project (the project). I have briefly reviewed the traffic section of the project DEIR including Appendix F, the project Traffic Impact Study (TIS) prepared by DKS dated October 10, 2016. The TIS appears to have been professionally prepared but does include several points of questionable data, assumptions and findings as described below.

**Inadequate Study Scope.** The analysis includes the project's impact on 21 intersections but does not include the intersection most adjacent to the project site, San Marin Drive at San Carlos Way (West). Because of its neighboring location, the project impact on this intersection would be expected to be greater than on any of the other intersections studied.

2 | **Wrong Season Existing Traffic Counts.** Traffic was counted at 21 intersections on Friday, June 24, 2016 from 6:00 p.m. to 10:00 p.m. These counts were intended to include all arriving and departing vehicles before and after an evening event. The count on a Friday was also intended to coincide with the most likely evening use of the stadium, the Friday night football game.

However, a count in late June would not necessarily include traffic that would be experienced during the school year, particularly during fall football season. It is not clear if fall season traffic counts would show a significant difference from those collected in June, but it would appropriate to recount key intersections in the fall and compare that result with the June data. It is my opinion that traffic volume in the fall when school is in session would be higher than traffic flow in late June when school is out for summer vacation.

3 | **Underestimated Project Trip Generation Rate.** The project trip generation rate is documented in a memorandum from DKS to the School District dated July 13, 2016. This memo describes the lack of research data available for trip rates at high school stadiums but does provide the available data indicating a range from 0.17 to 0.36 trips per stadium seat. It is noted that this range is lower than the actual data counted at the Marin Catholic High School stadium of 0.45 trips per event attendee. It is also noted that this data is per seat, not per occupied seat.



3  
cont.

The DKS estimate of project trip generation relies upon the School District assessment that a major event at the improved stadium would attract no more than 60% stadium occupancy. It is not clear why an improved stadium would not attract a larger crowd than 60% occupancy. DKS converts this assumption to a trip generation rate of 0.31 trips per occupied seat. This rate if converted to a rate per total stadium seats would be 0.18 per seat. While still within the range of rates found in research conducted by DKS, rather than at the mid- or higher end of the range, it would be near the lowest end of that range. To ensure the impact of the project is not underestimated, it would be appropriate to use a trip generation rate higher in the range of rates researched and more akin to the local trip rate found at Marin Catholic High School.

Based on the limited available research as cited by DKS and on the actual count data from Marin Catholic High School it is recommended that an actual research count of the local trip rate experienced at the San Marin High School stadium be conducted. This rate, along with a more robust and realistic stadium use level, should then be studied to determine the potential impact of the project.

4

**Underestimated Impact of the Project.** The TIS finds that with project trips included, all intersections studied would operate at the moderate congestion Level of Service (LOS) C or better. An exception would be San Marin Drive at San Andreas Drive which would operate with greater congestion but still at an acceptable LOS D. However, it is noted that the project DEIR Table 38 (page 133) includes an error in service level for the intersection of San Marin Drive with Novato Boulevard. The table indicates that with the project trips this intersection would operate at LOS B with 13.3 sec./veh. of delay when the correct entry, based on the Synchro 8 Report in the DEIR Appendix F, should be LOS D with 31.9 sec./veh. of delay.

5

The findings of no significant project impact as shown in Table 38 are based on a trip generation rate of 0.31 trips per occupied seat. As discussed above, this rate assumes just a 60% occupancy at the stadium. If, for example, an occupancy rate of 75% were assumed the project hourly trips would be about 555 trips, at a sell-out or full occupancy project trip generation would be about 735 trips, as compared to 442 trips used in the DEIR. It is beyond the scope of this review to calculate the specific effects of using a higher trip rate. However, it would seem likely that for those intersections projected to operate at LOS D on DEIR Table 38 (as corrected above) an unacceptable LOS E may result if a higher project trip rate were assumed.

6

**Unaddressed Impact on Peak Hour Commute Traffic.** The DEIR takes note that some of the trips generated by the project could occur prior to 6:00 p.m. (page 125) and would thereby impact the typical peak traffic commute hour. There is no analysis of this potential impact in the DEIR. The addition of project generated trips to already unacceptable commute hour LOS would be considered a significant adverse impact of the project.

7

**Unevaluated Traffic Impacts Resulting from Parking Aggravation.** The project DEIR notes that parking is not a component of the California Environmental Quality Act (CEQA). However, the excess vehicle trips added when drivers cannot find convenient parking and must instead circle around looking for parking is a CEQA issue and should be evaluated.

8

**Implausible Cumulative Travel Data.** The DKS report indicates that the cumulative travel flow was calculated using the Napa Solano Activity Based travel demand model and adjusting the model output using an iterative Furness method. This procedure results in the following unlikely projections of future year travel:

- The DEIR cumulative analysis projects no (zero) growth in traffic volume in the San Marin Drive corridor. This finding is obvious when the LOS results as shown in the project DEIR on Table 38, Existing Condition, are compared with Table 40, Cumulative Condition. For all those intersections along San Marin Drive the LOS and the Delay in sec./veh. for the existing condition and for the cumulative condition are identical.
- The DEIR cumulative growth in traffic volume in the Novato Boulevard corridor is projected at about 4% over existing conditions. This level of traffic growth would appear to be reasonable only if the cumulative condition is based on projecting future traffic for just five years or less. Typical cumulative analysis is based on at least a 20 year time horizon.

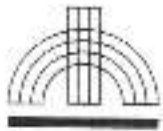
The cumulative analysis as shown in the project DEIR cannot be relied upon. Particularly in the San Marin Drive corridor, but also including all intersections studied, the analysis has apparently underestimated the traffic volume that would be expected to occur in future years. The cumulative analysis should be redone using a more realistic assessment of future traffic conditions.

Please call if there are any questions on the review of the DEIR traffic analysis.

Sincerely,



Robert L. Harrison



**Robert L. Harrison, Principal**  
 Robert L. Harrison Transportation Planning  
**Statement of Qualifications**

Mr. Harrison is a senior transportation professional with over 50 years experience preparing plans and managing programs for government and the private sector. He has held several responsible public agency staff positions and provided service for the past 38 years as an independent transportation planning consultant. Mr. Harrison has worked as planner, engineer and project manager for numerous transportation, land use and environmental impact studies. He has prepared the circulation element for general plans in several jurisdictions including the Cities of Sausalito, Lafayette, Cupertino, and Menlo Park and the County of Marin. Mr. Harrison has prepared the traffic and parking impact studies on retail centers, restaurants, schools, offices, and residential developments. A partial listing of his professional assignments is given below.

**EXPERIENCE**

- 1978 to Present                    **Independent Transportation Consultant**
- 1974-77                            **Manager**, Marin County Transit District.
- 1971-73                            **Coordinator**, Marin County Balanced Transportation Program.
- 1968-70                            **Assistant Traffic Engineer**, Marin County Department of Public Works.
- 1964-67                            **Assistant Highway Engineer**, California Department of Transportation, District 4.

**EDUCATION**

- 1968                                **Master of Business Administration**, University of California, Berkeley, CA.
- 1962                                **Bachelor of Science in Civil Engineering**, Lehigh University, Bethlehem, PA

**RECENT PROFESSIONAL ASSIGNMENTS – Partial Listing**

<u>Year</u>	<u>Name of Project</u>	<u>Project Sponsor</u>
2017	Peer Review-Kenwood Winery Improvements Project, Kenwood	Valley of the Moon Alliance
2016	St. Patrick School Traffic and Parking Study, Larkspur	St. Patrick School
2016	1050 Bridgeway Office Shared Parking Analysis, Sausalito.	Nessebar Holdings I, LLC.
2016	Trip Generation Analysis for the Big Rock Ranch Remodel.	Skywalker Properties, LTD.
2015	Traffic Impact Analysis for the Strawberry Area of Mill Valley.	Strawberry Neighbors Association.
2015	Sausalito Downtown Shared Parking Model.	City of Sausalito.
2015	Review of the Golden State Warriors Arena Parking Analysis.	San Francisco Giants Baseball Club.
2014	Golden Gate Urgent Care Facility Parking Analysis, Mill Valley.	Golden Gate Physicians.
2014	The Branson School Traffic and Parking Study, Ross.	The Branson School.

## Letter 7

**COMMENTER:** Robert L. Harrison

**DATE:** February 28, 2017

### Response 7.1

The commenter states an opinion that the analysis in the project Transportation Impact Study (Appendix F to the Draft EIR) includes the project's impact on 21 intersections, but excludes the intersection most adjacent to the project site (San Marin Drive at San Carlos Way (West)). The commenter states an opinion that the project impact on this intersection would be expected to be greater than on any of the other intersections studied.

Project study intersections were identified based on expected routes for vehicle trips to and from the stadium site. Analysis of project impacts was focused on signalized intersections and intersections expected to serve the heaviest traffic to the stadium site. San Carlos Way is a local residential street serving only the households in the immediate neighborhood and would not see an increase in project traffic on route to the various parking lots. As discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted.

### Response 7.2

The commenter states that traffic was counted at 21 intersections on Friday, June 24, 2016, from 6:00 PM -10:00 PM with the intention to include all arriving and departing vehicles before and after an evening event. The commenter suggests that a count completed in late June may not include traffic that would be experienced during a school year and suggests the traffic be recounted in fall, when school is in session.

As the project is defined by the addition of stadium lighting, allowing football games to be played on weekday (usually Friday) evenings, existing conditions are defined by a weekday evening without any traffic associated with a football game. The traffic counts were not intended to include vehicles associated with evening events. Rather, the traffic counts were collected to provide the level of traffic associated with the existing condition or "no project" condition. As the study times (6:00 PM – 10:00PM) are long after any other school activities would occur, there should be no appreciable difference in collecting traffic counts after the school year (or the football season) has ended. Seasonal variation in background traffic volumes are typically seen for the commute periods (7:00–9:00 AM and 4:00-6:00 PM) and not for evening traffic. As discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted.

### Response 7.3

The commenter states that the project trip generation is per seat, not per occupied seat. Referring to the estimated 60 percent occupancy used in the study, the commenter questions why an improved stadium would not attract a larger crowd. The commenter also states that DKS converts the 60 percent assumption into a trip generation rate and suggests that one way to ensure the impact of the project is not underestimated would be to use a trip generation rate that is higher in the range of rates researched and more akin to the local trip rate found at Marin Catholic High School, instead of the trip rate used for the proposed project.

Additionally, the commenter recommends that a research count of the local trip rate experienced at San Marin High School stadium be conducted.

As shown by the range of trip generation rates found in the literature, high-school stadium trip generation is very site-specific. There is no reason to assume event attendance between a public and a private school with different football programs should have similar trip generation rates based on similar location. The trip generation for the project was calculated independently based on local attendance by the Novato School District, and then compared with the range of values identified through research of similar studies. The fact that the value was calculated to be within the acceptable range of values was a validation of the assumption. Merely selecting a number from the higher end of acceptable values is not appropriate as it may overestimate the potential effect of the project. Therefore, as discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted.

**Response 7.4**

The commenter states that there is an error in Table 38 of the Draft EIR related to service level for the intersection of San Marin Drive with Novato Boulevard. Specifically, the commenter notes that the table indicates that with the project trips, the intersection of San Marin Drive and Novato Boulevard would operate at LOS B with 13.3 sec./veh. of delay, when in fact, the correct entry should be LOS D with 31.9 sec./veh. of delay.

The LOS and delay values for this intersection have been corrected in Table 38 (which has been renumbered as Table 40 in the Final EIR), as follows:

21 <sup>4</sup>	San Marin Drive & Novato Boulevard	AWSC	B	12.2	<del>B</del> <u>D</u>	<del>13.3</del> <u>31.9</u>	N
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This correction does not change the impacts discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*. No significant impacts related to traffic or transportation would occur and no mitigation is required.

**Response 7.5**

The commenter notes that the finding of no significant project impact shown in Table 38 is based on the trip generation rate of 0.31 trips per occupied seat. The commenter suggests that it would seem likely that the intersections currently operating at LOS D may operate at LOS E if a higher project trip rate were assumed.

The stadium occupancy assumption of 60 percent was based upon numbers provided by Novato Unified School District administration from communication with San Rafael High School staff regarding evening attendance estimates for athletic events at their lighted stadium. San Rafael High School is a nearby public school with a similar enrollment (1,228 students for the 2015-16 school year) compared to San Marin High School (1,076 students for the 2015-16 school year). Therefore, attendance estimates at San Rafael High School’s existing lighted stadium were used to generate attendance estimates for the proposed stadium lights project at San Marin High School. At the time, San Rafael’s stadium capacity was 2,780 and regular attendance varied between 1,200 and 1,500 attendees. The highest regular attendance (1,500) represents 122 percent of their enrollment, which would be equivalent to a game attendance of 1,314 attendees, or 55 percent of the stadium capacity. In order to be conservative, 60 percent capacity was used for the analysis, or 1,440 attendees.

It should also be noted that bleacher seating capacity measurements vary, but typically range from 18 to 24 inches per spectator. Twenty inches per spectator is a common standard. Full (100 percent)

occupancy therefore entails spectators sitting close together, with little if any open “personal” space between, for the full length of every row. Thus, bleachers that are occupied at 60 percent capacity (which is equivalent to about 33 inches per person) will still look, and even feel, relatively “full.” As discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted.

### **Response 7.6**

The commenter states that the Draft EIR notes that some of the trips generated by the project would occur prior to 6:00 PM, but suggests that there is no discussion of the potential impacts in the document. Additionally, the commenter suggests that the addition of project-generated trips to an already unacceptable commute hour LOS would be considered significant.

The portion of project-related trips that would occur during peak hour conditions would be very small. While the City of Novato General Plan does not specify a trip generation threshold for analysis of projects, standard criteria for project analysis is the addition of 50 or 100 trips generated by the project. The number of trips before 6:00 PM generated by the project would fall below this typical threshold. Impacts to study intersections outside of the study periods are expected to be negligible. It should also be noted that the Transportation Impact Study (Appendix F of the Draft EIR) used the worst-case scenario of a playoff varsity football game to model potential impacts associated with the proposed project. The level of traffic analyzed in the Transportation Impact Study would only occur 15 or fewer times per year, and therefore represents a very conservative estimate of the potential traffic impacts. For most activities at the stadium under the proposed project (such as practices, soccer games, and lacrosse games), little to no increase in traffic would occur because these events are lightly attended and because no increase in attendance is expected. As discussed in the Draft EIR in Section 4.6, *Transportation and Traffic*, no significant impacts related to traffic or transportation would occur and no mitigation is required. No changes to the Draft EIR are warranted. Please see Master Response C – Traffic.

### **Response 7.7**

The commenter states that although parking is not a component of CEQA, the excess vehicle trips added when drivers can't find parking and must circle around looking for a parking spot is a CEQA issue that should be evaluated.

As shown in Table 7 of the TIS (Appendix F of the EIR), the expected parking demand with added project trips is about 64 percent of the available on-site and nearby on-street parking capacity. Thus it is not expected that event attendees would need to spend time searching for readily available parking. There would be no impacts related to additional congestion from searching for parking. Please see Master Response C – Traffic.

### **Response 7.8**

The commenter states an opinion that there are two unlikely projections of future year travel based on the way the cumulative travel flow was calculated (using the Napa Solano Activity Based travel demand model and adjusting the model output using an interactive Furness method). Additionally, the commenter opines that the cumulative analysis cannot be relied upon because the commenter states an opinion that the analysis has apparently underestimated the traffic volumes that would be expected to occur in future years. The commenter requests that the cumulative analysis be redone using a “more realistic assessment of future traffic conditions.”

Traffic forecasts were developed from year 2040 roadway network assignments output by the Napa Solano travel demand model. This model incorporates land use projections consistent with Association of Bay Area Governments (ABAG) and local jurisdiction plans. The lack of side street traffic growth in the San Marin Drive corridor is consistent with a facility in a neighborhood that is already built out and not expected to undergo significant intensification. No changes to the Draft EIR are warranted.

**Response 7.9**

The commenter includes a Statement of Qualifications.

The commenter's qualifications, while noted, do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

Letter 8

Consulting Biologist For The Environmental Consulting Field 12 Kingfisher Court Novato, CA 94949 415-382-1827 (Office & FAX) danieledelstein@att.net warblerwatch.com

DANIEL EDELSTEIN, CERTIFIED WILDLIFE BIOLOGIST ASSOCIATE

Yancy Hawkins
Asst Superintendent-Business
Novato Unified School District
1015 7th Street
Novato, CA 94945
EIR@nUSD.org

March 3, 2017

Dear Mr. Hawkins:

1 I am a certified wildlife biologist associate. I have been asked by Save/Preserve San Marin to comment upon the Draft Environmental Impact Report (DEIR) regarding a proposed addition of stadium lights at San Marin High School (SMHS or Site) for nighttime sports events (Project). The following provides by opinions based upon the information submitted in DEIR.

I am a certified wildlife biologist associate with permits from the US Fish and Wildlife Service. I possess five survey permits (including Ridgway's Rail) and have conducted wetland, plant and wildlife surveys for more than 25 years.

2 I. Introduction/Summary

The following points summarize the main defects and flaws in the DEIR. I provide further discussion of these issues below:

First, the Initial Study's (IS) checklist conclusions are defective and flawed due to a lack of scientific research to support the conclusions. These conclusions also conflict with other aspects of the analysis present in the IS. The analysis relies upon a flawed argument that biological resources are already subject to existing daytime "human disturbance". The analysis should have assessed how the change in nighttime "human disturbance" would potentially effect biological resources. As such, the scope of the DEIR was flawed at its inception.

3 Second, several avian surveys are necessary to cure the defects in the analysis of Biological Resources Section.

4 Third, the effects of artificial light need to be analyzed for the Project.

5 Fourth, the Cumulative Effects Chapter will needed to be revised as part of a new DEIR to take into consideration information learned as part of an assessment of Biological Resources.





6 | Fifth, the analysis of alternatives lacks necessary assessments of cost/benefit analysis as well as an assessment of changes to the Project to mitigate any potential significant negative impacts on identified Biological Resources.

7 | **II. The Scope of the DEIR Is Flawed Due to Flaws In the Initial Study’s Checklist Analysis Flaws**

The IS Analysis defines the scope of a DEIR. If the Initial Study contains flaws in terms of assessing potential significant negative impacts related to a project, then the DEIR will be flawed because of omitted analysis of relevant issues.

The conclusions within the Biological Resources section of the checklist are unsupported by studies/surveys that should have been conducted at the Site before the checklist conclusions were completed. (See p. 18 of the IS) The Novato Creek is known to have several special status species.<sup>1</sup>

8 | The IS states that, “[a]lthough light pollution can adversely affect wildlife in riparian areas, the proposed light fixtures would be narrowly focused on the stadium and downcast, which would minimize spillover of light at the distance of Novato Creek.” The Initial Study fails to consider that the Project could cause significant negative impacts related to sound, traffic, increased human activity, and cumulative effects from all these sources of emission from the Project. The Initial Study has already acknowledged that potential significant negative impacts exist related to noise in Sections XII.(a), (c), and (d) yet the Initial Study fails to consider this impact at adjacent land with special status species. As such, the Initial Study’s recommendations regarding the scope of the EIR are flawed under CEQA.

9 | The IS also fails to consider that bats roost in the San Marin neighborhood generally, not just at Novato Creek. The IS and DEIR contain no analysis or surveys of bats that could be located both adjacent to the site but actually at the Site. As such, the IS and DEIR fail to consider potential significant negative impacts related to all relevant biological resources.

10 | Throughout the IS (and the DEIR), the DEIR utilizes non-standard, informal methods for documenting its findings and conclusions. Specifically, the DEIR omits citations throughout the IS (and the DEIR), instead employing a separate “References” chapter at the conclusion of the IS (and the DEIR).

11 | The IS’s various arguments that the Site and the wildlife are already subject to existing “human disturbance” are fundamentally misplaced. The type of “human disturbance” that currently occurs at the Site occur during the day. The Project envisions a wholesale change in “human disturbance” at night. The increased “human disturbance” will occur at nighttime in addition to existing daytime “human disturbance”. The project will cause dramatic changes in the level of ambient sound coming from the site, as partially acknowledged in the DEIR Appendix E. It

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1 | [http://www.marinwatersheds.org/novato\\_creek.html](http://www.marinwatersheds.org/novato_creek.html).

2



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cont.

will change the environment with new high-intensity lights that do not occur in nature at night and are fundamentally different from the current conditions. These alone and together cause a fundamental change in the environment at and around the Site. As such, the fundamental premise of the IS's conclusions are incorrect because it fails to assess how the change in the type and intensity of "human disturbance" could have significant negative impacts on biological resources. The fundamental point of conducting this type of analysis is to assess how the change in the characteristics of the Site related to the Project could have significant negative impacts. Arguing that existing daytime "human disturbance" is equivalent to new additional nighttime "human disturbance" lacks any scientific basis and is contrary to well understood research on wildlife. See, for instance, *Ecological Consequences of Artificial Night Lighting* as just one example of this type of research. As such, the IS's conclusions lack any meaningful scientific basis.

12 | As a result, I believe several portions of the IS (and the resulting DEIR) should be graded as opinions rather than conclusions supported by studies/surveys. Citations for omitted studies/surveys should be present next to where current "opinion" statements occur in the IS (and in the DEIR).

The Biological Resources assessment "grades" Rincon assigned to area IVd and IVe in the IS should be changed to a different grading of either "Potentially Significant Unless Mitigation Incorporated" (PSUMI) or "Potentially Significant Impact" (PSI), pending the result of a bird study/survey and, in addition, a separate bat study/survey on the site and within buffer areas adjacent to the site. As a result, a revised DEIR should be required.

13 | **III. Necessary Assessment of Biological Resources Requires Avian Surveys**

Based on the potential for negative impacts to occur upon several bird and bat species that either roost, forage, and/or nest upon the Site or nearby it — and based on my contention that the DEIR omitted discussion of how common bird and bat species may be negatively impacted as a result of the Project in its IS — I believe a separate bird and bat survey should occur as a response to the DEIR. A resulting report should be added to a revised DEIR.

14 | To begin curing the defects in the DEIR, two focused, pre-construction surveys should be conducted during the months when breeding occurs among birds and bats upon the Site or in buffer zones adjacent to it. See below for more details related to "buffer zones."

The bird and bat studies are needed because the DEIR's analysis in the IS was limited to assessing whether special-status/rare bird species might potentially nest on the Site. The DEIR disregards the Site's value to common birds ability to roost and forage on the Site and nearby land.

15 | Likewise, the IS did not assess how CDFW and USFWS regulatory elements require an IS to include assessment of buffer zones where songbirds in buffer zone as far as 50 feet from a Site's boundary are protected while roosting, foraging and/or nesting. Similarly, raptors in buffer zone as far as 250 to 500 feet from a Site's boundary are protected while roosting, foraging and/or



15  
cont.

nesting. Various arguments in the IS that the Project does not involve the removal of trees or other roosting sites are not adequate to support the conclusion that potential impacts are less than significant. Roosting, foraging and/or nesting sites can be disturbed even if they are not removed.

16

The results of necessary avian and bat study should be attached to the newly-published DEIR and assessed for its merits before a final EIR could be considered by the NUSD and DSA. Results of the study could potentially provide significant insights, with their results of interest to CDFW and USFWS resource biologists, given the Project may potentially result in negative impacts upon biological resources. These two agencies could potentially judge approval of the Project would likely result in regulatory violations pertaining to regulations/codes and laws subject under the jurisdiction of CDFW and USFWS.

17

#### **IV. Effects of Artificial Lights on Bird Species**

Based on information in the book Ecological Consequences of Artificial Night Lighting, the following potential negative impacts upon birds could result if the Project occurs:

- Exposure to a light field at night causes alteration of a straight flight path (by birds) (e.g., hovering, slowing down, shifting direction, or circling), and the change in flight path would keep the bird near the light source longer than if the flight path remained straight.)<sup>2</sup>
- In some cases, the intensity of the light bleaches visual pigments so that the birds are in effect blinded and can no longer see visual details that they could detect when dark-adapted.<sup>3</sup>
- The collision of migrating birds with human-built structures (e.g., light poles, of which at least eight are currently proposed in the current Project’s design) and
- windows is a worldwide problem that results in the mortality of millions of birds each year in North America alone.<sup>4</sup>

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#### **V. Cumulative Effects**

As the DEIR lack’s any assessment of Biological Resources, the discussion of Cumulative Effects in the DEIR is by definition incomplete and will require revisions to take into account the information learned through the process of revising the DEIR.

21

#### **VI. Alternatives and Mitigations**

.....

2 Gauthreaux, S.A. Jr., and C.G. Belser. 1999. The behavioral responses of migrating birds to different lighting systems on tall towers. In W. R. Evans and A.M. Manville II (eds.) Avian mortality at communication towers. See: <http://migratorybirds.fws.gov/issues/towers/agenda.html>

3 Verheijen, F.J. 1985 Photopollution: artificial light optic spatial control systems fail to cope with. Incidents, causation remedies. Experimental Biology 44:1-18.

4 Evans Ogden, L.J. 1996. Collision course: the hazards of lighted structures and windows to migrating birds. World Wildlife Fund Canada and the Fatal Light Awareness Program, Toronto, Canada.

4 daniel.edelstein@att.net



21  
cont.

The DEIR’s discussion of alternatives lacks important components. Economic data and cost-effective studies that compare the “Alternative” choices should be present as comparison/contrast options. Instead, the reasons provided for why “Alternatives” are rejected include opinions that remain absent of citations based on economic and other reasoning that should be present.

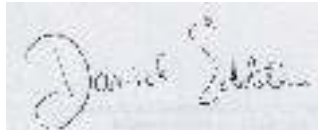
22

Beyond adding the information I note in the above paragraph, DEIR should provide a columnar table that compares and contrasts each of the prospective alternative sites with one another. This table should allow a reviewer to assess diverse factors that are necessary for a prudent and feasible potential alternative to be chosen instead of the current Site. Categories the table should feature should include economic, environmental, required design changes a different site would require, etc. — and, as a result, the table would be a prime method by which the NUSD and the public could best assess potential alternative options that might possibly result in one or both of these agencies to choose a different location for sports teams to compete under night lights than the current proposal for Project at the SMHS venue.

Thank you for your consideration of the comments.

Sincerely,

.....  
Daniel Edelstein



Wildlife Biologist And Ridgway’s Rail Survey Specialist & Federal 10(a)(1)(A) Permit Holder (TE-103743, valid through 2018)



## Letter 8

**COMMENTER:** Daniel Edelstein

**DATE:** March 3, 2017

### **Response 8.1**

The commenter identifies himself as a wildlife biologist hired to provide comments on the Draft EIR. This comment is noted.

### **Response 8.2**

The commenter states an opinion that the Revised Draft Initial Study (Appendix A of the Draft EIR) checklist conclusions are “defective and flawed” due to a lack of scientific research to support the conclusions. The commenter also states that some conclusions conflict with other aspects of the Revised Draft Initial Study and suggests that the analysis should have assessed how the change in nighttime “human disturbance” would potentially affect biological resources.

Potential impacts to biological resources are discussed in the Draft EIR in the Revised Draft Initial Study (Appendix A of the Draft EIR), under Item IV, *Biological Resources*. A desktop biological study was conducted, including agency database queries, literature review, aerial imagery analysis, and construction plan review. The conclusions of the Revised Draft Initial Study were based on a desktop biological study that was consistent with the standards and typical approach for a project of limited disturbance on a previously disturbed footprint. The analysis included agency database queries, literature review, aerial imagery review, and review of the construction design plans. Details were added to the Revised Draft Initial Study to provide clarification on the background research conducted and additional clarifying information on potential impacts. These text changes are presented above in the response to Comment 5.1. As noted in Response 5.1, these text edits did not change the findings of the Revised Draft Initial Study or Draft EIR.

### **Response 8.3**

The commenter suggests that several avian surveys are necessary to the analysis of biological resources impacts.

The Revised Draft Initial Study (Appendix A of the Draft EIR) addressed the potential for impacts to birds and found, based on the level, location, and timing of disturbance of the project, that bird species would not be significantly impacted by the project (see Item IV in Appendix A of the Draft EIR, Revised Draft Initial Study). The commenter does not explain what necessary information could be obtained from additional avian surveys; therefore a more specific response is not possible. The lead agency disagrees that additional surveys are required, or would provide additional information on potential impacts. The project site does not support suitable habitat for special status species and construction is not proposed to occur during avian nesting season. No additional studies or field surveys are expressly required under CEQA if the Initial Study is sufficient for reaching a conclusion on the level of significance of impacts. Please see the Revised Draft Initial Study for additional details (Item IV, Appendix A of the Draft EIR, and revisions therein).

### **Response 8.4**

The commenter states an opinion that the effects of artificial light must be analyzed for the project.

The methods for the analysis on impacts of lights and the potential impacts and mitigation for lights are discussed in Section 4.1 of the Draft EIR and are further clarified in Master Response A – Lighting and Aesthetics. The commenter does not provide analysis or information on which to base a specific response.

### **Response 8.5**

The commenter states an opinion that the Cumulative Effects chapter needs to be revised to include any additional biological information. The commenter does not provide information or analysis on “additional biological information” nor potential cumulative effects. As discussed under Item IV in Appendix A of the Draft EIR, Revised Draft Initial Study, impacts related to biological resources would be less than significant, and no significant cumulative impacts were identified. In addition, as discussed in Section 3, Environmental Setting, of the Draft EIR, at the time of the release of the Notice of Preparation of an EIR there were no planned or pending projects within one mile of San Marin High School.

### **Response 8.6**

The commenter states an opinion that the alternatives analysis lacks necessary assessments of cost/benefit analysis as well as an assessment of changes to the project to mitigate any potentially significant impacts on identified biological resources. A “cost/benefit analysis” is not a required component of alternatives analyses under CEQA (see CEQA Guidelines Section 15126.6, Consideration and Discussion of Alternatives to the Proposed Project). In addition, pursuant to CEQA Guidelines Section 15126.6, “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project.” No significant effects related to biological resources were identified in the Draft EIR.

### **Response 8.7**

The commenter suggests that the Draft EIR is flawed based on the commenter’s interpretation that the analysis included in the Revised Draft Initial Study is flawed. Specifically, the commenter states an opinion that the conclusions included in the Biological Resources section of the Revised Draft Initial Study are not supported by studies that should have been completed before the checklist conclusions were completed. The commenter adds that Novato Creek is known to have several special status species.

As noted in Response 8.2, a desktop biological study was completed for the Draft Initial Study and further clarification was provided in the Revised Draft Initial Study (Item IV, Appendix A of the Draft EIR) as shown in Response 5.1.

The biological study was based on sound scientific evidence and addressed the potential for biological resources to be impacted. Specifically, the wildlife species most likely to potentially be impacted are birds and bats. However, based on the level, location, and timing of construction and ongoing light operations, it was determined that the potential for impacts to birds and bats would be less than significant according to a threshold of not reducing any population below a level that is self-sustaining (see Item IV(a), Appendix A, Revised Draft Initial Study, of the Draft EIR).

### **Response 8.8**

The commenter states an opinion that the project could cause significant negative impacts related to sound, traffic, increased human activity, and cumulative effects. The commenter adds that the Revised Draft Initial Study acknowledged that potential significant negative impacts exist relative to noise but suggests that the document fails to consider that impact on special status species.

Sound, traffic, increased human activity, and cumulative effects are addressed in the Draft EIR and some clarifying language has been added in response to this and other comments. Specifically, with respect to the effects of noise on special status species, clarification was added to the Revised Draft Initial Study to point out that the frequency of activities would not increase at the stadium as a result of installation of the lights. Rather the timing of some activities would change to some evenings during the school year. Please see Response 5.1.

### **Response 8.9**

The commenter opines that the Revised Draft Initial Study fails to consider bats that roost in the San Marin neighborhood and suggests that the Revised Draft Initial Study and Draft EIR contain no analysis or surveys of bats that could be located on and adjacent to the site.

As noted in response to Comment 8.2, a detailed desktop biological study was conducted for the Draft Initial Study and all potential impacts were addressed. Revisions to the Revised Draft Initial Study (Appendix A of the Draft EIR) were made to provide clarification in response to comments on the Draft EIR and to further support the conclusion of less than significant impacts to biological resources under CEQA, as shown in Response 5.1.

As discussed in Item IV, *Biological Resources*, of the Revised Draft Initial Study, and in Response 5.1, impacts on candidate, sensitive, or special-status species would be less than significant.

### **Response 8.10**

The commenter suggests that because the Revised Draft Initial Study and Draft EIR each include a references section, the documents omits citations. The reference sections list the cited sources, which appear parenthetically throughout the Revised Draft Initial Study and the Draft EIR. In some cases, including in Item IV, *Biological Resources*, of the Revised Draft Initial Study, additional references have been added to provide clarification in response to comments received on the Draft EIR. The addition of clarifying references did not change the original significance conclusions of the Draft EIR. As discussed in Item IV, *Biological Resources*, of the Revised Draft Initial Study, impacts to biological resources would be less than significant. Please see Response 5.1.

### **Response 8.11**

The commenter suggests that the Revised Draft Initial Study does not consider the proposed shift of some onsite activities from day to night time and the associated changes to night time conditions.

The Revised Draft Initial Study included a thorough desktop biological study, including agency database queries, literature review, aerial imagery review, and review of the construction design plans. The biological study conducted for the project was sufficient given the low level of disturbance and the timing and location of disturbance. Although the timing of activities at the stadium would change with implementation of the proposed project, the type of activities and the frequency of those activities would remain substantially the same under the proposed project compared to current conditions. The stadium lights would be turned off by 8:30 PM or earlier Monday through Thursday, by 9:45 PM on 15 or fewer Fridays per year, and would not be used on Saturdays (with the possible exception of 6 playoff games in February and May) or Sundays. Due to the fact that the type and frequency of activities on the field would not change and the fact that activities would end by 8:30 PM or earlier for all but 15 or fewer nights per year, the change in conditions at the project site with implementation of the proposed project would not result in a significant impact on biological resources. Please see Response 5.1.

**Response 8.12**

The commenter suggests that the impact levels under items IVd and IVe in the Biological Resources Section of the Revised Draft Initial Study should be considered “Potentially Significant Unless Mitigation Incorporated” or “Potentially Significant Impact” depending upon the results of the suggested biological bird and bat surveys/studies on the site and within the buffer areas adjacent to the site. The commenter states that if these items are changed, a new Draft EIR would be required.

Impacts under CEQA Thresholds IVd and IVe were considered in the Draft Initial Study and were determined to be less than significant based on the project design, which is unlikely to result in a significant impact on migratory or special status species, and the lack of any local policies or ordinances that the project would be in conflict with. More details on Items IVd and IVe can be found in the Revised Draft Initial Study (Item IV, Appendix A of the Draft EIR). No changes to the Draft EIR or Revised Draft Initial Study are warranted.

**Response 8.13**

The commenter states an opinion that based on the potential for impacts to several bird and bat species, a separate bird and bat survey should be carried out as a response to comments on the Draft EIR and the resulting report should be added to the document which the commenter suggests should be revised.

The conclusions of the Revised Draft Initial Study were based on a desktop biological study that was consistent with the standards and typical approach for a project of limited disturbance on a previously disturbed footprint. The analysis included agency database queries, literature review, aerial imagery review, and review of the construction design plans. Because the project site does not support any suitable habitat for listed or special status bird and bats, and because project construction activity will not temporarily or permanently remove any suitable breeding habitat for birds or bats, specific surveys for special status birds and bats was not necessary to evaluate potential impacts to these species. As the project is being constructed outside of the nesting season, no impacts to common nesting bird species protected under the MBTA is expected occur. The modern design of the project lighting is such that light trespass is minimal and surrounding trees would be minimally illuminated. The downward facing and shielded light design limits fugitive light into the surrounding night sky, and is not expected to result in impacts to foraging bats. Language clarifying these points has been added to the Item IV, Biological Resources, of the Revised Draft Initial Study and is included in Response 5.1.

No evidence has been presented that suggests that birds or bats are specifically attracted to lights from any distance away. The lead agency disagrees that additional surveys are required, or would provide additional information on potential impacts. No additional studies or field surveys are expressly required under CEQA if the Initial Study is sufficient for reaching a conclusion on the level of significance of impacts. Please see the Revised Draft Initial Study for additional details (Item IV, Appendix A of the Draft EIR, and revisions therein).

**Response 8.14**

The commenter indicates that the Draft EIR analysis was limited in its assessment on the presence of nesting special-status/rare bird species on the site, and suggests that two focused, breeding season pre-construction surveys should be during the months when birds and bats breed on or adjacent to the site. The commenter also suggests that the Draft EIR disregards the site’s value to common bird’s ability to roost and forage on the site and nearby land.

As noted in Responses 8.2 and 8.13, the Revised Draft Initial Study included a desktop biological study typical for a project with low levels of disturbance within a previously disturbed footprint. The potential for special status birds was excluded based on the lack of suitable habitat and the current land use status



of the project site. Focused surveys for sensitive bird species was not warranted, and preconstruction nesting bird surveys are not required expect for those instances where construction activity would occur during the breeding season. The timing of project construction as proposed is outside of the avian breeding season (September through January) and will therefore have no significant impacts on nesting birds. Likewise, the construction period is outside the breeding and pupping (April through August) season for bats with the potential to occur in the vicinity of the project and will, therefore, have no impact on breeding bats.

Clarifications to the Revised Draft Initial Study (Item IV, Appendix A of the Draft EIR) have been provided. The first paragraph of Item IV(a) was revised as shown in Response 5.1.

Light trespass from the project would be minimal and only a few trees nearest the stadium would experience minimal lighting during the first two to four hours directly after sunset. Further details on this response can be found in the Revised Draft Initial Study.

### **Response 8.15**

The commenter suggests that the Revised Draft Initial Study (Appendix A of the Draft EIR) does not adequately assess buffer zones for bird species. In addition, the commenter suggests that various arguments in the Revised Draft Initial Study that the project does not involve tree removal or removal of alternative roosting sites is not adequate to support the conclusions that the potential impacts are less than significant.

See Responses 8.2, 8.13 and 8.14 for information regarding potential impacts to special status and nesting birds. Buffer zones for protection would only need to be evaluated if nesting of listed and rare species would be expected, or if construction was proposed to occur during the typical nesting season for common species protected under the MBTA. Standard buffer areas were considered in the agency database queries, (e.g., nine USGS quadrangles for CNDDDB) and buffer distances of up to 500 feet were considered for the effects of light on trees and general suitable habitat conditions for plants and animals. No undisturbed natural habitat remains within 500 feet of the project site and plant and animal species living within that distance are subjected to regular human activity and can be considered habituated. Clarification was provided in the Revised Draft Initial Study as shown in Response 5.1.

Light trespass on adjacent trees would be minimal and for minimal time periods daily and seasonally. For addition details on this response, please refer to Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study.

### **Response 8.16**

The commenter states that the results of an avian and bat study should be attached to the revised document before it is considered by NUSD or DSA. The commenter suggests that the results of the suggested studies may identify a potential impact.

See Comments 8.2, 8.13 and 8.14 for discussions of potential impacts to birds and bats. The lead agency disagrees that additional surveys are required, or would provide additional information on potential impacts. The project site does not support suitable habitat for special status species and construction is not proposed to occur during avian nesting season. No additional studies or field surveys are expressly required under CEQA if the Initial Study is sufficient for reaching a conclusion on the level of significance of impacts. Please see the Revised Draft Initial Study for additional details (Item IV, Appendix A of the Draft EIR).

**Response 8.17**

The commenter notes a variety of potential negative impacts to birds, based on information contained in the book *Ecological Consequences of Artificial Night Lighting* (Rich, C. and T. Longcore (eds.). 2006. *Ecological Consequences of Artificial Light*. Island Press. Washington, D.C.), and notes specifically that consequences of exposure to a light field at night causing alterations of a straight flight path by birds.

The effects of light on bird flight were considered in the Draft Initial Study and clarifying language was provided in the Revised Draft Initial Study as shown in Response 5.1.

According to sources cited by the commenter and other authoritative sources on the topic, studied cases where bird flight patterns were altered by night lighting involve lighting in undeveloped areas with very dark conditions, such as off shore oil platforms, lighthouses, or for tall towers between 90 and 350 meters in height. In contrast, the project site is located in a developed area with abundant residential development and associated residential and street lighting. As such, birds in the vicinity would be acclimated to typical residential lighting conditions and not affected by moderate additional night lighting as evaluated in the cited studies. Additionally, the potential impact to birds from a “trapping effect”, whereby birds may fly into the light field and become disoriented and not leave the lighted area before succumbing to exhaustion, was also assessed and determined to be less than significant due to the short duration of time when lights would be on, generally two to four hours on nights when lighting would be used. For addition details on this response, please refer to Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study.

**Response 8.18**

The commenter states an opinion that in some cases, the intensity of the light bleaches visual pigments so that the birds are in effect blinded and can't see visual details that they could detect when dark adapted.

The effects of light on birds and the potential for visual bleaching and “trapping” has been poorly studied (but see Evans Ogden 1996, referenced in Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study). Despite the lack of good scientific studies on the subject of visual bleaching and “trapping” in birds, the Revised Draft Initial Study addressed the potential impact and concluded that the impact is less than significant given the low light levels, small light footprint, low light trespass, and low light glare with respect to those conditions that have been studied. For addition details on this response, please refer to Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study and the revised language in Response 5.1.

Impacts associated with adverse effects on candidate, sensitive, or special-status species would be less than significant.

**Response 8.19**

The commenter states an opinion that the collision of migrating birds with human-built structures and windows is a worldwide problem that results in the mortality of millions of birds each year in North America alone.

The project does not involve the addition of any windows and little to no illumination of any windows would occur as a result of the project. The overall vertical footprint of the light poles is small and the potential for bird strikes on the poles is low. For addition details on this response, please refer to Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study.

**Response 8.20**

The commenter states an opinion that the Draft EIR lacks any assessment of biological resources and therefore the discussion of cumulative effects is by definition incomplete and requires revisions. Please see Response 8.5.

**Response 8.21**

The commenter suggests that the Draft EIR's discussion of alternative lacks important components, including economic and cost-effective studies that compare the alternatives. The commenter also suggests that the reasons why alternatives are rejected include opinions that remain absent of citations. The commenter does not state what citations he believes should be included in the alternatives discussion (Section 6 of the Draft EIR); therefore a specific response is not possible. See also Response 8.6.

**Response 8.22**

The commenter suggests that the Draft EIR should include a columnar table that compares and contrasts each of the prospective alternatives. Although this suggestion is noted, CEQA does not require a table with the specific details the commenter suggests. Table 42 of the Draft EIR, Impact Comparison of Alternatives, provides a general comparison of the alternatives' impact levels.

Letter 9

From: Martha Adams  
737 Walnut Ct.  
Novato, Ca. 94945  
415-897-6971

February 27, 2017

1 Dear Novato Unified School District Trustees

[tcooper@nUSD.org](mailto:tcooper@nUSD.org), [rmillerick@nUSD.org](mailto:rmillerick@nUSD.org), [gmack@nUSD.org](mailto:gmack@nUSD.org), [ascott@nusc.org](mailto:ascott@nusc.org), [maguila@nUSD.org](mailto:maguila@nUSD.org),  
[dbutler@nUSD.org](mailto:dbutler@nUSD.org), [derek@strahmcom.com](mailto:derek@strahmcom.com), [EIR@nUSD.org](mailto:EIR@nUSD.org)

I am writing in regard to the SMHS EIR regarding the noise, public address system, field hours and person to contact if noise is too loud. These issues were not addressed properly in the EIR. I did not notice any study for noise for larger crowds, i.e. 4,000 either.

2 I have lived next door at the Madera Marin Community for 35 years and enjoyed quiet evenings in my patio. The school expects with no consideration for residents give up these evenings due to the noise from these games so many nights of the week.

3 I have requested in the past and again now to please consider other alternative locations, such as Indian Valley which is a perfect location and would not destroy the living conditions of the neighborhoods surrounding SMHS. This seems very unfair. No one taking part in these lights and noise even seem to live in the immediate area. So they have no idea of what those of us do put up with.. Sorry to repeat myself, but this is crucial for so many. We are counting on you and hope you are the people we believe you to be for your and our community.

I would be happy to have you visit my home on an evening when there is a game to understand the noise. Please feel free to call

Most Sincerely,

Martha Adams

## Letter 9

**COMMENTER:** Martha Adams

**DATE:** February 27, 2017

### **Response 9.1**

The commenter states an opinion that noise, the public address system, field hours, and contact person if noise is too loud were not addressed in the Draft EIR. The commenter specifically states that they did not notice any study for noise for larger crowds, i.e. 4,000 individuals.

As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, it is anticipated that the crowd size would reach approximately 40 percent of the stadium's 2,400-seat bleacher capacity (1,000 persons) at regular-season football games and 60 percent of bleacher capacity (1,440 persons) at playoff games. No increase in attendance is anticipated for soccer or lacrosse games, which would remain at approximately 50 spectators for regular season games and 100 spectators for playoff games. Evening school activities (such as graduation, rallies, or other special events) could occur up to four times per year and would involve the use of the stadium lights and public address system. The crowds for one or more of these special events may be comparable in size to those during a playoff football game. Attendance of 4,000 people was not analyzed as it is not anticipated to occur as a result of the proposed project.

Field hours are discussed in Section 2 of the Draft EIR, *Project Description*.

Noise, including from the proposed PA system, is addressed in detail in the Draft EIR in Section 4.5, *Noise*. Please see also Master Response B – Noise.

### **Response 9.2**

The commenter states concerns about project-related noise, but does not provide specific comments on the analysis or conclusion of the Draft EIR. These comments are noted. Please see Master Response B – Noise.

### **Response 9.3**

The commenter requests that alternative locations be considered, including Indian Valley, and states general concerns regarding the project's effects on living conditions in the surrounding neighborhood. The comments do not pertain directly to the analysis or conclusions of the Draft EIR. Please see Master Response E – Alternatives.

Letter 10

1 | EIR Phone Call Anonymous

Calling to express she is not in favor of the San Marin Lights. Students should be studying at night.

The speakers are also too loud.

## Letter 10

**COMMENTER:** Anonymous

**DATE:** Not indicated

### **Response 10.1**

The commenter states that they are not in favor of the project, and states an opinion that students should be studying at night. The commenter also states that the speakers are too loud, but does not comment specifically on the Draft EIR. The commenter's stated opposition to the proposed project is noted. Please see Master Response B – Noise.

1 To Whom it may concern:

We, Alla Artemova-Helton and Jesse Helton, residents and home owners of 68 San Marin Drive, Novato, oppose San Marin High School stadium lights project.

After reviewing the project description we strongly convinced that that project will have a quite negative impact on San Marin neighborhood, on families and children living close to San Marin School.

2 We have 3 young children who go to bed at 7pm. Proposed ending time of activities on the stadium of 9:30pm potentially every day of the week will negatively affect our children's and our lives. Additional lighting, speaker system, traffic will completely ruin a possibility for families to live here.

3 Traffic situation as already horrible on San Marin Drive during school events. This will be much worse with proposed project. The same is with amount of garbage, it will multiply without a doubt.

This project is not suitable for the family neighborhood.

Please, let us know who we may contact to express our opposition further and vote against this project. Our phone number is: (415) 847-8517, e-mail: allaartemova@yahoo.com

2/7/17  
AA  
J.H.



## Letter 11

**COMMENTER:** Alla Artemova-Helton and Jesse Helton

**DATE:** February 7, 2017

### **Response 11.1**

The commenter states that they oppose the project, and that they are convinced that the project would have a negative impact on the San Marin neighborhood, families, and children that live close to SMHS.

The commenter's stated opposition to the proposed project is noted. These comments do not pertain specifically to the analysis or conclusions of the Draft EIR.

### **Response 11.2**

The commenter states that they have three children who go to bed at 7:00 PM, and the proposed timing of events would negatively affect their lives. Further, the commenter states an opinion that additional lighting, speaker system, and traffic would ruin the possibility for families to live here. The commenter's stated opposition to the proposed project is noted. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise.

### **Response 11.3**

The commenter suggests that the traffic situation is already horrible on San Marin Drive during school events. They are concerned that the traffic would be worse with the proposed project, in addition to garbage. The commenter concludes by stating that the project is not suitable for the family neighborhood. The commenter's stated opposition to the project is noted. Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

## Letter 12

**From:** BrettBanki@aol.com [mailto:BrettBanki@aol.com]

**Sent:** Tuesday, February 14, 2017 10:33 AM

**To:** Environmental Report

**Subject:** Comments on SMHS stadium lights project

- 1 | I am writing to comment on the new San Marin High School stadium lights project. I am a nearby  
resident, living at 101 San Carlos Way, about one long block from the high school. I have lived here for  
21 years and have a history of living near the school. My youngest daughter attended and graduated  
from SMHS.
- I question some elements of the proposed lighting project and think they should be addressed clearly to  
the public before any plan is approved.
- 2 | 1. Are the new lights really necessary for the high school? How many? How tall? How bright? Why are  
they needed? And for who?
- 3 | 2. How many nights will the lights be on, and for how long, and how late in the evening?
- 4 | 3. Over the years I have easily been able to hear the announcement and cheering fans of football games  
and other events from my backyard. That is with the present PA system and the current level of  
attendance at the high school games. The current level of noise from where I live is OK, as I support the  
high school activities, but should not increase in volume and number of events. This is a high school, and  
has it's own identity as a school campus. It should not be shifted to another public recreational purpose  
which will conflict with it's intended purpose.
- 5 | 4. How is this new proposal coordinated with the proposed large public athletic field site at Hamilton  
Field?
- 6 | 5. Public parking on nearby city streets has slowly increased over the years I have lived here. More  
neighbors are parking more cars on their driveways and on the street in front of their houses. There is  
less parking space for visitors already. When school events at SMHS and San Ramon Elementary  
School take place I find that both streets next to my house (at the corner of San Carlos and San Ramon)  
are filled with cars. That is OK because it only happens a few times a year as events take place at  
the two schools. But if additional large events start to take place more often, very crowded street parking  
could become a regular event. That will also mean more cars driving around looking for parking spaces  
further and further from the school site. Is a new parking lot for these events included in the plan? Just  
assuming that the nearby limited street parking will meet the needs is not enough. Outsiders would be  
competing with local neighborhood citizens for parking on our own streets, in front of our own houses. Is  
there a comprehensive parking plan, based on anticipated parking needs, for this project that has been  
approved by the police and fire department? How is the increased traffic on our streets being planned  
for?
- 7 | 6. How many people would be expected to attend these new events? Including the players, coaches,  
families and friends, and any additional vendors (such as food, drink and merchandise tents or  
trucks). What is the expected attendance at these events, including any play-off games which could  
attract even larger crowds?
- 8 | 7. We already experience some graffiti vandalism, which I am concerned about if more outsiders start to  
attend events here in the evening.
- 9 | 8. If this is not a local school-centered project on the high school grounds, then who is responsible for  
paying for the project and maintaining everything in the future? Will people be charged a fee to play and  
watch games on the site in order to pay for it?

- 10 | 9. How will emergency response be affected by a large presence of outside visitors to the high school property? Who will pay for it? Will there be a fee for each event?
- 11 | 10. I recommend a trial run of seeing what the lights would look like at 80 feet high (8 stories) before approving such a huge increase in height. Put up some temporary lights at that height, at the proposed intensity, as a test run to see the impacts on the school grounds and the neighborhood.
- 12 | 11. Overall, what is the purpose of adding athletic fields and huge light stands and lighting to the high school? How will that benefit the school and the students? This seems like a confusing change in purpose of the school and school athletic grounds. The implication of various impacts on all the neighbors seems negative. I am in favor of community athletics and recreation, but this is an odd mix of very different purposes side-by-side, almost on top of each other. This is a public education funded school site. It should stay a school site and not become a confusing multi-use site. Our high school has it's own atmosphere as an education facility for our kids. Why can't the new proposed large sports complex at Hamilton Field accomplish this need?

It seems to me that more planning, with more detailed information, be sent to local neighbors to answer these questions. Don't be in a hurry just in order to make a decision. Please take the time to make the right decision which will affect so many of us.

Thank you,

Brett Bankie  
101 San Carlos Way  
Novato, CA 94945

## Letter 12

**COMMENTER:** Brett Bankie

**DATE:** February 14, 2017

### **Response 12.1**

The commenter states that they live near the campus, approximately one block away from the high school; that they have some concerns about the project; and suggest that some elements of the project should be addressed in more detail prior to approval of the project.

The commenter's concern about the project and suggestion that some elements of the project should be addressed in more detail are noted. Specific concerns and requests for clarification of proposed project details are addressed below under each specific comment.

### **Response 12.2**

The commenter asks if the lights are really necessary for the high school, and asks how many, how tall, and how bright the lights would be. The commenter also asks who the lights would be necessary for.

The objectives of the proposed project are described in Section 2.5 of the Draft EIR. The proposed project would address several needs, as described in Section 2.5, *Background and Project Objectives*. These needs generally include: extended availability of the athletic fields to minimize missed instructional time for student athletes, the scheduling of games at times when students, parents, and community members can more easily attend the events, nighttime opportunities for students to gather to cheer on their team, athletic field lighting in the evening hours to improve athlete safety, reducing shared use of the field, and improving the public address system to better contain sound within the stadium. Details on the height and brightness of the lights are also included in the Draft EIR, in Section 2, *Project Description*. Additionally, please see Master Response A – Lighting and Aesthetics.

### **Response 12.3**

The commenter asks how many nights the lights would be on and what the duration would be.

As shown in Table 4 in Section 2.4.1.6 of the Final EIR, *Proposed Frequency of Use*, the stadium lights would be turned on for a maximum of 152 nights during the year. The main stadium lights would be turned off by 8:00 PM from Monday through Thursday, and by 9:45 PM on Fridays. The stadium lights would not be used on Saturdays or Sundays, with the possible exception of Saturday lights usage until 8:30 PM for up to four Saturdays in February and two Saturdays in May for soccer and lacrosse playoff games.

### **Response 12.4**

The commenter objects to project-related increases in noise volume or frequency. This comment on the project is noted, but does not pertain to the analysis or conclusions of the Draft EIR.

### **Response 12.5**

The commenter asks how the proposed project has been coordinated with the athletic field site at Hamilton Field.

The District has no development plans for Hamilton Field nor does the District control property associated with Hamilton Field. The District does own a property known as Parcel 1A that is described as the Hamilton Site in Section 6.1 of the Draft EIR. This property was examined as a potential alternative site for the proposed project but was not carried forward for detailed analysis due to the lack of any existing infrastructure, the prohibitively high cost of constructing a new stadium at the site, the potential presence of existing contamination, and the inability of the alternative to eliminate or reduce any of the environmental impacts associated with the proposed project.

**Response 12.6**

The commenter states concerns about parking availability, but does not comment on the analysis or conclusions of the Draft EIR. Please see Master Response C – Traffic for information on this topic.

**Response 12.7**

The commenter asks how many people would attend the night time events, including playoff games. As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, it is anticipated that the crowd size would reach approximately 40 percent of the stadium's 2,400-seat bleacher capacity (1,000 persons) at regular-season football games and 60 percent of bleacher capacity (1,440 persons) at playoff games. No increase in attendance is anticipated for soccer or lacrosse games, which would remain at approximately 50 spectators for regular season games and 100 spectators for playoff games. Evening school activities (such as graduation, rallies, or other special events) could occur up to four times per year and would involve the use of the stadium lights and public address system. The crowds for one or more of these special events may be comparable in size to those during a playoff football game.

**Response 12.8**

The commenter expresses a concern about graffiti vandalism in relation to the proposed project. Please see Master Response D – Public Services and Safety.

**Response 12.9**

The commenter asks who is responsible for paying for the project and maintaining it into the future. The commenter also asks if people would be charged a fee to play and watch games on the site in order to pay for it. These comments are noted but are not relevant to the environmental analysis pursuant to CEQA. Please see also Master Response G – Project Cost.

**Response 12.10**

The commenter asks how emergency response would be affected by the project, who would pay for that, and if there will be a fee associated with emergency response for each event. Please see Master Response D – Public Services and Safety and Master Response G – Project Cost.

**Response 12.11**

The commenter recommends installing temporary lights at the proposed height and intensity to see what the potential impacts may be on the campus and neighborhood. This suggestion is noted, but does not question the analysis or conclusions of the Draft EIR.

**Response 12.12**

The commenter questions the need for the project. These comments on the merits of the project are noted, but do not require a specific response as they do not pertain to the analysis or conclusions of the Draft EIR.

**From:** lindzer2 [mailto:lindzer2@aol.com]  
**Sent:** Monday, January 23, 2017 10:12 PM  
**To:** TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT; Environmental Report  
**Subject:** San Marin high Stadium Lights and sound

Sent from my Verizon, Samsung Galaxy smartphone

1 | Hello,

I am very concerned about the proposed project of lights and sound at San Marin High School. I grew up in Madera Marin kindergarten through High School at San Marin. My mom still owns my childhood home there. She is frightened, angry and beside herself at the thought of creating a super stadium in her neighborhood. Any EIR that says there is no impact, is not truly done without bias.

I doubt anyone would like to live anywhere near San Marin with the extreme noise and lights that would go on to 10 p.m. I implore you to vote no on this proposal.

Thank you

Linda Calbreath

## Letter 13

**COMMENTER:** Linda Calbreath

**DATE:** January 23, 2017

### **Response 13.1**

The commenter states opposition to the project, and suggests that an EIR that says there is no impact was not done without bias.

The commenter's stated opposition to the proposed project, while noted, is not a comment on the Draft EIR nor does it address a potential impact on an environmental resource as defined by CEQA. Potential impacts of the proposed project on the environment are addressed in Section 4, *Environmental Impact Analysis*, and Appendix A of the Draft EIR, Revised Draft Initial Study.

Contrary to the comment, the Draft EIR did identify a number of impacts related to the proposed project. As summarized in the Executive Summary, some impacts would be less than significant, some would be less than significant only with implementation of identified mitigation measures, and one impact, related to noise during athletic events, would be significant and unavoidable. It should also be noted that the identified significance level of potential impacts associated with implementation of the proposed project is not a valid metric for determining the presence or absence of bias expressed in an EIR.



**From:** Travis Carroll [mailto:travis.carroll@salted.pw]  
**Sent:** Wednesday, December 28, 2016 12:22 AM  
**To:** Environmental Report  
**Subject:** San Marin High School Stadium Lights

1 | Hi Yancy,

My wife and I recently received and read the EIR for San Marin High School Stadium Lights and we wanted to address our concerns. We recently just purchased a home on Sandy Creek Way, about 600-800 feet away from the football field. During the process of purchasing the home, we were informed San Marin High School had games during the day that could be loud, but we weren't too worried about that as the games took place during the day. We also like that the school has sports events, and had a sense of community, and it should have games during the day..

However, being close residents, we are very concerned about the proposed lights, and sound that will be coming from evening practices and games. We understand that most events will likely end by 8:00 PM, six days a week, but we feel like that will still impact us and the residents nearby. One of the reasons we fell in love with this area is that it is so quiet, and beautiful. If the proposed changes are made, we feel like a lot of the natural beauty in the area will be impacted by the lights, and it wont be as quiet. If you've ever hiked around the Mt. Burdell hiking paths, you will see the beautiful rolling hills of the area, and such a great view of San Marin. If the proposed changes are made, if you're hiking Mt. Burdell, the view will be impacted by bright lights within view, unless it's Sunday.

We hope that the board will look further into the impact of the residents that will be affected by these proposed changes. Thank you.

H  
appy holidays,

Travis Carroll  
[travis.carroll@salted.pw](mailto:travis.carroll@salted.pw)  
ph: (707) 328-2168  
gv: (415) 480-4343

## Letter 14

**COMMENTER:** Travis Carroll

**DATE:** December 28, 2016

### **Response 14.1**

The commenter states concerns about lights and noise from the proposed evening practices and games. The commenter also states an opinion that if the proposed project is approved, hikers on Mt. Burdell (presumably only if hiking at night) would have their view impacted by bright lights, unless it is Sunday. The commenter does not provide specific comments on the Draft EIR. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise.

Letter 15

**From:** William Casassa <[wrcasassa@hotmail.com](mailto:wrcasassa@hotmail.com)>

**Sent:** Thursday, September 15, 2016 5:21:25 PM

**To:** [lbenjamin@nUSD.org](mailto:lbenjamin@nUSD.org)

**Subject:** San Marin stadium lights project EIR

1 | Dear Leslie,

2 | We live at 40 San Marin Dr. , directly across from the field. My wife and I attended the meeting on the 7th. We of  
3 | course have some concerns. First of all, we were never given the opportunity to sign the original petition. Living as  
4 | close as we do, we feel that the immediate surrounding neighborhood should have originally been polled. I suspect  
5 | that a new poll would not get the votes that you originally received. Our property values will go down, the close knit  
feel of our community will lose its appeal to attract people to live here. Many concerns about the perceived  
incompleteness of the EIR were brought up. That gentleman representing his report knows that there are things that  
can sink a project. The neighborhood should be made aware of such things now rather than in the future when some  
bright individual says " why didn't they think of that?" We too have called school offices to complain of students  
loitering in and around our house. The response is always that they are not responsible for students off campus. I  
can't imagine as several hundred people try to exit the stadium at night, at the same time, especially after a hotly  
contested game when emotions are high. I also heard no mention of the wildlife in the report. Marin Open Space, a  
few years ago, put in owl habitats along the tree line in the hills right above houses behind the fields. This was in  
response to the rat problem infesting the neighborhood there. How will this lighting affect them? Will the rat  
infestation reappear? Finally, I feel you should stop calling it Friday night lights. There is a romantic relationship  
between that name and the popular TV show. After seeing the schedule it should be called every night lights. Our  
vote would be to absolutely stop this project! Spend this money on education.

Sincerely ,

William and Deborah Casassa

40 San Marin Dr.

Novato

## Letter 15

**COMMENTER:** William and Deborah Casassa

**DATE:** September 15, 2016

### **Response 15.1**

The commenter provides background on the public process and states concerns regarding property values. These comments do not pertain to the Draft EIR, so a specific response is not required. Please see Master Response F – Property Values.

### **Response 15.2**

The commenter states that they have called school offices to complain about students loitering in and around their house and that the response they receive is that they are not responsible for students off campus. This comment does not pertain to the analysis or conclusions of the Draft EIR. Please see Master Response D – Public Services and Safety.

### **Response 15.3**

The commenter states that they can't imagine as several hundreds of people try to leave the stadium at night. This comment is noted but does not specifically question or challenge the analysis or conclusions of the Draft EIR. Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

### **Response 15.4**

The commenter states an opinion that there is no mention of wildlife in the report. The commenter also states that Marin Open Space installed owl habitats along the hills behind the fields in response to a rat problem infesting the neighborhood and asks how the lights may impact them. The also asks whether rat infestation would reappear.

Impacts related to wildlife are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies a less than significant impact on wildlife (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). The Revised Draft Initial Study also addresses owl boxes; owls that nest in such boxes are typically accustomed to human activities, as is often seen in owl boxes installed in orchards that are exposed to regular farm equipment traffic, and would not be significantly impacted by the incremental increase in activity as a result of stadium lighting. Please see clarification in the Revised Draft Initial Study and included in Response 5.1.

### **Response 15.5**

The commenter states opposition to the project. These comments are noted, but do not pertain directly to the analysis or conclusions of the Draft EIR.

Letter 16

From: Deborah Casassa [mailto:dkcasassa@yahoo.com]  
Sent: Monday, February 13, 2017 10:00 AM  
To: Environmental Report  
Subject: San Marin High School Stadium Lights

1 | Yancy Hawkins,

I am completely opposed to the stadium lights at San Marin High School. I have lived across the street from the high school for 38 years. I have lived through picking up garbage in my yard from the school, dealt with cars parked in front of my house. Football games, and all kinds of noise and traffic. This has been all in the daytime and I can deal with it. Nighttime is a very big difference. We cannot deal with the noise and cars and lights. I would hope you would consider what it would be like for you living here. Night games would be perfect at Indian Valley College. There is plenty of parking and both Novato High and San Marin High could use it at night. Please don't install lights at San Marin!

Sincerely,

Deborah Casassa

## Letter 16

**COMMENTER:** Deborah Casassa

**DATE:** February 13, 2017

### **Response 16.1**

The commenter states concerns related to the potential impacts of nighttime sports activities that would be facilitated by the proposed project, including aesthetics, noise and traffic impacts. The commenter suggests that Indian Valley College would be a preferable location for night events, and finally asks that the lights not be installed at San Marin High School.

The commenter's opposition to the project is noted. The comments related to aesthetics, noise and traffic are not specific to the Draft EIR analysis, and thus specific responses are not possible. Please see Master Response A– Lighting and Aesthetics; Master Response B – Noise; Master Response C – Traffic; and Master Response D – Public Services and Safety.

**From:** Eva Charles [mailto:evacharles2003@yahoo.com]  
**Sent:** Thursday, February 23, 2017 5:45 AM  
**To:** Environmental Report; fcooper@nUSD.org; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL;  
GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT  
**Subject:** SAN MARIN HS - Madera Marin Resident

February 21, 2017

1 | DEAR TRUSTEES,

My name is Z. E. Charles and I own and live with my fiance in the Madera Marin Complex which is located right next to the San Marin High School.

I would like to express my deep concern about installing permanent field lights and an extensive sound amplification system to the existing football field.

I work full time and have to commute to the city of San Francisco every day. My day starts at 5am and ends by 8:30pm. Having both high schools do their training, games and other activities will definitely impact our quality of life in this area. Not only for the Madera Main residents but for the many other residents in the San Marin area. This will not only affect our quality of life but also our property values as well.

2 | My main concerns are the following:

- 3 | - Light pollution in the neighborhood from the excessive bright lights.
- 4 | - Excessive noise impacting my sleep patterns as well as those children and older residents in the neighborhood.
- 5 | - A drop in Property values
- 5 | - More traffic to an area that already have many schools around, including an elementary school that generates traffic at "rush hour". This could increase the chances for accidents for small children from the elementary school walking or riding their bicycles to their homes.
- 5 | - Chances for more traffic accidents due to high school students driving cars for the first time.

6 | It is very easy for the coaches, students, and parents, who do not live near by, to want to implement night bright lights and powerful speakers to an area where they will only visit for a short time in their lives.

I beg you to please consider building another field, in an area where residents are not affected by it, where both Novato High Schools could do their practices in the evening and the field could be use for other activities as well.

Thank you,

Z. Eva Charles

732 Walnut Ct.

Novato, CA 94945



## Letter 17

**COMMENTER:** Z. Eva Charles

**DATE:** February 23, 2017

### **Response 17.1**

The commenter states concerns about the proposed project's potential effects on the quality of life in general as well as property values in the area.

Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise for a discussion of the lighting and noise impacts associated with implementation of the proposed project. Please see Master Response F – Property Values for a discussion of property values. Specific environmental concerns and requests for clarification of project details are addressed below under each specific comment.

### **Response 17.2**

The commenter lists their main concerns, starting with the potential for light pollution in the neighborhood from the proposed stadium lighting.

This comment regarding lighting impacts is not specific to the Draft EIR analysis, and thus a specific response is not possible. Please see Master Response A – Lighting and Aesthetics regarding potential impacts related to aesthetics.

### **Response 17.3**

The commenter expresses concern about noise impacting sleep patterns of residents in the neighborhood.

This comment regarding noise impacts is not specific to the Draft EIR analysis, and thus a specific response is not possible. Please see Master Response B – Noise regarding noise impacts.

### **Response 17.4**

The commenter states concern about reduced property values. The commenter's concern regarding reduced property values is noted. Property values are discussed in Master Response F – Property Values.

### **Response 17.5**

The commenter states general concerns about project-related traffic in an area that experiences traffic from other local schools as well. The commenter also suggests that the potential increase in traffic could increase the chances for accidents for small children from the elementary school as they walk or ride their bikes home. Additionally, the commenter expresses concern related to the potential for more traffic accidents due to high school students driving cars "for the first time." Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

### **Response 17.6**

The commenter reiterates opposition to the project and suggests an off-site alternative. The commenter's stated opposition to the proposed project is noted. Please see Master Response E – Alternatives.

Letter 18

From: Michael Christian [mailto:mc154@aol.com]  
Sent: Thursday, January 05, 2017 4:55 PM  
To: Environmental Report  
Subject: Support of lights

1 | We support the EIR results and the full lighting project at either/both High Schools

Thank you  
Michael and Jennifer Christian.

Sent from my iPhone

## Letter 18

**COMMENTER:** Michael and Jennifer Christian

**DATE:** January 5, 2017

### **Response 18.1**

The commenter states that they support the EIR results and the proposed project. These comments are noted.

Letter 19

**From:** Laura Coffman [mailto:laura.coffman@ymail.com]  
**Sent:** Monday, February 13, 2017 1:00 PM  
**To:** Environmental Report  
**Subject:** SMHS Stadium Lights and PA System (NOISE) Project!

1 | See Attached please, Jim and Laura Coffman, 240 San Felipe Way, Novato, CA 94945 are absolutely opposed to the SMHS Stadium Lights and PA System (NOISE) Project!

# WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!

AND THIS  
FOR SURE TOO

- 2 • We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS). Novato Unified School District Draft Environmental Impact Report (EIR) "identifies potentially significant impacts related to aesthetics." The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
- 3 • **Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen miles away.
- 4 • **Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR "identifies a significant unavoidable impact with respect to crowd and PA"!
- 5 • **This project is Not for San Marin student games!** Mostly it's for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- 6 • **Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- 7 • **Traffic!** Dozens of extra cars on our roads for each team's practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 games/events a year?
- 8 • **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- 9 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name JAMES & LAURA COFFMAN

Address: 240 SAN FELIPE WAY Novato, CA 94945

Add to Your Comments here and on back:

this is not what we  
want in our community.  
Absolutely do not want the above Projects!

Laura A. Coffman  
James R. Coffman

### Let Your Voice Be Heard: Call, Write, Attend!

Public Comment Period Ends at 5:00 pm on February 14, 2017.  
Yancy Hawkins- Assistant Superintendent of Business and Operations  
Novato Unified School District, 1015 7th Street, Novato, CA 94945  
Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

### Act Locally. Please Attend Upcoming Public Meetings:

Final EIR meeting: February 28 at 6:00 pm at NUSD boardroom.  
Final Approval meeting: March 7 at 6:00 pm at NUSD boardroom.

10

## Letter 19

**COMMENTER:** James and Laura Coffman

**DATE:** February 13, 2017

### **Response 19.1**

The commenter states that they oppose the proposed project and have included an attached form letter with reasons as to why they oppose the project.

The commenter's opposition to the project is noted. Specific concerns and requests for clarification of project details are addressed below under each specific comment.

### **Response 19.2**

The commenter states that they oppose the installation of the lights. The commenter states an opinion that the Draft EIR "identified potentially significant impacts related to aesthetics," and states that the lights would impact the views and aesthetics of the neighborhood, the high school, and nearby open space. The commenter also states that the lights may be the tallest structures in Novato. Please see Master Response A – Lighting and Aesthetics for responses to these comments.

### **Response 19.3**

The commenter states an opinion that the proposed lights would obstruct views of the night sky, Milky Way, and sunsets, and could harm nocturnal patterns of local wildlife and birds. The commenter also opines that the lights may be visible from miles away.

Please see the responses to Letter 5 for information on light impacts related to biological resources and Master Response A – Lighting and Aesthetics for impacts related to aesthetics and views.

### **Response 19.4**

The commenter states an opinion that the PA system noise and reverberation would be heard throughout the neighborhood. The commenter also states an opinion that prevailing winds blow sounds into residential neighborhoods. The commenter states concerns about noise related to games continuing past game ending times. The commenter points out that that the Draft EIR "identifies a significant unavoidable impact with respect to crowd and PA." The commenter is correct that the Draft EIR identifies a significant unavoidable impact related to crowd noise and also that the Draft EIR concludes that it may not be possible to limit the PA noise to the identified noise threshold of 55 dBA L<sub>5</sub>. However, the Noise Assessment (Appendix E of the Draft EIR) found that the upgraded PA system would be substantially quieter than the existing PA system as measured at nearby residences. Also, implementation of Mitigation Measure N-1 (which has been renumbered as Mitigation Measure N-2 in the Final EIR) would limit the PA noise at neighboring residences to 55 dBA L<sub>5</sub> to the extent possible. The commenter asks about the potential noise impact of clean up and garbage trucks at midnight. Implementation of the proposed project would have no effect on the timing of garbage collection, as those activities are managed by the City of Novato and the District does not control the timing of garbage collection. Garbage collection under the proposed project is expected to remain the same as under current conditions. Although litter would be collected on and around the project site after evening activities, garbage hauling would not be scheduled during post-event nighttime hours.

Please see Master Response B - Noise for revisions to Impact N-2 and Mitigation Measure N-1 and for further responses regarding noise impacts.

**Response 19.5**

The commenter states an opinion that the project would not be for San Marin student games but would be mostly for private, adult sports leagues that would play throughout the year.

Contrary to what the commenter suggests, the project is intended for San Marin High School student games. The lights associated with the project would not be used by non-school sports leagues. The proposed schedule of events is shown in Table 3, *Proposed Schedule of Events*, in Section 2.4.1.6 of the Draft EIR. Table 4 was added in the Final EIR to show the total number of days that the lights and PA system would be in use, as follows:

**Table 4 Proposed Frequency of Use**

<u>Month</u>	<u>Days with Light Usage*</u>	<u>Days with PA Usage</u>	<u>Notes</u>
<u>August</u>	<u>2</u>	<u>4</u>	
<u>September</u>	<u>5</u>	<u>8</u>	
<u>October</u>	<u>21</u>	<u>7</u>	<u>1 PA day is for Powder Puff Football Game</u>
<u>November</u>	<u>22</u>	<u>5</u>	
<u>December</u>	<u>22</u>	<u>0</u>	
<u>January</u>	<u>22</u>	<u>0</u>	
<u>February</u>	<u>24</u>	<u>6</u>	<u>2 of the PA days are for seniors day (about 10 minutes)</u>
<u>March</u>	<u>15</u>	<u>1</u>	
<u>April</u>	<u>7</u>	<u>3</u>	<u>2 of the PA days are for seniors day (about 10 minutes)</u>
<u>May</u>	<u>11</u>	<u>6</u>	
<u>June</u>	<u>1</u>	<u>1</u>	<u>Graduation</u>
<b><u>Total</u></b>	<b><u>152</u></b>	<b><u>41</u></b>	<b><u>24 of the days with light usage and 14 of the days with PA usage are possible MCAL or NCS playoff games. During the 2015-16 school year SMHS hosted 4 playoff games; SMHS may host up to 3 playoff games in 2016-17 school year.</u></b>

\*Worst case scenario when not on Daylight Savings Time, includes possible Novato High games. Rental of field with lights usage to outside organizations is not being considered or anticipated.

Non-school uses, including Pop Warner, would remain as they were before the proposed project. The cost of the project in relation to the CEQA analysis is discussed in Master Response G – Project Cost.

**Response 19.6**

The commenter states an opinion that tailgate parties before and after the game would occur and would be dangerous. Specifically, the commenter expresses concern about alcohol, trash, fights, fire, medical emergencies, and crime associated with event attendance. Please see Master Response D – Public Services and Safety.

**Response 19.7**

The commenter expresses concern about traffic and specifically the potential for additional vehicles on the road and lack of sufficient public transit at night. Please see Master Response C – Traffic regarding traffic impacts.

**Response 19.8**

The commenter expresses concern about the potential degradation of property values. Property values in relation to the CEQA analysis are discussed in Master Response F – Property Values.

**Response 19.9**

The commenter states an opinion that SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year that may negatively impact the neighbors. Please see response to Comment 19.5.

**Response 19.10**

The commenter concludes by reiterating opposition to the project. The commenter's stated opposition to the proposed project is noted.



September 21, 2016

*Sent Via E-mail [lbenjamin@nUSD.org](mailto:lbenjamin@nUSD.org)*

Leslie Benjamin  
Director, Communications & Community Engagement  
Novato Unified School District  
1015 7<sup>th</sup> Street  
Novato, CA 94945

Dear Leslie:

1 | I am a homeowner at Madera Marin. My family and I are very concerned about the possibility  
of lights and a new PA system for San Marin High school. Our concerns are as follows:

- 2 | - Increased noise of cars, people, horns, whistles and cheers when crowds gather;
- 3 | - The PA system noise is a nuisance and irritating. Many students have home work to do  
in the evenings and the students in the surrounding areas with the loud PA would only  
cause distraction to their studies;
- 4 | - San Marin is located between two elementary schools, we have numerous young children  
that do not need to be exposed to large, rowdy crowds that high school games promote.
- 5 | - Traffic is a huge concern also, as we have so many young children in the area.
- Teenagers congregated for evening events almost ALWAYS ends with crime, obnoxious  
behavior and of course littering.

Please keep our community safe and quiet as that is the reason so many people live here. We  
won't to continue to live this way.

Sincerely,



Karen Collier  
725 Walnut Court  
Novato, CA 94945  
(415) 846-1091  
[Kcollier2000@yahoo.com](mailto:Kcollier2000@yahoo.com)

## Letter 20

**COMMENTER:** Karen Collier

**DATE:** September 21, 2016

### **Response 20.1**

The commenter states concerns regarding potential noise impacts of the project, including traffic noise and crowd noise. These comments related to noise are not specific to the Draft EIR analysis, and thus a specific response is not possible. Please see Master Response B – Noise for further responses regarding noise impacts.

### **Response 20.2**

The commenter expresses concern about the noise from the PA system, stating that it is a nuisance and is irritating. It is unclear whether the commenter is referring to the existing or proposed PA system. The commenter states an opinion that students in the surrounding areas could be distracted from their studies by the noise associated with the PA system. Please see Master Response B – Noise.

### **Response 20.3**

The commenter states that San Marin High School is located between two elementary schools and states an opinion that those children should not be exposed to “large, rowdy crowds.” Please see Master Response D – Public Services and Safety. In addition, please note that nighttime games would occur several hours after the end of the standard elementary school day, minimizing if not avoiding times when both student bodies would be present near the high school.

### **Response 20.4**

The commenter states concerns regarding traffic related to the presence of young children in the area. Please see Response 20.3 and Master Responses C – Traffic and D – Public Services and Safety.

### **Response 20.5**

The commenter states an opinion that congregating teenagers generate crime, obnoxious behavior, and litter. Please see Master Response D – Public Services and Safety.

Letter 21

From: Maureen Cook [mailto:will\_maureen@yahoo.com]  
Sent: Friday, January 13, 2017 5:26 PM  
To: Environmental Report  
Subject: Please, give us lights!

1 | Please continue to move forward with the EIR and plans to install stadium lighting at San Marin High School. The stadium lighting will enrich the student experience by deepening their connection to the Novato community with evening activities that can be enjoyed by working parents and extended family members. We have four generations of our family living here in Novato, from 92-8 years old, and young and old (although don't call great-grandma old) alike will enjoy the new evening activities at San Marin High School.

We appreciate the thoughtful approach NUSD has taken with this project and pray that the collective desire to see this project through to completion can weather the turbulence of opposition.

With our deep appreciation and respect,  
Maureen & Will Cook

## Letter 21

**COMMENTER:** Maureen and Will Cook

**DATE:** January 13, 2017

### **Response 21.1**

The commenter states support for the project. This comment is noted.

Letter 22

**From:** Nancy Cook [<mailto:mayowoman@msn.com>]

**Sent:** Friday, February 24, 2017 9:44 AM

**To:** Environmental Report <[EIR@nUSD.org](mailto:EIR@nUSD.org)>

**Subject:** Stadium Lights and Sound in San Marin

Yancy Hawkins

1 | Please do not put up stadium lights and sound on the fields at San Marin High School. This school is surrounded by homes and condos. We have enough noise coming from the day games on the football field.

Ask yourselves this question? How would you feel about this if you lived there???

2 | What about the fields at Indian Valley College? They are near open space and away from homes. There has to be another alternative!

Nancy Cook

606 Cedar Place

Novato 94945

## Letter 22

**COMMENTER:** Nancy Cook

**DATE:** February 24, 2017

### **Response 22.1**

The commenter states opposition to the project citing concerns about noise. Please see Master Response B – Noise.

### **Response 22.2**

The commenter suggests Indian Valley College as an alternative site. Potential alternatives to the proposed project, including off site alternatives, are discussed in Section 6, *Alternatives*, of the Final EIR. Additionally, please see Master Response E – Alternatives.

January 16, 2017

Yancy Hawkins- Assistant Superintendent of Business and Operations  
Novato Unified School District  
1015 7<sup>th</sup> Street  
Novato, CA 94945

Assistant Superintendent Hawkins-

1 | I write this letter in support of San Marin High School stadium lights project. I grew up in San Rafael, graduating from San Rafael High School in 1993. One of my good memories of high school was attending Friday night football games under the lights. I believe games played under the lights tend to bring out larger crowds and build school spirit. I never observed these games cause any issues. Later as a police officer in San Rafael, I found these games to be great family events and rarely encountered any problems.

One of the reasons my wife and I moved to Novato in 2005 was more affordable housing, but also the sense of "community." As parents of a 1<sup>st</sup> grader at San Ramon Elementary School, we could not be happier with the quality of the teachers and the "community" we have become a part of. I did not feel this sense of community while growing up in San Rafael or my wife in Santa Rosa.

I believe the addition of lights at San Marin High School will only grow the sense of community in the San Marin area. Games will be more well attended because the hours will be more conducive to families attending. Our two sons, 1<sup>st</sup> grader and preschooler at All Saints Children's Center, will attend San Marin High School in a few years. I sincerely hope they are able to play or attend sporting events at the school under the lights. I urge the Novato School District to approve lights at San Marin High School.

Respectfully submitted,



Jim and Laura Correa  
332 San Luis Way  
Novato, CA 94945

## Letter 23

**COMMENTER:** Jim and Laura Correa

**DATE:** January 16, 2017

### **Response 23.1**

The commenter states support for the project. This comment is noted.



**From:** Adam Cretti [mailto:arcretti@hotmail.com]  
**Sent:** Monday, February 27, 2017 7:48 PM  
**To:** Environmental Report  
**Subject:** San Marin Lights

1 To Whom It May Concern,

I am a graduate of San Marin High School from the class of 1993. Since then, I have gone on to participate in Division I Track in College as a Shot Put and Hammer Thrower. I have coached at a major universities around the country and at the most academically and athletically successful high school in California as a sports performance coach. I have worked with athletes from every level from 4 year olds playing AYSO to NCAA Champions, to NFL combine participants to medalists in both the winter and summer Olympics. I owe quite a bit of my success that I have had in life and as coach to the athletic experiences I have had all over Novato as a youth in Park and Rec and most importantly as three sport letter winner at San Marin. I held my school in such high esteem that I was extremely disappointed to learn about the academic down slide that has occurred at San Marin over the past several years.

As a student athlete, there is no greater thrill than to play under the lights in a stadium full of people. As a student, there is no greater anticipation than going out to support your friends at night under the lights.

As a parent, I have major concerns about the monetary and non monetary cost associated with the risks in putting in lights at the field at San Marin.

2 **Project Objectives**

The objectives of the proposed project are to:

1 Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.

The privilege of playing in a high school sport should only go to those students who can handle the rigors of scholarship first and foremost. If they can not handle missing a few classes in order to participate then they should not be playing sports. How many classes are they missing. It should only be for games. Which should only be for away games and a game at Novato High should not count for early dismissal. An option that the Trinity league uses in Orange County is schools have increased the academic schedule to include classes for athletes during period 1 so that athletes can practice or travel during the last period of the day. They do this while encompassing religious studies as well as all the mandated scholastic requirements including a full offering of AP classes. This way the proceeds from the recent bond measure goes into academics. Hiring more teachers if necessary, and reducing class sizes during the day so that students get more attention. That is what a majority of Trinity League schools do in Orange County, arguably the most competitive athletic league in all the CIF.

How are a kids academics going to be effected by getting home at 730 or 8 o'clock at night on a regular basis? Best case scenario practice is from 5-7pm. By the time they take off their cleats, cut their tape and grab their books they are home by 730. Now they have to shower and eat. 8

2  
cont.

o'clock best case scenario they start to do home work. 3 hours of home work a night. In bed by 11. That is with out any socializing with friends or family. The argument is they will have time to study before practice. Any student who is motivated and mature enough to study from 3-430 while at school with a number of their friends around will not be effected by being dismissed early for a game a week during the season.

3

2 Allow for the scheduling of games at times when students, parents, and community members can more easily attend the events, which would increase school spirit and increase revenue from ticket purchases. Games or competitions are only a small portion of what the lights will be used for. The lights will primarily be used for practices. What about the increased costs to the student's health that having a longer day will include? So lights will allow practices to start at 5 or 6 pm. There will be students who will get out of school at 2:45. What will that student do from 2:45-6? Study, where? Will the library be open? Will there be a classroom open to accommodate these kids? Who will supervise? They will find a place on campus to sit. Outside? What about when it is December through February and cold? Again, students will be on campus and there will be no one to supervise them. Is it expected that a student's day could conceivably be from 745 am to 8 pm on a regular basis? At School for 12 hours a day?

Now it is 8 or 8:30 pm and that student has to walk home. They have to walk back through a darkened campus to get their books from their locker. Who is responsible/liable for that student's safety? Now they live on the other side of O'Hair park on Michele Circle (only a half mile away) they have to cross O'hair park at 830 at night. I would not want my 13-18 yr old daughter walking past that park at night by herself. Have we forgotten the lessons we should have learned from the Jennifer Moore tragedy. (Novato Spring 1989) She was meeting a friend during the day and walked across an empty parking lot in the afternoon never to be heard from again.

What about the impact this could have on family time? So parents can watch their kids play under the lights. Wouldn't the families be better served by having more traditional family time to spend together? Family dinners? A later practice schedule takes the student away from their family during night time meals. A time to come together and share with one another as a family.

4

3 Provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities, in an alcohol-free environment.

When I was a student, Friday night games were an opportunity to drink with my friends, meet up with girls and get in fights with opposing fans. That is what 13-18 yr old boys like to do. Where will they do this? O'hair park is a nice dark spot for a little "pre-game". Anybody's house near by? The Chalk Hill a great place to watch the the game from afar with friends while drinking and smoking. The creek behind the school? That would be a great place to stash a cooler to open up at half time. What about the kids who then drive away?

Parking... I am sure the amount of Jaywalking, across San Marin Drive, after games as people head to their cars will only increase. Jumping out the median at night after a game to get to a car on the other side not a good idea. Who will be responsible to make sure that people are not doing this? There will be a major traffic incident due to a crowd leaving a lighted event. It has not happened at basketball games yet. San Marin has the parking to accommodate a

4  
cont.

crowd for basketball games. Football games will be at least 4 times that amount. What about the parents who decide to tailgate or have a few drinks before their son's game on a Friday night? Everyone likes to say that these things will never happen. However, they do. Who is responsible for making sure that the parents behave at the games.

5

4 Improve athlete safety by providing superior lighting conditions during evening practices and sports events.

Again, what about the safety of those students waiting around for practices or games. How safe will a child be who has been at school for 10 hours and then is expected to perform at a high level at practice? How would the use of stimulants such as RedBull or Monster drinks be policed? The use of those types of stimulants prior to intense workouts or practices could be catastrophic.

Who is responsible for the students walking back through campus at night after those games or practices? Especially once predators realize there are patterns to kids activities. What about the older sibling waiting around to drive their sibling home after the later practice. Who will supervise them?

6

5 Improve safety by minimizing incompatible uses from sharing the field (e.g.: lacrosse teams and track/field teams practicing at the same time means that lacrosse balls may hit runners on the track).

A higher net around the field would fix the problem and be a lot less expensive. Can Lacrosse use the upper field where the old Softball Field used to be? We used to fit a Soccer field in there. Now that the Softball field has been moved there should be enough space for a lacrosse field and it should meet the safety halo requirements for CIF. Especially if a fence is around the JV baseball field. Does the JV baseball team need a full field to themselves? I have seen CIF championship teams share field space by utilizing bull pens and batting cages to achieve great results. Better scheduling and creative practices can solve a lot of these issues

7

6 Improve the public address system to focus and contain sound within the stadium.

This is the only benefit to the surrounding neighborhoods. They have been good neighbors for 30+ years it is about time they got some pay back.

Regards,

Adam Cretti

## Letter 24

**COMMENTER:** Adam Cretti

**DATE:** February 27, 2017

### **Response 24.1**

The commenter states that they are a SMHS graduate and provides background on their experience playing and coaching sports. The commenter states concerns about the costs associated with the installation of the lights at SMHS. The commenter's opposition to the project is noted. The commenter's specific concerns relating to the project objectives are addressed below under each specific comment.

### **Response 24.2**

The commenter discusses and states opinions regarding one of the project objectives. These comments are noted, but do not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 24.3**

The commenter discusses and states opinions regarding another of the project objectives, and states concerns regarding student safety. These comments are noted, but do not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see also Master Response D — Public Services and Safety.

### **Response 24.4**

The commenter discusses and states opinions regarding another of the project objectives, and states concerns regarding student safety. These comments are noted, but do not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see also Master Response D — Public Services and Safety.

### **Response 24.5**

The commenter discusses and states opinions regarding another of the project objectives, and states concerns regarding student safety. These comments are noted, but do not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see also Master Response D — Public Services and Safety.

### **Response 24.6**

The commenter states that a higher net around the field would address one of the project objectives, and be less expensive. The commenter discusses various options such as field sharing and different scheduling.

The Draft EIR evaluates the project as proposed. Although no changes to the Draft EIR are warranted, the commenter's suggestions will be forwarded to NUSD's decision makers for consideration.

**Response 24.7**

The commenter concludes by stating an opinion that the improved public address system is the only benefit of the project to surrounding neighbors. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

Letter 25

From: cdanford [mailto:cdanford@yahoo.com]  
Sent: Tuesday, February 07, 2017 3:28 PM  
To: Environmental Report  
Subject: SMHS stadium lights

1 | I live in the San Marin area and feel this would be too bright and too loud, NO LIGHTS.

Sent from my iPhone 5

## Letter 25

**COMMENTER:** C. Danford

**DATE:** February 7, 2017

### **Response 25.1**

The commenter states that they live in the San Marin area and feels that the proposed project would be too bright and too loud, and therefore they oppose the project.

The commenters stated opposition is noted. Although the commenter does not provide specific comments on the Draft EIR, please see Master Response A – Lighting and Aesthetics and Master Response B – Noise for information on these topics.

Letter 26

**From:** delcarlojp@comcast.net [mailto:delcarlojp@comcast.net]  
**Sent:** Tuesday, December 27, 2016 9:25 AM  
**To:** Environmental Report  
**Subject:** new fields and lighting

Ms. Hawkins,

1 | I've been made aware of a proposal to expand/improve the existing fields on the northwest end of the San Marin HS campus. Its also been brought to attention that these fields would be lit, utilizing 80-ft utility poles and be in operation for dailly use six days a week. This appears to be a seperate project than the improvements proposed to the existing football field.

Can you please provide me any literature available that discusses this proposal?

I recently purchased a home, just north of the campus, and the lights and daily use of these fields will certainly have a negative impact on me personally and also on the value of my home.

Thanks in advance for your help in providing me some clarity on this issue.

James Del Carlo  
28 Sandy Creek Way  
Novato, CA 94947  
650.208.4011



## Letter 26

**COMMENTER:** James Del Carlo

**DATE:** December 27, 2016

### **Response 26.1**

The commenter requests information on the proposed project and states an opinion that the project would have a negative impact on them and their property values.

These comments do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please also see the Master Response F – Property Values.

Letter 27

On Jan 2, 2017, at 6:35 PM, Russell Dodge <[russelldodge@icloud.com](mailto:russelldodge@icloud.com)> wrote:

1 | I was surprised to read in the Draft EIR that the available fields near San Marin are considered unusable. If the district has no use for the fields why are they keeping the land. I know there are provisions for land no longer needed.  
Does the unused site program cover these fields? Does it plan on selling them and returning them to the state? Are they paying the special fee?

## 1 UNUSED SITE PROGRAM

The Unused Site Program requires that districts and county superintendents of schools pay a fee for properties that are not used for school purposes after specific time periods.

The Unused Site Program became law in 1974. The provisions of this program are governed by Education Code (EC) Sections 17219 through 17224. In addition, the State Allocation Board (SAB) has adopted regulations set forth in Title 2, Subgroup 10, California Code of Regulations, commencing with Section 1864.1 through 1864.10, which affect the administration of this program.

[Unused Site Program Handbook](#) (PDF)

See all [Unused Site Program forms](#) (link).

### 1.1 Definition

For purposes of EC Section 17219 et. seq., a site is considered “unused” unless it meets at least one of the following exclusions:

- The site is currently used for the specific purposes for which it was acquired. This means use as an active K–12 school. A district may substitute a site acquired for use at one grade level for use at another grade level.
- The site is currently used to house students for any California Department of Education program (including Adult Education) authorized by the Legislature, and operated by public school districts for which the district is receiving State School Fund apportionments.
- The site is currently used to house Special Education students.
- The site is currently used for district administration purposes including such support services as warehousing and maintenance facilities.
- The site is currently used for preschool or child care centers when operated by or under contract with a public school district or a county superintendent of schools.
- The site is currently used for a community college if attendance is allowed for high school students in the eleventh or twelfth grade.
- 

Russell Dodge  
[russelldodge@icloud.com](mailto:russelldodge@icloud.com)  
Cell: 415.246.8746  
[russelldodge@icloud.com](mailto:russelldodge@icloud.com)

## Letter 27

**COMMENTER:** Russell Dodge

**DATE:** January 2, 2017

### **Response 27.1**

The commenter asks questions about the District's use of land, but does not question or challenge the analysis or conclusions of the Draft EIR. A specific response is not required here.

# WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!

Letter 28

- 1 • **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) "*identifies potentially significant impacts related to aesthetics.*" The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
- 2 • **Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen miles away.
- 3 • **Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR "*identifies a significant unavoidable impact with respect to crowd and PA*"!
- 4 • **This project is Not for San Marin student games!** Mostly it's for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- 5 • **Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- 6 • **Traffic!** Dozens of extra cars on our roads for each team's practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 nights a year?
- 7 • **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name

Robert Ederman

Address:

239 San Felipe Way

Novato, CA 94945

Add to Your Public Comments here and on back:

## ***Let Your Voice Be Heard: Call, Write, Attend!***

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
Yaney Hawkins- Assistant Superintendent of Business and Operations  
Novato Unified School District, 1015 7th Street, Novato, CA 94945  
Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

### **Act Locally. Please Attend Upcoming Public Meetings:**

Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.  
Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 28

**COMMENTER:** Robert Eilerman

**DATE:** Not indicated

### **Response 28.1 through 28.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

To - Yancy Hawkins

**WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!**

- 1 • **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) "*identifies potentially significant impacts related to aesthetics.*" The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
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- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name

J. Emge

Address:

80 San Marin Drive

Novato, CA 94945

9 **Add to Your Public Comments here and on back:**

I oppose the installation of lights @ San Marin.  
 It will increase the already congestion on San Marin.  
 Furthermore it will encourage kids loitering beyond  
 the time causing unnecessary noise.

**Let Your Voice Be Heard: Call, Write, Attend!**

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
 Yancy Hawkins- Assistant Superintendent of Business and Operations  
 Novato Unified School District, 1015 7th Street, Novato, CA 94945  
 Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

**Act Locally. Please Attend Upcoming Public Meetings:**  
 Final EIR meeting: February 28 at 6:00 pm at NUSD boardroom.  
 Final Approval meeting: March 7 at 6:00 pm at NUSD boardroom.

## Letter 29

**COMMENTER:** J. Emge

**DATE:** Not indicated

### **Responses 29.1 through 29.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

### **Response 29.9**

The commenter states opposition to the proposed project and cites general concerns about traffic on San Marin Drive, event attendees loitering after events, and noise. The commenter does not provide specific comments on the Draft EIR on which to base a specific response. Please see Master Response B —Noise, Master Response C —Traffic, and Master Response D – Public Services and Safety.



Letter 30

From: Sonja Engler [mailto:sonjad@comcast.net]  
Sent: Friday, February 24, 2017 11:02 AM  
To: Environmental Report  
Subject: San Martin lights

1 | Please put the lights in.  
This has taken years !!

Sent from my iPhone

## Letter 30

**COMMENTER:** Sonja Engler

**DATE:** February 24, 2017

### **Response 30.1**

The commenter states support for the proposed project. This commenter, while noted, is not a comment on the Draft EIR.

# **WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!**

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- 4 • **This project is Not for San Marin student games!** Mostly it’s for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
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- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name Tim Erikson

Address: 5 San Carlos Way Novato, CA 94945

9 **Add to Your Public Comments here and on back:**

*I don't like the idea of Night Games because of the crime + noise it will bring*

### **Let Your Voice Be Heard: Call, Write, Attend!**

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**

Yancy Hawkins- Assistant Superintendent of Business and Operations

Novato Unified School District, 1015 7th Street, Novato, CA 94945

Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

### **Act Locally. Please Attend Upcoming Public Meetings:**

Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.

Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 31

**COMMENTER:** Tim Eriksen

**DATE:** Not Indicated

### **Responses 31.1 through 31.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

### **Response 31.9**

The commenter states opposition to the proposed project and cites general concerns about crime and noise. The commenter does not provide specific comments on the Draft EIR on which to base a specific response. Please see Master Response B —Noise and Master Response D – Public Services and Safety.

Letter 32

> From: Toni Esposti [<mailto:TEsposti@comcast.net>]  
> Sent: Friday, March 3, 2017 7:59 PM  
> To: JIM HOGEBROOM <[JHOGEBOOM@nUSD.org](mailto:JHOGEBOOM@nUSD.org)>; Environmental Report  
> <[EIR@nUSD.org](mailto:EIR@nUSD.org)>; TOM COOPER <[TCOOPER@nUSD.org](mailto:TCOOPER@nUSD.org)>; GREGORY MACK  
> <[gmack@nUSD.org](mailto:gmack@nUSD.org)>; MARIA LUISA AGUILA <[MAGUILA@nUSD.org](mailto:MAGUILA@nUSD.org)>; ROSS  
> MILLERICK <[RMILLERICK@nUSD.org](mailto:RMILLERICK@nUSD.org)>; SHELLY SCOTT <[SSCOTT@nUSD.org](mailto:SSCOTT@nUSD.org)>; DEREK  
> KNELL <[DKNELL@nUSD.org](mailto:DKNELL@nUSD.org)>; DEBBIE BUTLER <[DBUTLER@nUSD.org](mailto:DBUTLER@nUSD.org)>  
> Cc: pete sark <[xpetesark@gmail.com](mailto:xpetesark@gmail.com)>  
> Subject: Lights at San Marin High School

> This e-mail is to express our opposition to the proposed lights at San Marin High School.

> Our personal reason is that our home backs up to San Marin High School in the Novato Chase HOA and our Master Bedroom runs along the back of our home. When the fields are being used during the day, with the way the sound travels, we hear the crowds and loud speakers very clearly. We don't find this an issue during the day however in the evening, it will severely impact our quality of life whether we are entertaining in our backyard or just want a quiet evening.

> In addition to our personal reason for opposing the lights, there is a good argument to be made that the funds are best directed towards the improvement of academic performance. In the EIR it indicated one of the goals is in fact "to improve academic performance by minimizing early class dismissal and missed instruction time for student athletes"; it seems that one of the worst ways to accomplish this is by making students have to stay late for practice and reducing their homework time and family time.

> This proposal is just for one of the High Schools in Novato. A better solution that has been proposed is to fund a community based, one lighted stadium solution in a central location like IVC; this way both high schools would be able to use the fields and there would not be a need for another huge spending proposal. There is not need to waste money on two stadiums; there should just be one community stadium that both high schools can share in an appropriate location. The EIR most alternative solutions were dismissed without showing any support for these conclusions.

> The fact that the traffic measurements were taken during the Summer, when traffic is much lighter than during the school year, is not an accurate reflection of what the actual impact will be and seems to show the bias of the EIR. Additionally, since this is an EIR; shouldn't a biological study showing the impact of these lights and the evening games have been evaluated as it relates to the environmental impact?

> Again, we would like to express our strong opposition to this plan.

> Toni Esposti and Peter Sarkissian  
> 52 Sandy Creek Way  
> Novato, CA 94947

## Letter 32

**COMMENTER:** Toni Esposti

**DATE:** March 3, 2017

### **Response 32.1**

The commenter states that they are opposed to the proposed project, specifically because their home backs up to San Marin High School and they can hear the sound from events during the day. The commenter also states that they do not have an issue with the noise during the day, but is concerned that noise during the evening will severely impact their quality of life.

The commenter's stated opposition for the proposed project is noted. Please see Master Response B – Noise regarding noise impacts.

### **Response 32.2**

The commenter states an opinion that the school's funds are best directed towards the improvement of academic performance. The commenter quotes a goal of the project (to improve academic performance by minimizing early class dismissal and missed instruction time for student athletes) and states an opinion that having students stay late for practice, which could reduce time for homework and family, seems like the worst way to accomplish this goal.

These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see also Master Response G – Project Cost regarding project costs in the context of CEQA.

### **Response 32.3**

The commenter states an opinion that the project would benefit just one of the High Schools in Novato, and suggest that a better solution would be to fund a community stadium that is centrally located, possibly at Indian Valley College so both schools would be able to use the field. The commenter opines that there is no need to waste money on two stadiums, and that the Draft EIR dismissed alternatives without showing support for the conclusions. Potential alternatives for the proposed project are addressed in Section 6, *Alternatives*, of the Final EIR. Additionally, please see Master Response E – Alternatives.

### **Response 32.4**

The commenter states an opinion that the traffic measurements that were taken during summer do not provide an accurate reflection of what the impact would be. Please see Master Response C – Traffic for a response to this comment.

### **Response 32.5**

The commenter states an opinion that a biological study showing the impact of lights and the evening games should be included in the evaluation. The commenter concludes by reiterating their opposition to the project.

The commenter's opposition is noted. Please see response to Comment 5.1.

## WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!

- 1 • **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) *"identifies potentially significant impacts related to aesthetics."* The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
- 2 • **Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen miles away.
- 3 • **Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR *"identifies a significant unavoidable impact with respect to crowd and PA"*!
- 4 • **This project is Not for San Marin student games!** Mostly it's for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- 5 • **Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- 6 • **Traffic!** Dozens of extra cars on our roads for each team's practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 nights a year?
- 7 • **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name

Joan Fair

Address:

64 San Carlos Way

Novato, CA 94945

**Add to Your Public Comments here and on back:**

### ***Let Your Voice Be Heard: Call, Write, Attend!***

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
 Yancy Hawkins- Assistant Superintendent of Business and Operations  
 Novato Unified School District, 1015 7th Street, Novato, CA 94945  
 Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

### **Act Locally. Please Attend Upcoming Public Meetings:**

Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.  
 Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 33

**COMMENTER:** Joan Friel

**DATE:** Not Indicated

### **Responses 33.1 through 33.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.



# WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!

**We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) *"identifies potentially significant impacts related to aesthetics."* The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and the nearby San Marin resident neighbors! The light towers may be among the tallest structures in Novato.

**Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen from miles away.

**Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors.

Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9.

Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR "identifies a significant unavoidable impact with respect to crowd and PA"!

**This project is Not for San Marin student games!** Mostly it's for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?

**Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights.

More fire danger, medical emergencies and crime in San Marin.

**Traffic!** Dozens of extra cars on our roads for each team's practice, hundreds for the big games.

Few public transit buses at night, long waits, people have to drive, and park. 300 nights a year?

**Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. We believe San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.

**We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors of San Marin.

Your Name and Address:

Jane Gannon

258 San Felipe Way

Novato, CA 94945

Add to Your Public Comments here and on back:

We are against lights at night at SMHS. Bad for the environment. Bad for neighbors. Crime, Traffic, Noise.

*Let Your Voice Be Heard: Call, Write, Attend!*

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**

Yancy Hawkins- Assistant Superintendent of Business and Operations  
Novato Unified School District, 1015 7th Street, Novato, CA 94945  
Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

WE VOTE  
NO!

**Act Locally. Please Attend Upcoming Public Meetings:**

Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.

Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 34

**COMMENTER:** Jane Gannon

**DATE:** Not Indicated

### **Responses 34.1 through 34.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

### **Response 34.9**

The commenter states opposition to the proposed project and cites general concerns about traffic, crime and noise. The commenter does not provide specific comments on the Draft EIR on which to base a specific response. Please see Master Response B —Noise, Master Response C —Traffic, and Master Response D – Public Services and Safety.

Letter 35

EIR Phone Call from Janice Gannon

- 1 | Lives at 250 San Felipe Way. She voices strong opposition. Noise, lights, danger, crime not in character with the neighborhood. Money should be used to benefit academics.

## Letter 35

**COMMENTER:** Janice Gannon

**DATE:** Not indicated

### **Response 35.1**

The commenter states opposition to the proposed project. Specifically, the commenter states an opinion that potential effects related to noise, lights, and crime would not be in character with the community, and states an opinion that the money should be used to benefit academics.

The commenter's stated opposition to the proposed project is noted. The comments related to aesthetics, noise and danger and crime are not specific to the Draft EIR analysis, and thus specific responses are not possible. Please see Master Response A– Lighting and Aesthetics; Master Response B – Noise; Master Response C – Traffic; Master Response D – Public Services and Safety; and Master Response G – Project Cost.

Letter 36

**From:** Diannegargano@aol.com [mailto:Diannegargano@aol.com]  
**Sent:** Tuesday, February 07, 2017 2:52 PM  
**To:** Environmental Report  
**Subject:** San Marin Stadium Lights Project

1 | Dear Mr. Hawkins,

We have lived on San Marin Drive for many years and our children attended San Marin High School. We are well-aware of the negative factors of living close to a high school: reckless, erratic and speeding drivers; drivers not stopping at stop signs; increased traffic and congestion on rainy days, daily school morning arrivals and afternoon departures; groups of students at the nearby shopping center during lunch time and after school; game day noise; parking in front of our house during heavily attended school functions; and, last but not least, lower property values. Many people do not want to live on a busy street near a high school for many of the reasons I listed. Night lights will add another reason.

Those inconveniences do have a negative affect on our quality of life during the school year.

2 | With the installation of stadium lights, we will be subject to the above inconveniences not only during the day but also during the non-daylight and non-school hours. At least now the inconveniences are mostly during the school year and during day time. I assume that the fields/lights will be used during the non-daylight hours of summer/winter/spring school breaks by other organizations. In other words, noise, traffic, congestion, etc will be with us and our neighbors at night all year long. That is unacceptable.

We are very much opposed to the San Marin High School Stadium Lights Project.

Please feel free to contact me if you have any questions or comments.

Regards,

Dianne Gargano  
415-269-2526

## Letter 36

**COMMENTER:** Dianne Gargano

**DATE:** February 7, 2017

### **Response 36.1**

The commenter states concerns regarding the proposed project including unsafe drivers, delays, noise, and reduced property values.

The commenter's stated opposition to the proposed project is noted. Please see Master Response B – Noise; Master Response C – Traffic; and Master Response D – Public Services and Safety. For information regarding property values in the context of CEQA, please see Master Response F – Property Values.

### **Response 36.2**

The commenter states that with the installation of the stadium lights, they would be exposed to the specific factors outlined in Comment 36.1 during both the day and night. Please see response 36.1.

Letter 37

**From:** grace624@comcast.net [mailto:grace624@comcast.net]  
**Sent:** Friday, February 10, 2017 12:31 PM  
**To:** Environmental Report  
**Subject:** San Marin lights

Dear Mr. Hawkins,

1 | I am responding to the letter you mailed to my address regarding the addition of lights on the football/soccer field. My husband and I appreciate being "in the loop" about upcoming changes in our neighborhood.

We are far enough away not to be greatly affected by noise or glare, and I truly believe that the new lights do everything currently possible to reduce glare. Our only concern would be that the NPD have the budget and manpower for additional patrols of the area during and after all night games.

2 | Night games would be a benefit to the school, the students, and (up to a point) to the nearby businesses in the Harvest shopping center. We hope, with only one caveat, that the lighting plan will go through.

--Sincerely, Carolyn Gerrans, 19 Dorothy Way

## Letter 37

**COMMENTER:** Carolyn Gerrans

**DATE:** February 10, 2017

### **Response 37.1**

The commenter states that they are far enough away from the project site not to be greatly impacted by noise or glare and believe that the project includes every possible component to reduce glare. The commenter states that their only concern relates to the Novato Police Department (NPD), and asks if NPD has the budget and manpower to complete additional patrols of the area during and after all night games.

Public services impacts are discussed in Appendix A of the Draft EIR, Revised Draft Initial Study, under Item XIV, *Public Services*. As discussed there, impacts related to police services would be less than significant. Please also see Master Response D – Public Services and Safety.

### **Response 37.2**

The commenter states that the night games would benefit the school, the students, and possibly the nearby businesses in the Harvest shopping center and hope that the plan goes through, except for in relation to their concern regarding police services. Please see Response 37.1.



**From:** Allison Gibson [mailto:allison.gibson@sjsu.edu]  
**Sent:** Wednesday, January 18, 2017 12:46 PM  
**To:** Environmental Report  
**Subject:** Disapproval of Stadium Lights

I am voicing my displeasure of the proposed stadium lights at San Marin High School.

1 **NOISE:**

My main concern is noise pollution. i grew up on Santa Gabriella Ct; the hillside of my background looks directly onto the football field. my neighbors have the football field as their BACKYARD. The noise is overwhelming loud from this distance in our neighborhood. There NEEDS to be a SETBACK, as current conditions CANNOT possibly meet CEQA/NEPA requirements.

I've been woken up on WEEKENDS by the local adult soccer league, as well as the hyouth league games, at 8 AM when they are testing the PA system.

This noise pollution will only continue to get worse as the proposed football games under the lights are scheduled to go until 10PM OR LATER.

By the way, I have a degree in Geography. i've taken planning and environmental policy classes. I'm currently working on my Masters in Geography.  
I expect a reply to this email.

Sincerely,  
Allison Gibson

## Letter 38

**COMMENTER:** Allison Gibson

**DATE:** January 18, 2017

### **Response 38.1**

The commenter states opposition to the proposed project. Specifically, the commenter states that their main concern is noise pollution. The commenter states that the existing noise is overwhelmingly loud from their residence and that there needs to be a setback, suggesting that the current conditions cannot meet CEQA/NEPA requirements, and that the project would increase noise concerns. It should be noted that the project is not federally funded and does not require approval from a federal agency, and therefore is not subject to NEPA. In addition, CEQA does not set forth noise “requirements,” such as a noise ordinance might do. CEQA does, however, require a lead agency to compare potentially significant impacts to significance thresholds. Please see Master Response B – Noise for a response to these comments and more information about the noise analysis in the Draft EIR.

**From:** Susan <[ggleeson20@comcast.net](mailto:ggleeson20@comcast.net)>  
**Sent:** Monday, February 13, 2017 7:48 PM  
**To:** GREGORY MACK  
**Subject:** Lights @ San Marin

February 13, 2017

1 | Dear Novato Unified School Board and Trustees:

Our son and daughter in law (a 1995 graduate of San Marin High School) recently realized their long hoped for dream of owning a home in Novato for themselves and our two lovely granddaughters, ages 4 and 2.

Their dream home, which borders the campus of San Marin High School, requires that they both work long hours. Their expectation was that the character of the area would stay as it was at the time of purchase; a quiet, residential neighborhood retaining or appreciating in value.

They did not move to a nuisance yet one now threatens their happiness. Please do not allow this by installing lights and permitting noisy use six or more nights a week.

San Marin High School has successfully been in place for nearly fifty years without these lights. We ask that you consider the quality of their lives, their children, as well as the lives of all those living in the area expecting the quiet character of their homes to remain.

Thank you for your consideration.

Sincerely,

Susan L. Gleeson

Gerald L. Gleeson, Esq.

## Letter 39

**COMMENTER:** Susan L. and Gerald L. Gleeson

**DATE:** February 13, 2017

### **Response 39.1**

The commenter states concerns regarding project impacts related to lighting and noise, but does not provide specific information or analysis to challenge the analysis or conclusions of the Draft EIR. Please see Master Response A – Lighting and Aesthetics regarding lighting impacts and Master Response B – Noise regarding noise impacts.

# WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!

- 1 • **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) *“identifies potentially significant impacts related to aesthetics.”* The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
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- 4 • **This project is Not for San Marin student games!** Mostly it’s for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
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- 7 • **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name Maura J. Hale

Address: 72 San Marin St Novato, CA 94945

9 **Add to Your Public Comments here and on back:**

*Don't do it*



**Let Your Voice Be Heard: Call, Write, Attend!**  
**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
 Yancy Hawkins- Assistant Superintendent of Business and Operations  
 Novato Unified School District, 1015 7th Street, Novato, CA 94945  
 Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

**Act Locally. Please Attend Upcoming Public Meetings:**  
 Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.  
 Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 40

**COMMENTER:** Jane Gannon

**DATE:** Not Indicated

### **Responses 40.1 through 40.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

### **Response 40.9**

The commenter states opposition to the proposed project. This comment is noted.

**From:** Rob Hardman [mailto:rhardman@polynesianline.com]

**Sent:** Sunday, January 22, 2017 5:23 PM

**To:** Environmental Report; TOM COOPER; dbutler@nusk.org; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT

**Subject:** Lights for San Marin HS

Dear All,

1 | We live right next door to the San Marin field in the Madera Marin Community. I was given your email addresses from our HOA. They encouraged us to write to you and voice our concerns and be against the lights. They will be disappointed in my message.

From what I can tell in talking with neighbors, my wife and I are the lone wolves that are in favor of the lights for the San Marin HS field. I am going to keep it brief, but want to explain why I am taking the minority view in my community.

It's for the kids. My sons are graduates of SMHS and so it's not for my kids, it is for the current students. Night games will bring more people out to the games and add to the experience for players and non-playing students, parents and fans. It will build a sense of community. If you didn't grow up here, think back to your high school years and Friday night football games. You can't help but have fond memories.

It would be good for local business as many of those that attend will go out to dinner before or after a game.

Also, I am really tired of the overly prevalent "not in my back yard" attitude that is such a hallmark of living in Marin.

Thanks for your consideration and thanks for your service to the kids.

Sincerely & Best Regards,

Rob Hardman

## Letter 41

**COMMENTER:** Robert Hardman

**DATE:** January 22, 2017

### **Response 41.1**

The commenter states support for the project but does not provide comments on the Draft EIR specifically. The commenter's stated support of the project is noted.



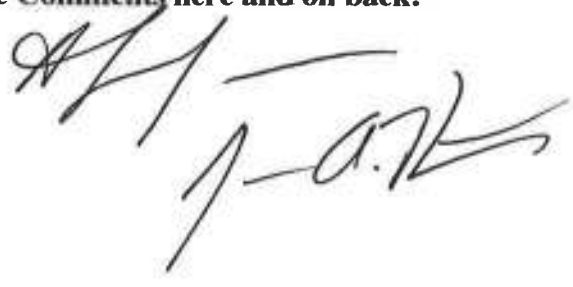
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- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name Jesse and Alla Helton

Address: 68 San Marin Dr Novato, CA 94945

**Add to Your Public Comments here and on back:**



**Let Your Voice Be Heard: Call, Write, Attend!**

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
Yancy Hawkins- Assistant Superintendent of Business and Operations  
Novato Unified School District, 1015 7th Street, Novato, CA 94945  
Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

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Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 42

**COMMENTER:** Jesse and Alla Helton

**DATE:** Not Indicated

### **Responses 42.1 through 42.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

**From:** hickeys1016@comcast.net [mailto:hickeys1016@comcast.net]  
**Sent:** Monday, January 23, 2017 3:29 PM  
**To:** millerick@nUSD.org; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; DEREK KNELL  
**Cc:** Environmental Report; LESLIE BENJAMIN  
**Subject:** Support for lighted field at San Marin

**Dear Novato Unified Board of Trustees,**

1 | I am writing this letter in support of the lights project at San Marin High. I want to first sincerely thank you all for being so professional and diligent in this process by listening to all sides of concern regarding this project. I have attended most of the meetings that have been held at both the NUSD office as well as the community meetings. In my opinion The school Board has been fair, impartial and truly wants the best decision made for our community as a whole.

I am in total support of putting these lights in at San Marin. I was raised in Novato attending West Novato Grammar School (No Longer exists), Sinaloa Jr. High School (When it was a Junior High) and San Marin High School graduating in 1985. Since my graduation over 30 years ago my wife and I have tried to follow my Father, Mother, Uncle and Brother's footsteps, by working hard in our community volunteering at the Schools (PTA) and Youth Sport programs both as Coaches and Administrators. My Family collectively has volunteered well over 80 years of service to this community and we have all been very honored and thankful to be a part of this amazing City.

I feel that installing lights at San Marin will benefit all. First for the residents that are opposed to the lights, I feel that they will benefit in a couple of ways. First of all the reduced noise from an updated P.A. system. The system that is in place now would be replaced and would direct the broadcast toward the field rather than outward toward the residents. The other team sports that use the football field and would the lights rarely if ever use the P.A. system. Next, the Youth Football organization is committed to having games played on Saturday rather than Sunday which in turn would give the residents a break on Sunday's throughout the year.

There are many safety reasons for the lights as well. With the new synthetic field and having to play games at the hottest time of the day has made heat stroke, muscle cramping and dehydration rates go through the roof. The lacrosse and Soccer teams have had to cut practices short due to the low visibility and not being

able to see the ball which could cause serious injury if a player is struck without seeing the ball.

As for the benefits for the residents and students I feel it is limitless. All of the athletes that play on the football field would benefit from playing at cooler times to allowing their families and supporters to see the games. The sports that are played during the Daylight Savings time would benefit the most. These sports are Soccer, Lacrosse and Track. These teams would be able to finish their school day, practice adequately, play their games to completion and at a time when the students parents and family could see them compete.

I also strongly believe that many students in the community that don't play sports want the experience the games on weeknights rather than on a weekend because it builds school and community spirit! For example most of the schools in the MCAL have 7:30 Boys Varsity Basketball games that are packed with students expressing school spirit! The students all plan what to wear and cheer on their classmates. It is a wonderful thing to see and it is a safe and positive social experience! This type of community and school spirit is what help make High School a fun interactive learning experience that helps students connect with school and help our community thrive.

I also want to mention something that has come up regarding crime and impact to the community. The basketball games that I mentioned above are a great example of how little impact numerous people and students who attend these games have in the community. I have been attending San Marin and Novato Basketball games for the past 30 years during this time there have been some issues at the games but all of these issues were handled by the school staff and the community surrounding the school was never affected. In the recent past these two schools have been completely packed for both the Boys and the Girls Varsity basketball games and there has been no impact to the community surrounding the schools. I also checked San Rafael Police Departments website and ran a check of crimes reported in the neighborhood surrounding San Rafael High School (Lighted Field) ranging from 08/01/16 thru 11/31/16. There were no listed reported crimes in that area on any Friday after 6:00 pm.

I could go on for hours in support of this light project, but in respect of your time I will wrap it up with the following.

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**I stated above that I feel all of you have been professional and diligent in regards to this project and have gone above and beyond in this process. I feel that you have set a standard of fairness and compassion for everyone involved and it should be a model for all future projects. I sincerely hope you all vote for these lights and all of the positive that can come from this project. If any of you wish to ask any further questions I have listed my contact information below.**

**Thank you for your time and all that you do for our community,**

**Jim Hickey  
415-518-0956  
36 Baca Vista**

## Letter 43

**COMMENTER:** Jim Hickey

**DATE:** January 23, 2017

### **Response 43.1**

The commenter states support for the project but does not provide comments on the Draft EIR specifically. The commenter's stated support of the project is noted.

**John W. Holzwarth**  
100 Corte Elena  
Greenbrae, CA 94904

Yancy Hawkins  
Asst Superintendent-Business  
Novato Unified School District  
1015 7th Street  
Novato, CA 94945  
EIR@nUSD.org

March 2, 2017

**Re: DRAFT EIR Regarding Proposed Lights at San Marin High School**

Dear Mr. Hawkins:

1 This letter summarizes omissions and errors contained in the Acoustical Study Prepared by RGD (Noise study) related to proposed installment of stadium lights (the Project) at San Marin High School (SMHS). The Noise Study is Appendix E of the Draft Environmental Impact Report (DEIR) dated December 2016. These omissions and errors cause the DEIR to fail to disclose significant negative impacts caused by the Project and is thus defective.

A proper acoustical study should include the following steps:

- Establish existing baseline conditions
- Identify all sources noise
- Predict changes in noise levels associated with the project
- Establish and compare to thresholds of significance
- Identify appropriate mitigation measures

The Noise Study has omissions and/or errors at each step of the process. This letter addresses these issues in turn below.

2 **Baseline Measurement**

The measure of baseline noise levels suffers from several fundamental flaws that make the assessment of potential significant impacts from noise levels incomplete and likely to fail to disclose to the public issues related to the project.

The Noise Study's reports baseline measures for a few days in August 2016 and over a 24 hour period in November 2016. These measurements are inadequate for the following reasons.

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- These measurements were made only during football season. The Project proposes new uses during other seasons of the year. Football season is associated with greater general noise than other sports seasons. As such, new uses will likely occur when a lower general baseline ambient noise exists and create potential significant impacts versus those lower ambient levels.
- There are no measurements of ambient noise levels during the winter months. In winter, earlier sunset times create a natural end to outdoor activities and as such tend to lead to lower ambient noise. As such, the Noise Study is flawed in its measurement of ambient noise for by lacking measurements during these times of year.
- The Noise Study contains no measurements of noise at the adjacent Novato Creek. As such, the DEIR contains no information to assess both noise-specific potential significant impacts as well as cumulative impacts for biological resources caused by the project.

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#### **Identify Sources of Noise**

The noise study fails identify all sources of noise related to the project. These include the following.

- The Noise Study fails to identify post-event noise related to the traffic of over 1,000 attendees leaving an event. This includes people talking, accelerating cars, honking, and car radio noise post event.
- The project contains no assessment of potential noise related to the playing of band instruments at games. The project description does not state that there is any prohibition against the playing of drums or hand instruments at games. This potential source of noise should be identified for further analysis or explicitly be banned from use at night associated with the project as part of a mitigation strategy.

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#### **Predict Changes in Noise Levels Caused By the Project**

The Noise Study suffers from numerous omissions and errors related to predicting changes in noise levels caused by the project.

- The Noise Study contains no predictions for activities other Varsity Football Games. As such, no predictions exist for non-varsity football games, soccer, lacrosse, Powder Puff and other anticipated events.
- The Noise Study does not contain adjustments for potential changes crowd levels associated with the Project. The Project Description states that the maximum number of seated attendees at SMHS for an event is 2,400 with capacity for an additional 1,600 standing attendees. The predicted noise measurements contain no assessment of how noise levels could exist at the

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Project with maximum attendance. As such, the DEIR fails to disclose the potential maximum nighttime noise levels associated with the project.

- The Noise Study fails to make adjustment changed atmospheric conditions for activities associated with the Project. The Noise Study does not disclose the temperature of humidity levels associated with the measurements made in August 2016 and November 2016. As such, there is no information available to make adjustments for changed atmospheric conditions. It is well understood with lower temperatures that noise will travel a greater distance and therefore be experienced at a louder level. The Project's shift in the time of the activities to the nighttime will have greater noise impact at night.
- Similarly, the Noise Study does not contain any discussion of adjustments for temperature inversion, which can also cause noise to be louder at test locations if activities occur at night versus the Noise Study's daytime measurements.
- The Noise Study contains no assessment of noise related to end of event traffic. The Project is likely to lead to additional noise related to traffic after football games. The need for over 1,000 participants and attendees to leave SMHS after games will create substantial amounts of traffic. This traffic will lead to the noise of cars accelerating onto streets and through intersection, honking, car radio music, and other activities associated with large crowds after sporting events.

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### **Threshold Analysis**

Following on the issues raised in the prior section, all of the problems described regarding omissions and errors in the predictions portion of the Noise Study mean that the threshold analysis is flawed and fails to disclose potential significant negative impacts associated with the study.

As an example, the following describes how the omissions described above lead to undisclosed potential significant impacts related to the project.

While the DEIR acknowledges that Varsity Football Games will cause significant negative impacts, the DEIR fails to provide any assessment of potential impacts related to other activities at the Project. The DEIR provides no analysis or reasoning for why these impacts do not need to be analyzed as part of an DEIR.

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In reviewing the DEIR, it is clear that the existing noise measures indicate that there would be substantial negative impacts related to other activities than Varsity Football Games. This is clear from a review of, for instance, Figure 3 from Appendix E of the DEIR (Figure 3). I have copied Figure 3 below.

Appendix E Figure 3

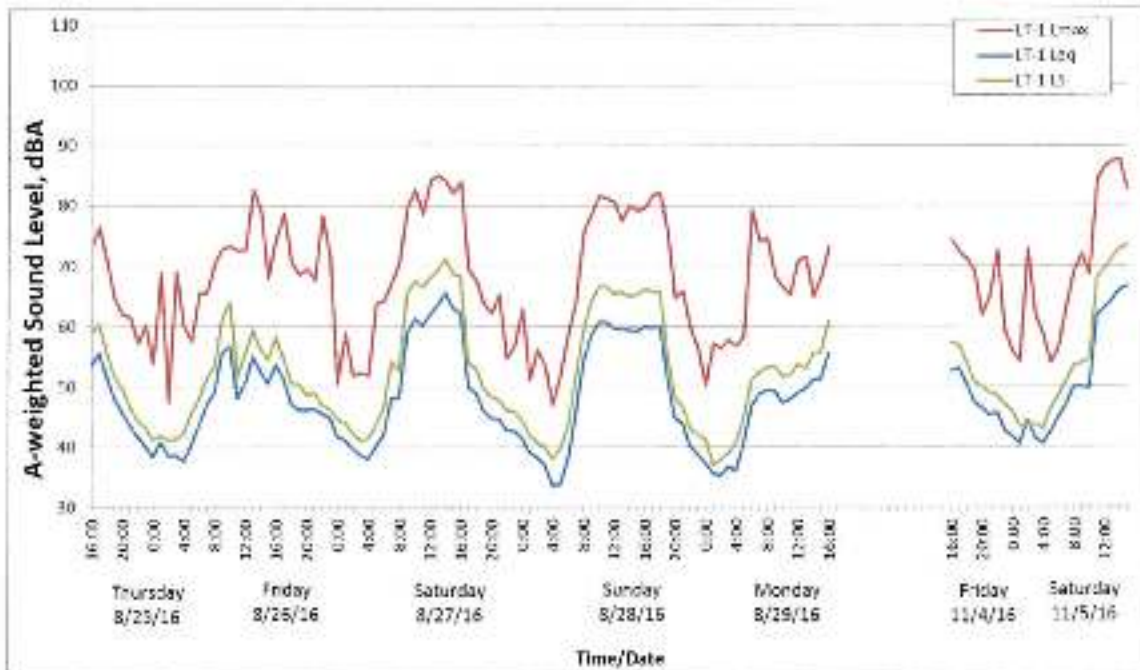


Figure 3 graphs various measurements of noise at the DEIR testing location LT-1. This location is "on the chain link fence at the school property line with homes on Santa Gabriella Court". The red line is the maximum noise level measured, such as a siren. The green line is L5, which is the highest 5% noise level. This is similar to the loudest three minutes of an hour. The blue line is average noise level. Appendix E provided more technical descriptions.

The lines show how noise levels vary across time during a measurement period from late Thursday August 25, 2016 to Monday afternoon August 29, 2016 and then measurements on Friday November 4, 2016 to Saturday Afternoon November 5, 2016. The large increase in noise levels on Saturday August 27, 2016 is caused by high school football activities and similarly the large increase in noise on Sunday August 28, 2016 is caused by youth football.

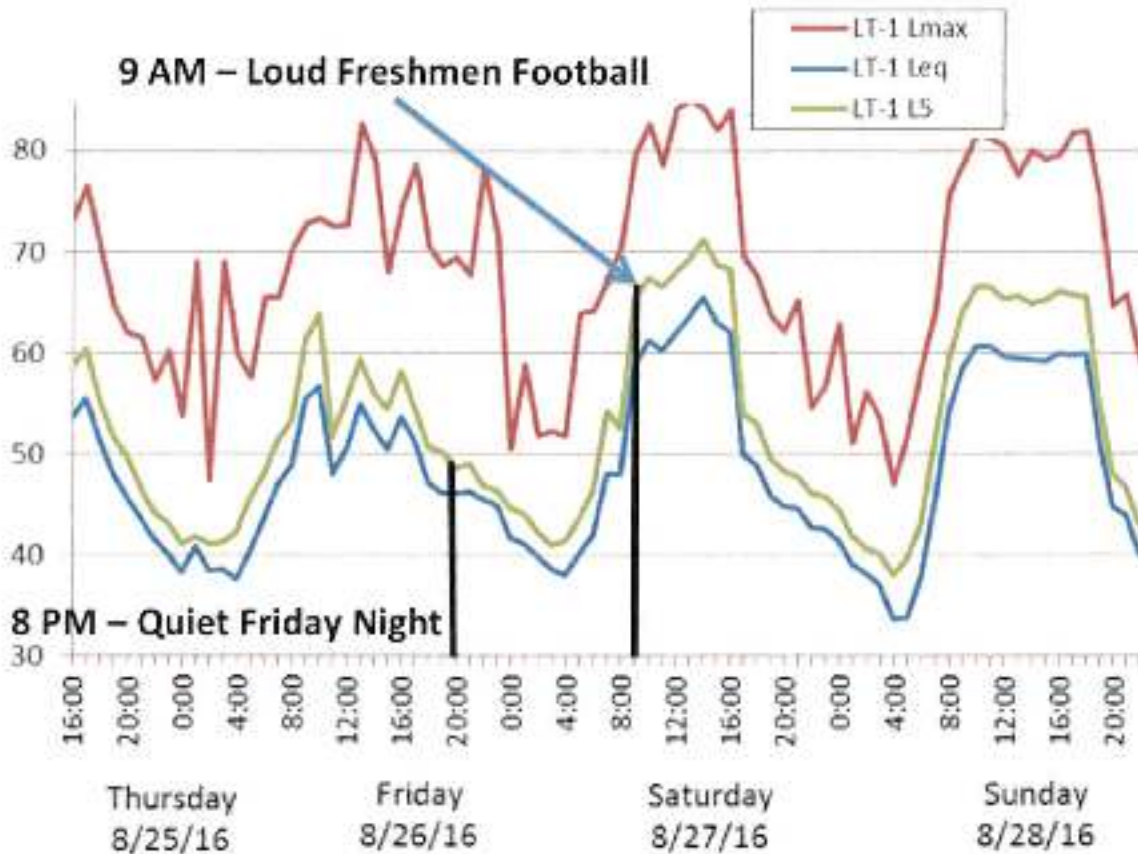
What the DEIR and Figure 3 does not make clear is that the elevated noise levels are not just caused by Varsity Football Game crowds but also much smaller crowds for freshman football and youth football. Similarly, the DEIR contains not threshold analysis of these other times of proposed usage for the Project.

I have created an enlarged version of Figure 3 that zooms in on the Friday August 26 and Saturday August 28, 2016 time period (Enlarged Figure 3). In creating this

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chart, I also note the measured noise levels for a Friday evening at 8 PM and 9 AM on Saturday morning.

Enlarged Figure 3 From Appendix E



As Enlarged Figure 3 shows, substantially elevated noise levels begin well before Varsity Football Games. In fact, substantially elevated noise levels begin around 9 AM at the time of freshman football games. This review of the DEIR raises several important issues

First, the data in DEIR indicates that substantially elevated noise levels are caused by much smaller events like freshman football. Freshman football games at 9 AM do not draw in substantial numbers of spectators beyond parents. As the DEIR contains no measurements of noise levels related to other activities such as soccer and lacrosse games or other proposed community events, the DEIR contains no analysis of potential substantial negative impacts from noise.

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Second, the best proxy for the noise levels created by these other types of events (soccer games or lacrosse games) that exists today are these measurements of freshman football games, as they will have similar attendance of primarily parents. The Enlarged Figure 3 indicates that the L5 for measure these types of events is 65

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cont.

dBa or greater and the Leq is 60 dBA or greater. In contrast, Enlarged Figure 3 shows L5 measures at 8 PM on a Friday night below 50 dBA and Leq measures around 45 dBA. These increases are well above Threshold 1 adopted for the DEIR, which limits L5 to 55 dBA. The report fails to consider this issue related to Threshold 2 and Threshold 3 of the DEIR.

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Third, a more likely estimate of the number of events causing significant negative impacts is around 50 as the project is proposed just for NUSD events. Rather than 5-9 Varsity Football Games causing significant negative impacts, other events like: soccer games, lacrosse games, freshmen football games, and junior varsity football games and will also cause significant negative impacts for the community.

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Fourth, the DEIR acknowledges that other community events may lead to a similar problem and as such the count of 50 events may substantially understate the number of events that cause a significant negative impact.

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In summary, the DEIR fails to disclose significant negative impacts related to numerous usages of the proposed project. The DEIR is therefore defective. As such, the NUSD Board should either (a) withdraw the Project; or (b) direct the NUSD to commence additional analysis to cure the defects in the DEIR.

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In addition, as described above, post-event traffic noise has not been analyzed or predicted. This additional unanalyzed source of noise will occur after 10 PM. As such, a threshold analysis would need to apply additional thresholds for noise after 10 PM per the City of Novato – Noise Ordinance.

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### **Mitigations Analysis**


The Noise Study is unable to identify any mitigation measures related to the project. Other mitigation measures could include the following.

- Limiting attendees allowed at events to reduce the noise levels associated with events.
- Changing the location of the bleachers so that voice noise associated with the project is directed away from neighboring homes.

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cont.

Thank you for your consideration of these issues related to the Noise Study contained in the DEIR.

Sincerely,

A handwritten signature in blue ink, appearing to read "John W. Holzwarth", with a long horizontal flourish extending to the right.

John W. Holzwarth

## Letter 44

**COMMENTER:** John W. Holzwarth

**DATE:** March 2, 2017

### Response 44.1

The commenter states an opinion that the Draft EIR is defective due to omissions and errors in the Noise Assessment prepared for the project. The commenter provides a list of what he believes an acoustical study should include and opines that there are errors in each step of the process.

Contrary to this claim, the Noise Assessment includes all the steps identified in the comment letter and identifies significant impacts caused by the project. The adequacy of the Noise Assessment is addressed in the following specific responses.

### Response 44.2

The commenter states an opinion that the baseline noise levels used in the Noise Assessment are flawed because they claim that the measurements were only taken during football season and instead should have been taken during other times of the year. Specifically, the commenter suggests that the baseline ambient noise may be lower during other periods and therefore there could be a significant impact. Additionally, the commenter suggests that noise measurements should have been taken during the winter when the sun sets earlier and creates an earlier natural end to outdoor activities.

Please see Draft EIR Section 4.5.1 under the heading *Existing Noise Conditions and Sources*, and Noise Assessment (Appendix E of the Draft EIR) Section 4, *Existing Noise Environment*. As stated in these sections, based on the noise measurements, a major ambient noise source is vehicular traffic. Ambient traffic noise levels are not expected to change significantly over the year because traffic volumes are not expected to change dramatically from season to season. Measurements at LT-3 had nighttime and early morning cricket sounds which contributed to the measured ambient noise level at that location. The data was adjusted to eliminate the noise level contributions from crickets for use in calculating the long-term ambient noise levels at ST-5 and ST-6. This methodology leads to a more conservative analysis of the increase in noise since the ambient noise used in the analysis is lower because cricket sounds are not included. Therefore, the ambient noise data used in the Noise Assessment is applicable for the assessment of potential significant impacts since it accounts for times of the year when crickets are not present. Both the Noise Assessment and the noise analysis in Section 4.5.2 of the Draft EIR, *Impact Analysis*, identified significant noise impacts from project-related athletic activities at the stadium (including varsity football games) for the hourly  $L_5$  and daily CNEL thresholds. The Noise Assessment and the noise analysis in the Draft EIR identified a less than significant impact from project-related athletic activities at the stadium for the annual average CNEL threshold. These conclusions remain valid and no changes are warranted. Please see Master Response B – Noise.

### Response 44.3

The commenter also states that the Noise Assessment contains no measurements of noise at the adjacent Novato Creek and suggests that the Draft EIR contains no information to assess either noise-specific potential significant impacts or cumulative impacts for biological resources caused by the project.

For the purposes of the Noise Assessment completed for the proposed project, noise was measured for the nearest sensitive receptors (residences). The frequency of events at the stadium would not change;

however, the timing of events will change to evenings and activities will occur up to four hours after sunset on 15 or fewer days each year. Given the distance of the stadium from the creek, the low level of activity, and the current noise levels of the surrounding environment, the potential for impacts related to noise are considered to be less than significant. Please see Response 5.4. Also please see Item IV of the Revised Draft Initial Study (Appendix A of the Draft EIR) for additional details on this topic.

#### **Response 44.4**

The commenter states an opinion that the Noise Assessment fails to identify post-event noise related to traffic leaving an event at the stadium, including people talking, accelerating cars, honking, and car radio noise.

Noise from post event activities was measured as part of the long-term noise monitoring for the football games. The post-game noise was not found to be a substantial factor in the overall event noise exposure from the games. Pre-game and post-game noise is primarily due to vehicular traffic on San Marin Drive which is addressed in Draft EIR Impact N-3. As discussed in Impact N-3, no significant impacts related to traffic-generated noise would occur and no mitigation is required. No changes to the Draft EIR are warranted.

#### **Response 44.5**

The commenter states an opinion that the Noise Assessment fails to include an assessment of potential noise related to bands playing at games.

The District has confirmed that band instruments or drums are not expected to be played at games with the implementation of the project<sup>1</sup>. Additionally, the following text has been added to Section 2.4.1.2, *Public Address System*, of the Final EIR:

Additional Panaray 802 III loudspeakers (or general equivalent) would be installed at the stadium's press box and snack shack. These speakers would increase the volume of the public address system throughout the bleachers and field with focused coverage so as to minimize disturbance to neighbors. Drums or other band instruments are not currently played at athletic events at the stadium. Band instruments are not expected to be played at athletic events with implementation of the proposed project and are not part of the project as proposed.

This update does not change the analysis or conclusions of the Draft EIR.

#### **Response 44.6**

The commenter states an opinion that the Noise Assessment contains no predictions for activities other than Varsity Football games.

Contrary to this comment, predictions of noise from non-Varsity Football games were used in the Noise Assessment. In order to determine the increase in the daily CNEL on a Varsity Football game day the noise from both a Varsity and Junior Varsity game was used. Please refer to Draft EIR Table 29 in Section 4.5, *Noise*, of the Draft EIR. Furthermore, predictions of noise from all field activities including soccer, lacrosse, and other events were used to determine the increase in the annual CNEL due to the project. Please refer to Draft EIR Table 26 for the field use assumptions and Draft EIR Table 30 for the impact from all field related activities during the course of a year. As discussed in Impact N-2, although design requirements for the PA system would reduce noise to the extent feasible, the noise impact from

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<sup>1</sup> Personal communication with NUSD, 3/10/17

project-related activities on the field would be significant and unavoidable. No changes to the Draft EIR are warranted.

**Response 44.7**

The commenter states an opinion that the Draft EIR fails to disclose the potential noise levels if the stadium was at full capacity. The commenter states that the Project Description says that the maximum seated capacity is 2,400 with room for an additional 1,600 standing attendees but suggests that the Draft EIR does not include information regarding noise at that level of attendance. Additionally, the commenter claims that the Noise Assessment fails to make adjustment changes for atmospheric conditions.

The project Noise Assessment includes adjustments for changes in crowd size. Please refer to Section 5.2, *Future Activities in the Stadium*, of the Noise Assessment (Appendix E of the Draft EIR) which discusses the changes in attendance used in the analysis. For example, in evaluating Varsity Football game noise, the analysis considers an increase in attendance from 400 to 1,440 with the project, which represents the worst-case scenario associated with the largest anticipated crowds. As discussed in the Draft EIR in Section 2.0, *Project Description*, the maximum anticipated attendance is approximately 1,440. No changes to the Draft EIR are warranted.

**Response 44.8**

The commenter states an opinion that the Noise Assessment does not contain any discussion of adjustments for temperature inversion.

As sound propagates through air, some sound energy is absorbed by the air molecules. The amount of absorption depends on the temperature and humidity of the air and frequency of the sound. Data for temperature and humidity of Novato on a measured football game day (November 5, 2016) and published data for molecular absorption values were reviewed to help identify potential differences in sound propagation during the daytime hours (when games and practices are currently played) versus evening hours (when games and practices would occur with the project).

During the hours of the measured Varsity Football game (daytime), the average temperature was 21 degrees Celsius and the average relative humidity was 65%. For the hours when Varsity Football games would be played under the project scenario (evening), the average temperature was 15 degrees Celsius and the average relative humidity was 87%. The calculated difference in sound propagation is negligible (0.2 dBA) for receivers that are 1,000 feet from the stadium. For the nearest sensitive receptors (residences approximately 120 feet north of project site), the difference in sound propagation would be even less, and would not affect the sound levels reported for those sensitive receptors in Section 4.5, *Noise*, of the Draft EIR. No changes to the Draft EIR are warranted.

**Response 44.9**

The commenter reiterates their earlier point included in Comment 44.4 regarding an assessment of noise related to the end of event traffic. The commenter states an opinion that the project is likely to lead to additional noise related traffic after football games.

As sound propagates through air, the atmospheric lapse rate (change in temperature with increasing elevation above the ground) causes sound waves to bend in space. During a temperature inversion (temperature increasing with increasing elevation) sound waves tend to be deflected downward. This effect can influence changes in sound levels at large distances particularly when the direct line of sight between a noise source and noise receptor is near the ground or interrupted by intervening terrain.



The noise from crowds and people on the field were assessed based on the noise measurements. This was appropriate to account for the characteristics of this noise source such as directionality and geographic distribution of sources which would not change with the project. Where possible, the noise measurement locations were chosen so that there is direct line-of-sight to the field. This minimized the effect of acoustical shielding from intervening terrain and consequently minimized the potential effect of temperature inversion on the sound propagation.

Predictions of PA sound levels with the project were made using SoundPLAN computer model to represent the location and directionality of the PA system which has significantly different characteristics than the existing PA. The SoundPLAN model uses a sound propagation methodology which assumes moderate temperature inversion when calculating sound propagation. No changes to the Draft EIR are warranted.

#### **Response 44.10**

The commenter states an opinion that potentially significant impacts associated with the project were not properly disclosed. The commenter reiterates their claim that the Draft EIR does not provide any assessment of potential impacts related to activities other than Varsity Football games at the project site, nor does it provide reasoning as to why these impacts do not need to be analyzed as part of the Draft EIR.

The Noise Assessment addresses potential impacts related to activities other than Varsity Football. Please see Response 44.6.

#### **Response 44.11**

The commenter states an opinion that the existing noise measurements indicate that there would be substantial negative impacts related to activities other than Varsity Football games. The commenter provides Figure 3 of Appendix E (the Noise Assessment) included in the Draft EIR and briefly explains the figure. Then, the commenter states that what the Draft EIR and Figure 3 included in Appendix E do not make clear is that the elevated noise levels are not just caused by Varsity Football games, but also by freshman and youth football. The commenter also includes a copy of Figure 3 from Appendix E that they have enlarged to support their point that elevated noise levels begin before the Varsity games on Saturday morning and suggest that because the Draft EIR contains no measurements of noise levels related to other activities, the document also contains no analysis of potential substantial negative impacts from noise.

The Noise Assessment addresses potential impacts related to activities other than football. Please see Response 44.6. No changes to the Draft EIR are warranted.

#### **Response 44.12**

The commenter states an opinion that the best proxy for noise levels created by non-football events is the measurements of football games because they will likely have similar attendance of primarily parents. The commenter suggests that based on their analysis of the enlarged Figure 3, the increases in noise are well above Threshold 1 adopted for the Draft EIR. The commenter also suggests that the report fails to consider the issue related to Threshold 2 or 3.

Sound levels for activities other than high school football games and practices were assessed in the Draft EIR and the noise levels used in the analysis are based on measurements of the football games and practices with adjustments for attendance and expected PA sound levels. The potential noise impact from non-football activities (such as practices and soccer and lacrosse games) was evaluated under

Threshold 3 in Section 4.5.2 of the Draft EIR, *Impact Analysis*. Also see Response 44.6, Response 44.13, and Master Response B – Noise. No changes to the Draft EIR are warranted.

**Response 44.13**

The commenter suggests that it is likely that there will be approximately 50 events that cause a significant impact rather than the 5-9 Varsity football games. Specifically, the commenter claims soccer games, lacrosse games, Freshman Football games, and Junior Varsity Football games would also cause significant negative impacts for the community.

As stated in the Draft EIR under Impact N-2, “... noise impact from project-related activities on the field would be significant and unavoidable.” Draft EIR Table 28 assesses the significance of the field activity noise with respect to the Novato Noise Ordinance limits. To be conservative, Draft EIR Table 28 presents the noise levels from one of the noisiest activities, high attendance Varsity Football games.

To supplement the information in Draft EIR Impact N-2, Table 30 has been added to the Final EIR. This table shows the noise levels from other stadium activities for comparison with the Noise Ordinance limits. Although noise from other activities was analyzed in the Noise Impact Study (Draft EIR Table 30, which has been renumbered to Table 32 in the Final EIR), Table 30 has been included in the Final EIR for additional perspective. Table 30 in the Final EIR shows that many of the proposed uses will exceed the Noise Ordinance limit of L<sub>5</sub> 50 dBA. This is consistent with the finding of the Draft EIR that the project will result in a significant impact. It is, however, important to note that all of the activities in Table 30 in the Final EIR that would exceed the Noise Ordinance limit with the project are currently exceeding this limit.

**Table 30: Noise Level (L<sub>5</sub>) Due to Non-Varsity Football Stadium Uses**

Receiver	L <sub>5</sub> , dBA					
	High School JV and Freshman Football Games	High School Non-Football Games	Practice	Community Games and Practices	Community Special Events	Graduation
ST-1	65	60 - 64	57	56 - 67	68 - 71	71
ST-2	60	54 - 59	50	48 - 61	62 - 65	65
ST-3	66	60 - 65	52	50 - 66	67 - 71	71
ST-4	55	50 - 54	45	44 - 55	56 - 60	60
ST-5	50	43 - 49	45	43 - 51	52 - 54	54
ST-6	57	50 - 56	54	53 - 58	58 - 61	61
ST-7	51	46 - 50	43	42 - 51	52 - 56	56

Noise from other events such as soccer and lacrosse was addressed with respect to Threshold 3 which evaluated increase in noise due to all field sources (see Response 44.6).

With respect to Threshold 2 (increase in daily CNEL), a finding of significant impact was based on the “worst case” Varsity Football game day which includes a Varsity Football and JV game. The increase in CNEL on a Varsity Football game day was up to 5.8 dBA which is slightly greater (0.8 dBA) than the significance threshold, which is a 5 dBA increase. Therefore, on days with quieter events (e.g. soccer and lacrosse games), these events would not cause a significant (5 dBA) increase in the CNEL.

**Response 44.14**

The commenter suggests that the Draft EIR acknowledges that other community events may lead to a similar problem and as such the count of 50 events listed in Comment 44.13 may be an underestimate of the real number of events that may cause a significant impact.

Please see Response 44.13.

**Response 44.15**

The commenter states an opinion that the Draft EIR fails to disclose significant negative impacts related to numerous usages of the project and that the document is therefore defective. The commenter suggests that the Board should withdraw the project or complete additional analysis.

This comment is noted. As discussed in these responses, the noise analysis in the Draft EIR provides accurate and adequate analysis and disclosure of potential noise impacts from the project. As discussed in the Draft EIR in Section 4.5, *Noise*, impacts related to noise from crowds and the proposed PA system would be significant and unavoidable.

**Response 44.16**

The commenter again reiterates an opinion that post-event traffic noise was not analyzed or predicted and that this noise may occur after 10:00 PM and states that a threshold analysis would need to apply additional thresholds for noise after 10:00 PM per the City of Novato Noise Ordinance.

Please see Response 44.4.

**Response 44.17**

The commenter states an opinion that the Noise Assessment is unable to identify any mitigation measures, and suggests that limiting attendees allowed at events to reduce the noise level and changing the location of the bleachers so that voice noise associated with the project is directed away from neighboring homes are two options that could mitigate the impact.

The noise analysis in Section 4.5.2, *Impact Analysis*, of the Draft EIR found that although noise from the PA system would be limited to comply with applicable noise ordinances to the extent possible, the crowd noise at various events (including football games) would exceed both hourly and daily adopted noise thresholds. No feasible mitigation was identified to reduce this potential impact to a less-than-significant level, and impacts associated with noise from athletic events at the stadium would be significant and unavoidable.

The Noise Assessment (Appendix E of the Draft EIR) prepared for the project identified potential mitigation to reduce the impact of crowd noise on nearby residences. The Noise Assessment found that construction of barriers of a practical height (8 to 10 feet) would reduce noise levels for the first-floor occupants of some nearby residences. However, rooms on the second story of two-story homes would not benefit from the installation of a sound wall 8 to 12 feet in height. A noise barrier along the District's property line north of the stadium would reduce noise from the crowd and field activities by approximately 5 dBA at first floor (ground level) elevation. This would be a noticeable reduction in crowd and field noise but noise levels would still exceed an L<sub>5</sub> of 55 dBA at some locations. Although noise barriers would provide some noise reduction, the resulting noise levels would exceed the adopted thresholds and remain significant after mitigation.

Limiting attendees would be contrary to two of the project objectives: Objective 2: Allow for the scheduling of games at times when students, parents, and community members can more easily attend the events, which would increase school spirit and increase revenue from ticket purchases and Objective 3: Provide nighttime opportunities for students to gather to cheer on their team offering an alternative

to going to parties or other unhealthy recreational activities, in an alcohol-free environment. Additionally, the commenter provided no evidence that changing the location of the bleachers would reduce voice noise associated with the project. No changes to the Draft EIR are warranted. Please see Master Response B – Noise.

Letter 45

From: Comcast Email [<mailto:tomari44@comcast.net>]

Sent: Saturday, December 24, 2016 7:50 AM

To: Environmental Report <[EIR@nUSD.org](mailto:EIR@nUSD.org)>

Subject: San Marin High School Field lighting

1 | I am a San Marin resident and live on San Marin Drive, one block from the school. My children , and now my grandchildren all went to or are current students at San Marin High School. I am in total favor of the proposed field lighting. I think the Friday Night Light games will bring the students and the community together, just like so many communities. Please approve this lighting proposal.  
Tom Irvine

## Letter 45

**COMMENTER:** Tom Irvine

**DATE:** December 24, 2016

### **Response 45.1**

The commenter states support for the project but does not provide comments on the Draft EIR specifically. The commenter's stated support of the project is noted.

**From:** Robin Johnson [mailto:panchomom@yahoo.com]  
**Sent:** Monday, January 23, 2017 2:30 PM  
**To:** Environmental Report  
**Subject:** NUSD Stadium Proposal

January 23, 2017

Mr. Yancy Hawkins  
Assistant Superintendent of Business and Operations  
Novato Unified School District  
1015 7th Street  
Novato, CA

**Re: NUSD Stadium Proposal**

1 | Dear Mr. Hawkins:

I am a resident of Madera Marin Townhomes, adjacent to the San Marin High School playing field. I chose to move to Madera Marin about 15 years ago because the area surrounding my former residence was too loud.

I suffer from hyperacusis and misophonia, both conditions related to noise. My previous residence was near the Square Shopping Center, which was populated at night by teenagers playing loud music from their cars. For my health, I was forced to move, and I moved to the quiet San Marin area.

I am directly impacted by the activity that takes place at the San Marin High School playing field. The current activity is at a level that I can tolerate. If the level increases, I fear I will have to move again. I had planned this to be my retirement home.

Thank you for your consideration.

Sincerely,

Robin Johnson  
609 Cedar Place  
Novato, CA 94945



Yahoo Mail Stationery



## Letter 46

**COMMENTER:** Robin Johnson

**DATE:** January 23, 2017

### **Response 46.1**

The commenter states that they are directly impacted by the activity at the San Marin High School field, and that although the current level is tolerable, additional increased would not be. It should be noted that the commenter resides more than 500 feet from the project site and that there are several intervening buildings between the commenter's residence and the project site. In addition, noise levels attenuate by approximately 6 dBA with each doubling of distance from a point source, and therefore noise levels at the commenter's residence would be substantially lower than the maximum levels reported in Section 4.5.2 of the Draft EIR, *Impact Analysis*. Please see Master Response B – Noise.

Memo to Jim Hogeboom and the Novato Unified School Board  
From Christine P. Joly, 228 San Ramon Way  
Dated: March 1, 2017

1 | As an immediate neighbor and as the parent of a 1999 San Marin graduate who played both baseball and football, I am concerned about a number of issues regarding stadium lights at San Marin:

1 - I feel the project is *not* in keeping with the size of the school and the aesthetics of both the school and the neighborhood. From a relatively unobtrusive school, the plan is to put in as many as 44 poles, some up to 80 feet in height. This will radically change the overall landscape and will destroy the sense of a relatively small cohesive school and community. It will also block the beloved view of the peaceful hills behind the school.

2 | 2 - I volunteer at a farm for rescued race horses that involves sustained physical labor, and, consequently, often go to bed at 8:30 or 9 o'clock at night and sometimes as early as 8 pm. I do not want my sleep disturbed, disrupted or delayed by nearby noise and lights.

3 | 3 - I am concerned about the lights as a potential cancer-causing factor. The LED lights to be used are a known cancer-related factor according to the AMA Board 2016 LED report. I find it incredible that these lights would even be considered for use in a relatively small neighborhood school potentially affecting the long-term health of the students who will play under these lights night after night.

4 | 4 - It has been proven that young people, high school students included, do better in terms of over-all life skills when they are home in the evening having dinner with their families or doing homework. Young people should *not* be playing sports until 8 or 9 pm. They should be at home. I would hope that the school board would broaden their interests to the overall well being of *all* students and vote against this project.

5 | 5 - Our son played both baseball and football and we are grateful for the opportunities that those sports gave him. However, he played during the daylight hours and never once mentioned that he felt aggrieved by not being able to play under lights. He was happy to play during normal daylight hours and be home by dark as all students should be.

6 | 6 - I resent the fact that there seems to be little mention in the EIR of the impact of this project on neighbors and the neighborhood. I feel as though the needs of those of us whose lives must be forever negatively altered are simply ignored.

7 | 7 - I am also concerned about the possibility of increased crime, traffic and litter which could be exacerbated by crowds at night.

Memo to Jim Hogeboom and the Novato Unified School Board  
From Christine P. Joly, 228 San Ramon Way  
Dated: March 1, 2017

- 8 | 8 - I am concerned about fire danger from young people smoking cigarettes or marijuana. I am especially concerned that young people would gather in the open space above and behind the lighted fields thus creating danger for themselves and the entire San Marin community. Who is going to supervise these kids and keep them away from the open space while these games are going on?
- 9 | 9 - I believe that lights at San Marin (or really any neighborhood school) are shortsighted and ignore the bigger picture which is that schools are intended to produce intelligent, well-rounded citizens. I am appalled at the amount of money that will be spent to build and operate these lights when there are so many other more important issues such as teacher salaries, smaller classrooms, better library and computer facilities. Personally I think the expense of the lights, which will benefit only a few, is at the overall expense of the many and is way too costly considering its extremely limited benefit and longterm negative effect.
- 10 | 10 - And finally although I believe that games and athletics are important in the creation of well rounded citizens, academics are *more* essential. There is a reason sports are referred to as "extra" curricular activities. Thus, it seems odd that so much emphasis is put on sports and that the boosters seem eager to spend millions so that a few students can play under the lights while the rest must put up with substandard academics as witnessed by the fact that San Marin had been on academic probation for the past two years. I would encourage the school board and all educators to reexamine their priorities and place the emphasis on academics where it more truly belongs.

Respectfully yours,  
Christine P. Joly

## Letter 47

**COMMENTER:** Christine Joly

**DATE:** March 1, 2017

### **Response 47.1**

The commenter states that they are an immediate neighbor and states concerns regarding the project's impacts related to aesthetics. Although the commenter does not provide specific comments on the Draft EIR, please see Master Response A – Lighting and Aesthetics.

### **Response 47.2**

The commenter states that they go to bed as early as 8:00 PM and they do not want their sleep disturbed, disrupted, or delayed by lights or noise.

The commenter's opposition, while noted, do not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise for information on these topics.

### **Response 47.3**

The commenter states that they are concerned about the lights as a potential cancer-causing factor, referencing the AMA Board 2016 LED report. Please see Master Response A – Lighting and Aesthetics.

### **Response 47.4**

The commenter states an opinion that young people do better when they are at home in the evening having dinner with their families or doing homework and that they should not play sports until 8:00 or 9:00 PM at night. This comment, while noted, does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

### **Response 47.5**

The commenter states that their son played sports during the daytime and did not mention feeling aggrieved by not being able to play under lights. This comment, while noted, does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

### **Response 47.6**

The commenter states an opinion that there is little mention in the Draft EIR of the impact of the project on neighbors and the neighborhood.

To suggest that the Draft EIR does not describe impacts to the neighborhood is incorrect. The Draft EIR evaluates the project's impacts to aesthetic and noise impacts on nearby sensitive receptors, including neighbors and the neighborhood, and the Draft EIR evaluates the project's traffic impacts on local roadways, among other topics. Much of the Draft EIR is devoted specifically to discussing the impacts to the surrounding neighborhood. As the commenter does not provide specific comments on the Draft EIR, a more specific response is not possible. Most of the topics related to neighborhood impacts are discussed in the master responses.

**Response 47.7**

The commenter states that they are concerned about the possibility of increased crime, traffic, and litter, which they opine could be exacerbated by nighttime crowds. The commenter does not provide specific comments on the Draft EIR related to these topics. Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

**Response 47.8**

The commenter states that they are concerned about fire danger associated with youth smoking, especially in open space. The commenter asks who is going to supervise the students and keep them away from the open space during the games. The commenter does not provide specific comments on the Draft EIR related to this topic. Please see Master Response D – Public Services and Safety.

**Response 47.9**

The commenter states opinions about the cost of the project and the District’s allocation of funds. Please see Master Response G – Project Cost.

**Response 47.10**

The commenter states that academics are more essential than athletics and encourages the Board and all educators to reexamine priorities and place the emphasis on education. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

Letter 48

**From:** DaveJenny Jones [mailto:jendavejones09@gmail.com]  
**Sent:** Friday, January 13, 2017 8:01 PM  
**To:** Environmental Report  
**Subject:** Lights

1 | My husband and I are both San Marin Hight graduates and are now raising our three children in the school district (11,7,5)whom will also one day be a Mustang. We would love nothing more than to see the lights go up, to see and hear the youth playing a game from down the street, or to take our children to see a game. We believe it would only add to this wonderful community of families, students, and athletes.

In strong favor of!  
Mr. & Mrs. Jones

## Letter 48

**COMMENTER:** Dave and Jenny Jones

**DATE:** January 13, 2017

### **Response 48.1**

The commenter states support for the proposed project. The commenter's stated support of the project, while noted, is not a comment on the Draft EIR.

Letter 49

**From:** crandallkeller@comcast.net [mailto:crandallkeller@comcast.net]  
**Sent:** Sunday, February 12, 2017 3:27 PM  
**To:** Environmental Report  
**Subject:** San Marin lights

1 | My wife and I live in San Marin and we support the installation of lights at San Marin High School. We have had two children graduate from San Marin and we currently have our youngest who is a Sophomore. I do believe that the lights should be for the use of the school and it's activities only. I do not support the use for adult leagues or uses other than school related. The school should take all reasonable steps to minimize the impact on the direct neighbors.

2 | The lights will benefit the community. There is not much in Novato for the High School kids to do and I believe that this would give them some healthy night time activities. I think that the positives far outweigh the negatives and I encourage you to vote for this positive change for our community.

Charles and Trudy Keller  
294 San Felipe Way  
(415) 640-6164  
[crandallkeller@comcast.net](mailto:crandallkeller@comcast.net)



## Letter 49

**COMMENTER:** Charles and Trudy Keller

**DATE:** February 12, 2017

### **Response 49.1**

The commenter states support for the project but that the lights should be for the use of the school and its activities only. The commenter also states that they do not support the use of the stadium for adult leagues or non-school uses and suggests that the school take all steps to minimize the impact of the project on the direct neighbors. Please see Response 19.5 and Master Response A – Lighting and Aesthetics.

### **Response 49.2**

The commenter states an opinion that the lights would benefit the community and that the positives associated with the project would outweigh the negatives. The commenter's stated support for the project is noted.

# **WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!**

- 1 • **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) *“identifies potentially significant impacts related to aesthetics.”* The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
- 2 • **Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen from miles away.
- 3 • **Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR *“identifies a significant unavoidable impact with respect to crowd and PA”!*
- 4 • **This project is Not for San Marin student games!** Mostly it’s for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- 5 • **Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- 6 • **Traffic!** Dozens of extra cars on our roads for each team’s practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 nights a year?
- 7 • **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. We believe San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors of San Marin.

Your Name Ken Iddle

Address: 108 San Carlos Way Novato, CA 94945

**Add to Your Public Comments here and on back:**

***Let Your Voice Be Heard: Call, Write, Attend!***  
**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
 Yancy Hawkins- Assistant Superintendent of Business and Operations  
 Novato Unified School District, 1015 7th Street, Novato, CA 94945  
 Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

**Act Locally. Please Attend Upcoming Public Meetings:**  
 Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.  
 Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 50

**COMMENTER:** Name Not Legible

**DATE:** Not indicated

### **Responses 50.1 through 50.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

Letter 51



Date: *January 19, 2017*

Dear Yancy Hawkins and Trustees of NUSD,

1

I would like to request the approval of the EIR report and the project for stadium lights at San Marin High School athletic field. I feel the stadium lights would be an upgrade to our school community and add many benefits like the one's listed below:

- Reduced early dismissal for athletic teams.
  - Allows teachers to achieve educational goals with more class time for athletes
  - Example: When SMHS goes to later bells in 2017, it's estimated the soccer teams will miss over 1500 hours of instruction
- Reduces conflict for ACT/SAT prep and test dates
- Reduced injuries due to darkened fields
- Reduced heat related casualties to football players during the Saturday games
- Increased supervision for student activities
- Increase enrollment of local athletes with attraction of better sports environment
- Nighttime graduation for our seniors
- Family oriented High School games to bring our community closer

Thank you for your consideration to this project. San Marin High School is responsible for our future leaders and community well-being and we believe this improvement to the school will be a step in the right direction.

Sincerely,

*Jennifer Kilpatrick*  
 Name: *JENNIFER KILPATRICK*  
 Address: *13 W. BROOKE DRIVE*  
*NOVATO CA 94947*

Comments:

## Letter 51

**COMMENTER:** Jennifer Kilpatrick

**DATE:** January 19, 2017

### **Response 51.1**

The commenter states support for the proposed project. The commenter's stated support of the project, while noted, is not a comment on the Draft EIR.

## **WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!**

- 1 • **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) “*identifies potentially significant impacts related to aesthetics.*” The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
- 2 • **Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen miles away.
- 3 • **Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR “*identifies a significant unavoidable impact with respect to crowd and PA*”!
- 4 • **This project is Not for San Marin student games!** Mostly it’s for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- 5 • **Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- 6 • **Traffic!** Dozens of extra cars on our roads for each team’s practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 nights a year?
- 7 • **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- 8 • **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name

ERIC KOENIG

Address:

283 SAN FELIPE WAY NOVATO, CA 94945

Novato, CA 94945

**Add to Your Public Comments here and on back:**

### ***Let Your Voice Be Heard: Call, Write, Attend!***

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**

Yancy Hawkins- Assistant Superintendent of Business and Operations

Novato Unified School District, 1015 7th Street, Novato, CA 94945

Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

### **Act Locally. Please Attend Upcoming Public Meetings:**

Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.

Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

## Letter 52

**COMMENTER:** Eric Koenig

**DATE:** Not indicated

### **Response 52.1 through 52.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

Letter 53

**From:** Joe Kolinger [<mailto:joe@kolinger.net>]

**Sent:** Monday, December 26, 2016 9:02 AM

**To:** Environmental Report <[EIR@nUSD.org](mailto:EIR@nUSD.org)>

**Subject:** san marin lights project

1 | Lights and new sound system... somebody's nice idea... but do it up against someone else's home (i.e., not mine).

2 | Also the use of money is seriously misguided. Sports instead of Education?

3 | Kindergarten teachers at San Ramon elementary have 24 kids and NO PAID AIDE. Well-meaning but unskilled parents chip in for about an hour each day. Good teacher, but totally out numbered. (Call me if you think I am mistaken.) NUSD is doing these children a grave disservice.

Kindly let me know you received this note.

4 | And who makes these budget decisions?

Thank you.

[<image001.png>](#)

**Joe Kolinger**  
President, Kolinger Associates  
415 246 7264 | [joe@kolinger.net](mailto:joe@kolinger.net) |



## Letter 53

**COMMENTER:** Joe Kolinger

**DATE:** December 26, 2016

### **Response 53.1**

The commenter states that the project is a nice idea but suggests that it be installed near someone else's house. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

### **Response 53.2**

The commenter states that the use of money is misguided because it appears that sports are put before education. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response. Please see also Master Response G – Project Cost.

### **Response 53.3**

The commenter states that Kindergarten teachers at San Ramon elementary school have 24 kids and no paid aid and that NUSD is doing these children a disservice. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

### **Response 53.4**

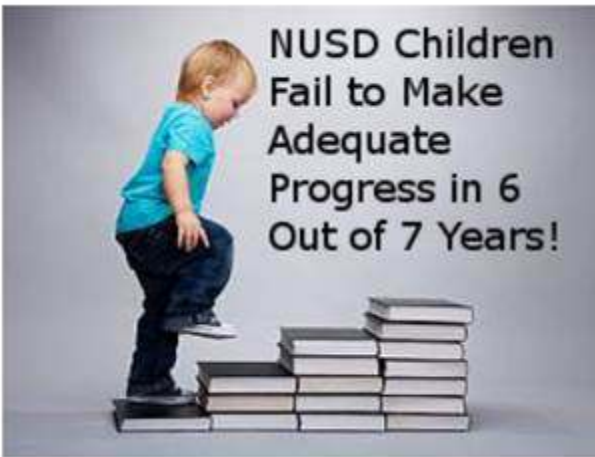
The commenter asks who makes the budget decisions. The District makes the budget decisions. Please see Master Response G – Project Cost.

**From:** Joe Kolinger [mailto:joe@kolinger.net]  
**Sent:** Monday, December 26, 2016 10:14 AM  
**To:** Environmental Report  
**Cc:** mhjoly@aol.com  
**Subject:** RE: san marin lights project

1 To the folks in charge of the budget:

Distinguished School Awards - High Schools Only (1986 through 2016)		
Name	County Rank	#Awards
Redwood High, Larkspur	1 - Top Ranked	5
Tamalpais High, Mill Valley	2	5
Drake High, San Anselmo	3	3
Terra Linda High, San Rafael	4	1
Novato High, Novato	5	0
San Marin High, Novato	6	0
Tomaes High, Tomales	7	1
San Rafael High, San Rafael	8 - Bottom Rank	0

So NUSD thinks more sports is the answer with results like this screaming at you?



Who is in charge of the rationale for NUSD?

1  
cont.



"Fair is fair, Larry...We're out of food, we drew straws--you lost."

Who would that be?

Thank you



**Joe Kolinger**  
President, Kolinger Associates  
415 246 7264 | [joe@kolinger.net](mailto:joe@kolinger.net) |

## Letter 54

**COMMENTER:** Joe Kolinger

**DATE:** December 26, 2016

### **Response 54.1**

The commenter provides information and graphics appearing to suggest an opinion that District resources should be allocated to other priorities rather than sports. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see Master Response G – Project Cost.

Letter 55

**From:** Menachem Landa [mailto:menlanda@gmail.com]

**Sent:** Wednesday, February 08, 2017 11:10 AM

**To:** Environmental Report

**Subject:** please dont do the lights!

1 | Hi Yancy,  
I am writing about our concern with the consideration to install new lights in the San Marin high.  
We do NOT support this. We feel strongly that this will not have a positive impact on our young family growing up in novato for many years to come!  
Thank you  
Rabbi Menachem Landa

## Letter 55

**COMMENTER:** Rabbi Menachem Landa

**DATE:** February 8, 2017

### **Response 55.1**

The commenter states opposition to the proposed project and that they feel the project would not have a positive impact on their family. The commenter's stated opposition to the proposed project, while noted, is not a comment on the Draft EIR. Potential impacts of the proposed project on the environment are addressed in Section 4, *Environmental Impact Analysis*, and Appendix A of the Draft EIR, Revised Draft Initial Study.



## Letter 56

**COMMENTER:** Timothy Long

**DATE:** January 7, 2017

### **Response 56.1**

The commenter states that they have concerns about the proposed project. The commenter asks who is going to pay for the project. Please see Master Response G – Project Cost.

### **Response 56.2**

The commenter asks if there is a Stadium Plan that includes enforcement. Please see Master Response D – Public Services and Safety.

### **Response 56.3**

The commenter states that they live downwind from the field and are concerned about noise from the loud speakers in addition to the use of the field by adult leagues. The commenter asks how NUSD will enforce the no rental rule and the 9:30 PM limit.

The District proposes to formally codify key project elements from the project description as well as requirements in the mitigation measures, among other administrative regulations, which include prohibiting the use of the lights by non-school groups and ensuring the lights are turned off by the times specified in the Draft EIR. Please see also Response 19.5 and Master Response B – Noise.

### **Response 56.4**

The commenter again states concerns related to enforcement of the “rules,” which are provided as a list of questions and answers titled, “Lights for San Marin High School Neighborhood Concerns.” Please see Response 19.5, Response 56.3 and Master Response D – Public Services and Safety.



**From:** Ed Lucha [<mailto:eell5@yahoo.com>]  
**Sent:** Saturday, December 24, 2016 8:42 AM  
**To:** Environmental Report <[EIR@nUSD.org](mailto:EIR@nUSD.org)>  
**Subject:** San Marin High School Stadium Lights Project Comments

Dear Yancy,

1 | I am responding to your December 20, 2016 letter regarding the proposed new stadium lights project at San Marin High School.

My family and I live in the Madera Marin condominium complex next to the high school. We are not impacted by the present lighting conditions but we can certainly hear the announcer calling scores and such. So we have concerns about the proposed new installations.

Our biggest concern is with the proposed upgraded PA system. As has been the case this year and in years past, the current PA system is loud enough that we can hear every call made by the announcer (not to mention the crowds screaming from time to time). Our home is one row of homes away from the playing field and can still hear the PA announcements.

If the PA system is upgraded I know the noise levels will obviously increase and I sincerely hope this upgrade will not take place.

2 | In addition, Madera Marin is a private complex to include the streets within it. On several occasions people attending games on weekends have parked on these private streets within the complex (I assume because they cannot find parking by the school).

3 | In your letter you state there are no impacts to population and housing (among others). This is not true. There are impacts to population and housing now and there will be more and bigger impacts on those of us Novato residents and homeowners living practically next to the high school. If we can hear the noise now, certainly we will hear it even louder still should the proposed upgrades take place.

4 | You state nighttime activities would generally end no later than 9:30pm. This is doubtful, and whereas you say the activities would end by this time, how much more time would be taken up by the cleanup and people sticking around after the game. Or, do you mean to say that **all activities including cleanup would end by 9:30pm.**

5 | It is hard to understand how you can say there will be no impacts to population and housing if the project is approved and built when there is

5  
cont.

already an impact present. We do not look forward to increased noise levels coming from the school, particularly on days when we sit around with friends and family enjoying an afternoon or evening.

6  
Lastly, I think it is disingenuous not to include "PA System" in the title as though there is no problem now with noise pollution. There is and there will be more of it if the project is built.

Thank you,

Ed Lucha

## Letter 57

**COMMENTER:** Ed Lucha

**DATE:** December 24, 2016

### **Response 57.1**

The commenter states an opinion that the proposed upgraded PA system would increase noise, but does not provide comments on the Draft EIR. The comment is noted. The operational noise impacts associated with the proposed project are described in Section 4.5.2 of the Draft EIR, *Impact Analysis*. The noise analysis found that with implementation of Mitigation Measure N-2 the sound levels generated specifically by the improved public address system would be limited to an L<sub>5</sub> sound level of 55 dBA at the surrounding residences to the extent possible. However, crowd noise during athletic events would exceed hourly L<sub>5</sub> and daily CNEL noise thresholds resulting in a significant and unavoidable noise impact. Please see also Master Response B – Noise.

### **Response 57.2**

The commenter is also concerned about the use of the streets within their complex as additional parking for events when there may not be parking available at the school. Please see Master Response C – Traffic for a discussion of this topic.

### **Response 57.3**

The commenter states an opinion that there would be impacts to population and housing because there are currently impacts from the stadium as residents can hear the games. The CEQA topic of population and housing focusses on population increases, housing displacement and similar issues (See Item XIII, *Population and Housing*, in the Revised Draft Initial Study, Appendix A of the Draft EIR). For information on impacts regarding noise, see Section 4.5, *Noise*, of the Draft EIR and Master Response B – Noise.

### **Response 57.4**

The commenter asks if all activities, including cleanup, would end by 9:30 PM.

As described in Section 2, *Project Description*, of the Draft EIR, under subsection 2.4.1.6, *Proposed Schedule of Events*, evening and nighttime activities would generally end no later than 9:30 PM, and the main competition-level lights would be turned off approximately 15 minutes after the end of a scheduled activity. The District proposes to formally codify the lighting limits described in the Draft EIR, as described in response to Comment 56.3, therefore, all activities that require the use of main competition-level lights would be required to be finished by approximately 9:45 PM. Regarding post-game noise, Master Response B – Noise and Master Response D – Public Services and Safety.

### **Response 57.5**

The commenter states an opinion that it is hard to say no impacts would occur to population and housing if the project is approved and built where there is currently a noise impact. See Response 57.3.

**Response 57.6**

The commenter states an opinion that it is disingenuous not to include “PA System” in the title of the project and concludes by stating an opinion that there is currently a problem with noise pollution that the project would increase.

The comment on the project name in the Draft EIR is noted. The project components in addition to the proposed lights are described in Section 2, *Project Description*, of the Draft EIR. Please see also Master Response B – Noise.

**From:** Ed Lucha [mailto:eell5@yahoo.com]

**Sent:** Friday, February 10, 2017 7:12 PM

**To:** TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT

**Cc:** Environmental Report

**Subject:** San Marin High School Stadium Lights Project Comments

Mr. Cooper    Ms. Butler    Ms. Aguila  
Mr. Knell     Mr. Mack     Mr. Millerick    Ms. Scott

1 | I am forwarding to you an email I sent to Yancy Hawkins on December 20, 2016. My wife and I live very close to San Marin High School; we are very concerned about the proposed field lights and extensive sound amplification project.

There already exists an impact from the games at the high school. Whenever there is a game, we can hear the announcements and the crowds (even with the windows closed). Thankfully, this only happens during the day. However, with the new proposed field lights and sound system, we are very concerned that the impact we already face will only grow larger and not only during the day but also at night.

2 | Yancy Hawkins states that activities at night will end by 9:30pm. I posed the question about how much more time it would take for the crowds to leave the school, for the cleanup crews to finish their cleanup work and for the lights to be turned off. Yancy responded that it would take an additional 15 minutes for the crowds to disperse and the cleanup to be completed. I very seriously doubt 15 minutes is all it will take for the crowds to leave the school and clean up to be finished. Should the proposed changes be made, I will be very interested in seeing if the exit times given are accurate.

3 | My family and I live in the Madera Marin complex and I must say that on occasion school events such as graduations, attendees have parked in our complex (private property) when parking has been depleted near the school. Parking is already limited in our complex, as it is.

4 | We sincerely hope you will take the concerns of those residents living very near the school into serious consideration. As residents of Novato we appreciate the good neighborhoods and peacefulness we live in. I have grave concerns that such a lifestyle and existence will be possible if these additions are made to San Marin High School.

Thank you very much,

Ed Lucha

12/20/2016 email follows:

Dear Yancy,

5 I am responding to your December 20, 2016 letter regarding the proposed new stadium lights project at San Marin High School.

My family and I live in the Madera Marin condominium complex next to the high school. We are not impacted by the present lighting conditions but we can certainly hear the announcer calling scores and such. So we have concerns about the proposed new installations.

Our biggest concern is with the proposed upgraded PA system. As has been the case this year and in years past, the current PA system is loud enough that we can hear every call made by the announcer (not to mention the crowds screaming from time to time). Our home is one row of homes away from the playing field and can still hear the PA announcements.

If the PA system is upgraded I know the noise levels will obviously increase and I sincerely hope this upgrade will not take place.

In addition, Madera Marin is a private complex to include the streets within it. On several occasions people attending games on weekends have parked on these private streets within the complex (I assume because they cannot find parking by the school).

In your letter you state there are no impacts to population and housing (among others). This is not true. There are impacts to population and housing now and there will be more and bigger impacts on those of us Novato residents and homeowners living practically next to the high school. If we can hear the noise now, certainly we will hear it even louder still should the proposed upgrades take place.

You state nighttime activities would generally end no later than 9:30pm. This is doubtful, and whereas you say the activities would end by this time, how much more time would be taken up by the cleanup and people sticking around after the game. Or, do you mean to say that **all activities including cleanup would end by 9:30pm.**

It is hard to understand how you can say there will be no impacts to population and housing if the project is approved and built when there is already an impact present. We do not look forward to increased noise levels

5  
cont.

coming from the school, particularly on days when we sit around with friends and family enjoying an afternoon or evening.

Lastly, I think it is disingenuous not to include "PA System" in the title as though there is no problem now with noise pollution. There is and there will be more of it if the project is built.

Thank you,

Ed Lucha

## Letter 58

**COMMENTER:** Ed Lucha

**DATE:** February 10, 2017

### **Response 58.1**

The commenter states an opinion that there is currently an impact from the games because they can hear the announcements and crowds. The commenter adds that this is currently during the daytime, however, express concern about noise at night with implementation of the proposed project. The commenter does not provide comments on the Draft EIR on which to base a specific response. Please see Master Response B – Noise.

### **Response 58.2**

The commenter questions whether it would realistically take an additional 15 minutes for crowds to disperse and the clean-up to be completed. The commenter asks, if the project is approved, what the exit times actually would be.

Please see response to Comment 57.4.

### **Response 58.3**

The commenter states that their family lives in the Madera Marin complex and that on occasion, attendees of events have parked in their complex, which they note is private property, when parking may not have been available closer to the campus. Please see Master Response C– Traffic.

### **Response 58.4**

The commenter states that they hope the concerns of residents are considered during this process and they express concerns that their peaceful lifestyle and existence will not be possible if the project is completed. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 58.4**

The commenter attached the email that they sent to Yancy Hawkins on December 20, 2016 (Letter 57). The email contains generally the same comments as Letter 57. Please see responses to Comments 57.1 – 57.6.



Letter 59

**From:** Steve [mailto:jkeyfd@live.com]  
**Sent:** Monday, February 13, 2017 1:32 PM  
**To:** Environmental Report  
**Cc:** Steve Lynch  
**Subject:** Oppose SMHS Stadium expansion in MY neighborhood

Feb 13, 2017

Novato Unified School District

Yancy Hawkins

Sent via email

NUSD,

1 | I am vehemently opposed to the stadium light project. The current PA system blares into our neighborhood with little control from the school to regulate the volume, and multiple individuals use it. I have asked for a volume limit switch to be put in place to no avail. The current PA system is in violation of state noise ordinances.

Now you want to put another PA system in, install bright lights, invite other schools to invade our neighborhood, rent to adult sport leagues, which bring traffic, noise, light at night, and many other problems.

2 | If installed I will document drinking, fights, racing down the streets, horn honking, trash and bring action thru the Small Claims Court. Please read carefully and Google: **MASS SMALL CLAIMS FILINGS and San Francisco International Airport.**

I will be one of the first to file this action based on the above mentioned disruptions to our neighborhood and gather other residents to file massive small claims actions. This is MY neighborhood. SMHS is a guest in MY neighborhood, and will not dictate what can be put in here. It is zoned for homes, not enlarged faux stadiums.

Steve Lynch

San Felipe Way

415.892.5001

## Letter 59

**COMMENTER:** Steve Lynch

**DATE:** February 13, 2017

### **Response 59.1**

The commenter states that they oppose the project and states complaints about noise from the existing PA system in the adjacent neighborhood. The commenter states an opinion that the current PA system violates State noise ordinances. The commenter also states concerns that the project would “install bright lights, invite other schools to invade our neighborhood, rent to adult sport leagues, which bring traffic, noise, light at night, and many other problems.”

The commenter’s opposition to the project is noted. In general, the comments related to aesthetics, noise and traffic are not specific to the Draft EIR analysis, and thus specific responses are not possible. Please see Master Response A – Lighting and Aesthetics; Master Response B – Noise; Master Response C – Traffic; and Master Response D – Public Services and Safety.

Specifically regarding the PA system, as discussed in the Draft EIR (see Page 1 of the Executive Summary, for example) the current public address system creates unintended noise that is not properly directed within the stadium. The upgraded public address system would be directed towards the spectators and the field, and would be designed to minimize the amount of sound leaving the stadium, thus potentially reducing spillover noise to the neighborhood. The system would be set to limit the sound level to conform to the requirements of the applicable local noise ordinance to the extent possible.

### **Response 59.2**

The commenter states that if the project is built, he will document drinking, fights, racing down the streets, horn honking, and trash, and bring action through the Small Claims Court. The commenter's stated opposition to the project, while noted, is not a specific comment on the analysis or conclusions of the Draft EIR nor does it address a potential impact on an environmental resource as defined by CEQA. Please see also Master Response D – Public Services and Safety.

**From:** mnmalarin@comcast.net [mailto:mnmalarin@comcast.net]  
**Sent:** Thursday, February 02, 2017 3:10 PM  
**To:** Environmental Report  
**Subject:** San Marin High School Proposed Stadium Lights

To: Yancy Hawkins, Assistant Superintendent of Business Operations  
Novato Unified School District  
1015 7th Street  
Novato, CA. 94945

Dear Mr. Hawkins:

- 1 | We have been living in Madera Marin for the past 16 years and love our quiet community.
- We are very, very concerned that the installation of stadium lights and a new sound system at San Marin High School will adversely affect our quiet community and more importantly, our property values.
- 2 | We have done much research on these installations at other high schools in the Bay Area and were astonished how many problems arose because of the installation of stadium lights., including increased garbage, vandalism and crime.
- Following are the principle problems we see. While the committee and high school sports fans promoting the light and sound installation have tried to appease our concerns of increased use, noise and disruption; this, in fact, is the main focus of the anti stadium light installations which have already been placed around the Bay Area. Promised limited access to weekends has become nightly access by many different high school sports and adult sports in these communities. There is no permanent fix to my knowledge, which forever limits time use of the fields as initially proposed.
- 3 | Madera Marin homeowners already hear the weekend announcements and deal with increased traffic and noise. This has been in existence for many years and we purchased our homes with this in mind
- I am quite sure that there are not any members of the sports committee requesting the new lighting and sound system that live in Madera Marin or adjacent to the fields. It is one thing to enjoy bright lights and hear an announcer call a game if you are there because you want to be.
- Please take the homeowners at Madera Marin seriously when we are so very concerned that this will affect our lives adversely!!!
- Thank you for your consideration.

Sincerely,

Mark and Nancy Malarin  
10 Pinyon Place  
Novato, CA 94945

## Letter 60

**COMMENTER:** Mark and Nancy Malarin

**DATE:** February 2, 2017

### **Response 60.1**

The commenter states that they live in Madera Marin and are concerned about the proposed project and how it may adversely affect their community, and specifically their property values.

The commenter's concern about the proposed project is noted. Potential impacts to property values are discussed in Master Response F – Property Values.

### **Response 60.2**

The commenter states that they have done research on stadium lighting projects at other high schools in the Bay Area but does not provide information or documentation related to this research. The commenter states general concerns regarding increased use of the field, noise, and disruption. The commenter also mentions that they are concerned about stadium access by different high school sports and adult sports in the community.

Please see Master Response D – Public Services and Safety and Master Response B – Noise for responses to these comments.

### **Response 60.3**

The commenter states that Madera Marin homeowners already hear the weekend sports events and experience associated increased traffic. The commenter concludes by asking for their concerns to be considered.

These comments, and the commenter's opposition, are noted, but do not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see Master Response C – Traffic and Master Response B – Noise.

Letter 61

**From:** Dennis Mancuso [mailto:mancuso11b@gmail.com]  
**Sent:** Friday, January 13, 2017 3:51 PM  
**To:** YANCY HAWKINS; Environmental Report; LESLIE BENJAMIN  
**Subject:** Lights for San Marin -

Yancy,

1 | Please consider this my support for the lights project. I've read through the EIR and it looks extremely feasible to me. I also reached out to the individual board members and pasted the text below.

Thanks for all of your hard work on the bond and this project!

Dennis  
415-246-9100

2 | NUSD Trustees,

I hope this note finds you well...

I'm writing you this note to ask that you approve the lights for San Marin Stadium. I truly feel the lights will bring a new dynamic to the Novato community that is missing today. Our Student-athletes deserve the best experience/amenities as the private schools and other larger public schools in California.

3 | Please also consider the many hours our winter sports athletes will miss if we move forward with later bell times. Ben will walk you through the math at the EIR comment meeting on the 24<sup>th</sup>.

4 | It's not lost on us this is a difficult process for you and I also understand the concerns (the real ones, not the untrue issues) of the local neighbors. However, if we just stay focused on the facts and not the noise, I'm confident you will help us move forward with the project.

Thanks for your consideration and look forward to working with the district for years to come!

4  
cont.

Dennis J. Mancuso

- 27 year resident
- Future parent of San Marin High School students
- 5 Year Board Member of San Marin Youth Football and Cheer
- 11 year coach of Novato youth sports
- Administrator of "Lights for San Marin", "San Marin Varsity Football" and "San Marin Youth Football" Facebook pages (9000+ audience target and opinions are my own. Pages are not associated to SMHS staff or coaches)



## Letter 61

**COMMENTER:** Dennis Mancuso

**DATE:** January 13, 2017

### **Response 61.1**

The commenter states support for the proposed project but does not challenge or question the analysis or conclusions of the Draft EIR. The commenter's stated support of the project, while noted, is not a comment on the Draft EIR nor does it address a potential impact on an environmental resource as defined by CEQA.

Letter 62

**From:** B7O2B1@aol.com [mailto:B7O2B1@aol.com]  
**Sent:** Sunday, January 01, 2017 12:05 PM  
**To:** Environmental Report  
**Cc:** kitfair@comcast.net; chironions@gmail.com  
**Subject:** San Marin High School - Stadium Lighting Proposal

Yancy Hawkins,

- 1 | In response to your recent e-mail regarding the completed Draft Environmental Impact Report; my wife and I are disappointed that no negative impacts are indicated. This is a typical opinion from a company that is located outside of our neighborhood. Space (location) and time are factors in distancing themselves from their decision regarding issues that will directly impact our neighborhood.
- My wife and I are concerned about the following:
- Safety** - The game day traffic may be the same both day and night, but there is reduced visibility at night which can contribute to pedestrian injuries.
- 2 | **Noise** - The noise factor during sports activities in the evening are not welcome in our bedroom community.
- 3 | **Negative Property Value Impact** - We purchased our home in the San Marin High School neighborhood. At the time of purchase; we did not have an issue with the normal high school activities in our environment. We do have an issue living in a neighborhood with a high school that has evening sports activities. If we were looking to purchase a home today; we would not be interested in a neighborhood with an evening sports facility.
- 4 | **Educational System Priorities** - We do not understand how San Marin High School and the School Board would entertain the expense of installing field lighting and a sound system instead of funding educational programs.
- In closing; we hope that you consider our concerns against the proposed sports field lighting and sound system upgrade.

Sincerely,

Robert & Katharine Mc Laughlin  
721 Citrus Place  
Novato, California 94945

## 1 UNUSED SITE PROGRAM

The Unused Site Program requires that districts and county superintendents of schools pay a fee for properties that are not used for school purposes after specific time periods.

The Unused Site Program became law in 1974. The provisions of this program are governed by Education Code (EC) Sections 17219 through 17224. In addition, the State Allocation Board (SAB) has adopted regulations set forth in Title 2, Subgroup 10, California Code of Regulations, commencing with Section 1864.1 through 1864.10, which affect the administration of this program.

[Unused Site Program Handbook](#) (PDF)

See all [Unused Site Program forms](#) (link).

### 1.1 Definition

For purposes of EC Section 17219 et. seq., a site is considered “unused” unless it meets at least one of the following exclusions:

- The site is currently used for the specific purposes for which it was acquired. This means use as an active K–12 school. A district may substitute a site acquired for use at one grade level for use at another grade level.
- The site is currently used to house students for any California Department of Education program (including Adult Education) authorized by the Legislature, and operated by public school districts for which the district is receiving State School Fund apportionments.
- The site is currently used to house Special Education students.
- The site is currently used for district administration purposes including such support services as warehousing and maintenance facilities.
- The site is currently used for preschool or child care centers when operated by or under contract with a public school district or a county superintendent of schools.
- The site is currently used for a community college if attendance is allowed for high school students in the eleventh or twelfth grade.
- 

Russell Dodge  
[russelldodge@icloud.com](mailto:russelldodge@icloud.com)  
Cell: 415.246.8746  
[russelldodge@icloud.com](mailto:russelldodge@icloud.com)

## Letter 62

**COMMENTER:** Robert & Katharine Mc Laughlin

**DATE:** January 1, 2017

### **Response 62.1**

The commenter states an opinion that no negative impacts were identified in the Draft EIR. The commenter lists concerns about the project, starting with traffic safety. The commenter states that game day traffic may be the same both day and night, but opines that reduced visibility at night can contribute to pedestrian injuries.

First, the comment is incorrect that “no negative impacts are indicated” in the Draft EIR. As discussed throughout the Draft EIR and Revised Draft Initial Study (Appendix A of the Draft EIR), a number of impacts were identified to be adverse, but less than significant, or potentially significant but mitigable. One impact, related to noise during athletic events, was identified as significant and unavoidable.

Please see Master Response C – Traffic and Master Response D – Public Services and Safety. Regarding visibility, it should be noted that both the parking lot and the surrounding streets have street lights complying with the City’s requirements for street lighting. Drivers are expected to reasonably comply with applicable traffic laws and laws requiring functioning headlights on vehicles. No significant traffic safety impacts related to night vs. day driving are anticipated.

### **Response 62.2**

The commenter states that noise from sports activities in the evening are not welcome in their community. This comment related to noise is not specific to the Draft EIR analysis, and thus a specific response is not possible. Please see Master Response B – Noise.

### **Response 62.3**

The commenter states that when they purchased their home, they did not have an issue with normal high school activities but would not purchase their home today if the project were approved.

The commenter's stated opposition to the project, while noted, is not a comment on the Draft EIR nor does it address a potential impact on an environmental resource as defined by CEQA. Please see Master Response F – Property Values for information regarding property values in the context of CEQA.

### **Response 62.4**

The commenter restates opposition to the project. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

Letter 63

**From:** sheila mcgrath [mailto:mcgrath.sheila13@gmail.com]

**Sent:** Sunday, January 22, 2017 11:51 AM

**To:** Environmental Report

**Cc:** TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; ROSS MILLERICK; SHELLY SCOTT; GREGORY MACK

**Subject:** Stadium Lighting and Sound at San Marin High School

TO: Yancy Hawkins - Assistant Superintendent of Business and Operations  
Novato Unified School District

1 | I am writing as a San Marin homeowner of more than 20 years, and a parent who supported the Novato schools my children attended.

I am also a neighbor of San Marin High School in the Madera Marin condominium complex on San Marin Drive. When I purchased my property I hesitated at being next door to the high school, but the convenience of the location for my children and my trust in the responsible leadership of both the school and the district led me to proceed.

I attended the recent meeting at San Marin High School to solicit comments for the San Marin High School Stadium Lighting environmental impact report. I sent a letter to the Novato school district following the meeting, with my own concerns and objections.

I believe that the environmental impact report is limited to physical/scientific impacts, and does not address social/community/financial impacts. I am very opposed to the potential changes to my neighborhood this "lighting" and the effects its night sports activities would bring.

This a quiet family neighborhood. Working people look forward to relaxing in their homes on a weekend. That a good-faith financial investment in one's home and neighborhood can be materially altered by the vote of a mere 7 school board members is very distressing to me. It feels very wrong to me.

2 | I do NOT want this new use of school property (night stadium sports) in my neighborhood. I don't want to see it (lights), hear it, be affected by increased traffic, parking and possible crime. I don't want my property values diminished. I don't want to one day face difficulties selling my property in a declining neighborhood. Is the school board prepared to compensate homeowners for losses in their property values?

3 | If night sports have been determined to be San Marin High School's highest priority, I urge you to seek another location. And I am disappointed in the school board's direction, considering the many other educational needs of our students.

Sincerely,

Sheila McGrath  
106 Aspen Drive

cc: Thomas Cooper, Debbie Butler, Maria Aguila, Derek Knell, Greg Mack, Ross Millerick,  
Shelly Scott

## Letter 63

**COMMENTER:** Sheila McGrath

**DATE:** January 22, 2017

### **Response 63.1**

The commenter states that the Draft EIR is limited to physical/scientific impacts and does not address social/community/financial impacts. In general, the commenter is correct. Please see Master Responses F and G, for more information on property values and cost of the project, respectively.

The commenter also states opposition to the project and general concern regarding how the project would affect the neighborhood. The commenter's stated opposition to the project, while noted, is not a specific comment on the Draft EIR's analyses or conclusions, nor does it specifically address a potential impact on an environmental resource as defined by CEQA.

### **Response 63.2**

The commenter repeats opposition to the project and states general concerns regarding lights, noise, traffic and crime. The commenter also states concerns about the ability to resell their house in the neighborhood.

Again, the commenter's stated opposition to the project is noted. Please see Master Response A – Lighting and Aesthetics; Master Response B – Noise; Master Response C – Traffic; and Master Response F – Property Values.

### **Response 63.3**

The commenter requests the project be installed at another location. Potential alternatives for the proposed project, including off-site alternatives, are discussed in Section 6, *Alternatives*, of the Draft EIR. Additionally, please see Master Response E – Alternatives.

Letter 64

From: Dan McNear [<mailto:dan@mcnear.com>]  
Sent: Thursday, January 5, 2017 3:56 PM  
To: Environmental Report <[EIR@nUSD.org](mailto:EIR@nUSD.org)>  
Subject: San Marin lights

Dear Mr. Hawkins,

- 1 | I have just looked over the draft EIR for the San Marin High School field lighting project, and am writing to express my support for the project. I live on Michele Circle, up on the hill where I can see the football field from my house and yard, as well as hear the games being played. I can also often hear the nighttime softball games being played at the western end of the campus, but can not see the lights there directly due to trees in the way. I can sometimes see the glow from the lights.
- 2 | I also support the proposed improvements to the PA system to attempt to reduce sound spillover. While the sounds are usually unobtrusive, under certain still atmospheric conditions the sound can really carry. (Of course, being up on the hill as I am, I can also hear every police and fire call in western Novato as well as, occasionally, the horns of the SMART train 4 miles away. I guess that is the price to pay for having great views.) I do not find the sound of cheering high school kids to be the least bit offensive, though.
- 3 | While switching football games to Friday nights will have some effect on my family and property, I fully support the idea. Friday night football games are better for the students as well as the community at large. People often complain that there is nothing to do in Novato, and this would be something good for families to do together. Besides, it will only be for two months per year, and not even every weekend. I went to San Rafael High, and remember being envied by students at other Marin schools because we were the only school to have night games. In fact, Terra Linda used to borrow our field for their homecoming game just so it could be played under the lights. I am not sure if they still do that.

Yours Truly,

Dan McNear  
213 Michele Circle



## Letter 64

**COMMENTER:** Dan McNear

**DATE:** January 5, 2017

### **Response 64.1**

The commenter states that they have reviewed the Draft EIR and that they support the project, noting that they live on the hill where they can see the football field from their house and yard and can also hear the games being played. The commenter's stated support of the project, while noted, is not a comment on the Draft EIR specifically.

### **Response 64.2**

The commenter states that they also support the proposed improvements to the PA system, although they can currently hear sounds from the games as well as police and fire calls. This comment is noted, but does not pertain to the Draft EIR.

### **Response 64.3**

The commenter states that, although switching football games to Friday night may have an impact on their family and property, they support the idea because they feel that Friday night football games are better for the students and community. The commenter's stated support of the project is noted.

1-24-17

1

Re: EIR: San Marin lights  
Earthquake Zone (at the foot  
of Burdell Fault)  
Novato Flood Zone

Ruth Mendoza  
202 Alder Place

## Letter 65

**COMMENTER:** Ruth Mendoza

**DATE:** January 24, 2017

### **Response 65.1**

The commenter states “Earthquake Zone (at the foot of Burdell Fault) Novato Flood Zone.”

Faults and flooding are discussed in Item VI, *Geology and Soils*, and Item IX, *Hydrology and Water Quality*, of the Revised Draft Initial Study (Appendix A of the Draft EIR) respectively. As discussed in the Revised Draft Initial Study in Item VI, no significant impacts related to faults would occur and no mitigation is required. Additionally, as discussed in the Revised Draft Initial Study in Item IX, no significant impacts related to flooding would occur and no mitigation is required. No changes to the Draft EIR are warranted.

Feb. 8, 2017

RE: Proposed Light System at San Marin High School

Yancy Hawkins

1 | San Marin is a community which loves its pastoral setting. As a community we taxed ourselves to acquire open space all around the foot of Mt. Burdell plus up as far as we could go. Successful in this endeavor, those open spaces have since been turned over to Marin Co. Open Space District. The current students and school district do not know this history; but this is our community of which the more recent residents are reaping a beautiful quality of life.

We do not need or want a giant sports complex to nullify what we worked to achieve.

Ruth Mendoza  
202 Alder Place  
Novato, CA 94945

Feb. 8, 2017

RE: Proposed Light System at San Marin High School

Shelly Scott

San Marin is a community which loves its pastoral setting. As a community we taxed ourselves to acquire open space all around the foot of Mt. Burdell plus up as far as we could go. Successful in this endeavor, those open spaces have since been turned over to Marin Co. Open Space District. The current students and school district do not know this history; but this is our community of which the more recent residents are reaping a beautiful quality of life.

We do not need or want a giant sports complex to nullify what we worked to achieve.

Ruth Mendoza  
202 Alder Place  
Novato, CA 94945

## Letter 66

**COMMENTER:** Ruth Mendoza

**DATE:** February 8, 2017

### **Response 66.1**

The commenter extolls the quality of life in the neighborhood and states general opposition to the proposed project. These comments, and the commenter's stated opposition, are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

**From:** Joi Nahidi [mailto:joinahidi@gmail.com]  
**Sent:** Friday, February 17, 2017 6:43 AM  
**To:** Environmental Report  
**Subject:** San Marin HS Lights

Good Morning

1 I am writing to support the lights for San Marin High School Project!!!!

This has been A LONG TIME COMING!!! I came here in 1996 from SF with two small kids and was HORRIFIED (yes that was my feeling) that neither HS had lights!!!

I grew up in Walnut Creek and went to Los Lomas High School EVERY SCHOOL in the East Bay had lights and I graduated in 1981!!!! I WAS SOOO SURPRISED that NO MARIN SCHOOL (other than San Rafael) had lights!!! Our parents knew where we were every Friday night!!! Celebrating and having fun supporting our school and our classmates in sports. IT WAS A WONDERFUL time for our community.

WHY has Marin allowed a few people who bought a school next to a High school not only control the school but everything that it does????!!!!!!

When I came my kids started to play Pop Warner Cheer and Football and we could announce at all the games INCLUDING the 8:00 am ones!!! It was GREAT our kids and parents had a blast and so did our supporters. That is until one or two people who bought houses next to a football field complained and made us turn the announcements off..why do 1 or 2 people get to ruin everything for so many?

This is the same for the Lights Project!!!!

Our schools NEED LIGHTS!!!! All three of my kids played sports all the way through High school. Because we had no lights and schools in Marin have no lights, they had to miss a lot of school time to get to, even, local games. The schools that had lights, in the East Bay, Napa, Petaluma etc., they did not have to miss school to attend games.

Now that soccer has moved to Winter my youngest son missed SO MUCH class time this year and last year!!! WE NEED LIGHTS so that he can actually have a chance to not be up until 1:00 am doing work that he missed in class because he chose to play a high school sport!!!!

SUPPORT NOVATO KIDS and EDUCATION and DO THE RIGHT THING!!!!

APPROVE THE LIGHTS AT SAN MARIN HIGH SCHOOL!!!!!!

--

*Joi Nahidi*  
*Kaiser Glass*  
*801 S. Van Ness Avenue*  
*San Francisco, CA 94110*

415.572.4782 direct  
415.367.2528 direct fax  
[joi@kaiserglass.us](mailto:joi@kaiserglass.us)



## Letter 67

**COMMENTER:** Joi Nahidi

**DATE:** February 17, 2017

### **Response 67.1**

The commenter states support for the proposed project. The commenter's stated support of the project, while noted, is not a comment on the Draft EIR. A specific response is not required.

Letter 68

From: Larry Nilsen [mailto:lnilsen@gigrig.com]  
Sent: Friday, December 23, 2016 8:43 AM  
To: Environmental Report  
Subject: Budget

1 | Thank you for the recent Miller regarding stadium lights and environmental impact. I'm glad to be informed of public meetings regarding EIR. However, I'm curious when public meetings will be held regarding the final budget forecast. In your letter I see dates for approval of the project based on EIR but nothing about budget. I look forward to your reply. Regards. Larry Nilsen

Sent from my iPad

## Letter 68

**COMMENTER:** Larry Nilsen

**DATE:** December 23, 2016

### **Response 68.1**

The commenter asks when public meetings will be held regarding the final budget forecast. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. See also Master Response G – Project Cost.

From: Jerome Pagan [<mailto:jeromepagan@comcast.net>]  
Sent: Saturday, September 17, 2016 10:04 AM  
To: LESLIE BENJAMIN <[LBENJAMIN@nUSD.org](mailto:LBENJAMIN@nUSD.org)>  
Cc: [sanmarinlights@comcast.net](mailto:sanmarinlights@comcast.net)  
Subject: Field Lights at San Marin High - Please forward to Board of Trustees

1 | Dear Sir, I live in the Novato Chase area and would like to voice my displeasure of  
adding lights on the athletic fields. The girls softball field has lights and night games  
which have been a major distraction for me and my family. The music played there at  
the games are always on full volume. My baby doesn't fall asleep and neither can I  
which my alarm is set for 5am. Many times I have trekked over to ask the coaches to  
turn the music down only to receive rude and sarcastic remarks with me looking like the  
bad guy. Many times the coaches prep the infield on the weekends and turn the  
speakers on full blast like having their own personal concert and their isn't even a game  
scheduled that weekend. This field prep can even last until the sun goes down. I have  
2 | seen occurrences where parents with keys turning on ALL the lights giving personal  
instruction and private one on one practice with their daughters at the expense of  
NUSD. And nobody says anything. These parents on many occasions leave on all the  
lights and just go home. This is very rude to the local homeowners. I have called NPD  
to turn off the lights since they are shining into my master bedroom prohibiting my  
needed rest for work and my baby's rest period. If I had known these issues were  
apparent then I would've never bought this house. I planted 17 Redwood trees outside  
my house in order to someday block the bright lights from entering the windows, but we  
both know it's going take years before that happens. They are VERY bright, not some  
3 | low level accent lighting and there's nothing I can do. I voted for a parcel tax increase  
for NUSD but am having second thoughts @ field lighting. We need to spend funding on  
our kids education and climb out of the cellar academic world. Stop wasting my money,  
athletics isn't the priority, and don't ask for more parcel tax help. Your ideas are not  
practical , NUSD has other options with lighted fields in town! ...Jerome Pagan Novato  
Chase Member S

Sent from my iPad

## Letter 69

**COMMENTER:** Jerome Pagan

**DATE:** September 17, 2016

### **Response 69.1**

The commenter discusses the existing noise associated with an existing softball field and the associated adverse effects on their residence. The commenter's opposition to the project is noted. The commenter does not provide comments on the Draft EIR. Please see Master Response B —Noise for information on this topic.

### **Response 69.2**

The commenter discusses the existing lights associated with an existing softball field and the associated adverse effects on their residence. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 69.3**

The commenter suggests that funding go towards education, not athletics. These comments and the commenter's stated opposition are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see Master Response G – Project Cost.

**From:** Krista Peach [mailto:ktapeach@gmail.com]

**Sent:** Tuesday, January 24, 2017 8:01 AM

**To:** Environmental Report; TOM COOPER; millerick@nUSD.org; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEREK KNELL; DEBBIE BUTLER

**Subject:** Stadium Lights at San Marin High

January 24, 2017

Dear Yancy Hawkins and Trustees of NUSD,

1 | While I am a parent at Novato High, of students both current and past, I am writing in support of approving the project for stadium lights at the San Marin High School athletic field.

Novato truly needs a stadium with lights. A lighted field will be helpful in countless ways for San Marin High, and it will also be a great improvement in our community. Friday night football games are so much more fun than Saturday football games, for a start. Not to mention that a lighted stadium makes it much easier for all of the teams to get necessary and safe practice time. Having stadium lights has been needed for a very long time, and I hope that you will approve them. It is time to make this a reality for our entire school community.

Of course, I also hope that we will eventually get lights at Novato High as well, but getting them at San Marin will be an excellent and necessary addition for our community.

Sincerely,

Krista Peach

315 Marin Oaks Dr

Novato, CA 94949

## Letter 70

**COMMENTER:** Krista Peach

**DATE:** January 24, 2017

### **Response 70.1**

The commenter states support for the proposed project. This comment is noted.



Letter 71

Phone call from Dave Planka of San Carlos Way

- 1| He's against the lights. The main reason is that noise travels. Cheering already travels through the
- 2| neighborhood when games are occurring. Then there is the problem of traffic. Any extra money could
- 3| be better used.

## Letter 71

**COMMENTER:** Dave Planka

**DATE:** Not Indicated

### **Response 71.1**

The commenter states that they are against the lights due to noise impacts. The commenter states that the noise already travels when games occur under existing conditions. The commenter does not provide specific comments on the Draft EIR. Please see Master Response B —Noise.

### **Response 71.2**

The commenter states a concern regarding traffic, but does not provide specific comments on the Draft EIR. Please see Master Response C—Traffic.

### **Response 71.3**

The commenter concludes by stating that project funds could be used for better purposes. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR. Please see also Master Response G – Project Cost.

Dennis Poggenburg/Kristina Warcholski  
37 Sandy Creek Way  
Novato, California 94947

February 26, 2017

Yancy Hawkins  
Assistant Superintendent of Business and Operations  
1015 7<sup>th</sup> Street  
Novato, California 94945

Re: San Marin High School Stadium Lights Project

Dear Yancy Hawkins,

1 We object to the planned San Marin High School Stadium Lights Project. We have read and reviewed the Draft Environmental Impact Report (DEIR) and believe that this project is not in the best interests of our community.

**Light Issues** – Our family will be directly and personally affected by the significant nighttime ambient light created by the proposed stadium lights. The DEIR states that the stadium lighting, “will affect the visual character of the immediately surrounding neighborhood.” We own a telescope and regularly star gaze, an activity that would be precluded because of ambient light created by the proposed stadium lights. The light standards would flood LED light onto the hills and open space that surround our house on Sandy Creek Way.

2 We believe we are entitled to the quiet enjoyment of our home (both in terms of noise and ambient nighttime light during the evening hours). Members of our household go to bed early (and correspondingly get up early in the morning), because of our work schedules. The installation of the stadium lights would directly impact the quality of the early nighttime hours, as well as affect our sleep (sleep disruption is a known side effect of exposure to LED lights).

3 Further, the DEIR states that “lighting could spill over exceeding the District’s standards for illuminance at property lines facing residences,” and “Lighting and glare impacts would be potentially significant, but mitigable,” however the suggested solution (including a photometric study) would come after board approval with no guarantee of a remedy to the problem. The discussed “mitigation,” (attempting to point the lights downward) is limited in its solution to the problem, and is speculative as to whether it will “mitigate” the blue glow of LED lights. It does not provide a concrete solution to the nighttime glare that will be created for surrounding neighborhoods.

3  
cont.

Board approval of the project forces homeowners to live with a permanent unsolvable nighttime LED ambient light problem, with all of its attendant quality of life issues and potential health risks.

4

**Noise Issues** – We bought our home because it was in a quiet, neighborhood bordering on open space. We understand and live with existing daytime noise from current athletic activities at San Marin High School. The DEIR states that the noise from the expanded nighttime use of the stadium will be “significant and unavoidable,” for the surrounding neighborhoods. Our nighttime “quiet enjoyment,” of our home will be forever impacted, affecting not just our quality of life, but the resale value of our home.

5

**Aesthetic Issues** – The statements in the DEIR in Section 3.2 “Project Site Setting” do not address views of open space and surrounding hillsides as a concern for the hundreds of San Marin homes which are adjacent to the high school, including our own. Views are addressed only as concerns “of and through the stadium site,” as if the only view that matters is of the actual stadium itself, as opposed to the stadium sitting in front of residential neighborhoods and open space.

The DEIR wholly ignores the aesthetic implications of the stadium lights project. The planned lighting configuration calls for (8) 80 foot high poles (the equivalent of a four story building), up to (24) 30 foot poles, and potentially (18) additional 30 foot poles for the planned public address system.

The views of the Mount Burdell Open Space will be permanently marred by giant standards jutting above the surrounding neighborhoods destroying our valued hillside views.

6

**Traffic and Parking Issues** – The DEIR does not address increased traffic concerns (nor for that matter the attendant public safety risks of teenage nighttime driving to and from the campus). The increase in nighttime parking will directly impact homeowners who live near the high school and depend on street parking for their personal vehicles. The DEIR summarily dismisses these concerns without meaningful discussion. Clearly, further study of traffic and parking is warranted.

In conclusion, the Novato Unified School District Board has a responsibility to the community as a whole to not approve a project that has a significant, negative impact on the surrounding residential neighborhoods.

Sincerely yours,



Dennis Poggenburg and Kristina Warcholski  
37 Sandy Creek Way  
Novato, California 94947

## Letter 72

**COMMENTER:** Dennis Poggenburg and Kristina Warcholski

**DATE:** February 26, 2017

### **Response 72.1**

The commenter states that they object to the proposed project. Specifically, the commenter states an opinion that their family would be directly and personally affected by the nighttime light created by the stadium lights, affecting both the visibility of stars and the conditions in the neighborhood. The commenter's opposition to the project is noted, as is the concern regarding lighting. The commenter does not question the analysis or conclusions of the Draft EIR. Please see Master Response A – Lighting and Aesthetics.

### **Response 72.2**

The commenter states an opinion that the proposed lights and noise from events would directly impact the quality of their early nighttime hours as well as their sleep. These comments are noted. The commenter does not question the analysis or conclusions of the Draft EIR. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise.

### **Response 72.3**

The commenter states an opinion that the mitigation measures in the Draft EIR intended to reduce lighting impacts are inadequate. The commenter references a photometric study that would be completed after Board approval in addition to pointing the lights downward, which they suggest may not limit the glow of the lights. Additionally, the commenter states that approval of the project would force homeowners to live with a permanent unsolvable ambient light problem. These comments are addressed in Master Response A – Lights and Aesthetics.

### **Response 72.4**

The commenter states an opinion that project-related noise will permanently impact their quality of life in addition to the resale value of their home. Please see Master Response B – Noise and Master Response F – Property Values.

### **Response 72.5**

The commenter states that the information in the Draft EIR Section 3.2, *Project Site Setting*, does not address views of open space and surrounding hillsides. The commenter states an opinion that the Draft EIR ignores the aesthetic implications of the stadium lights project. The commenter concludes by stating that the views of Mt. Burdell would permanently be marred by light standards that would destroy the hillside views. These comments are addressed in Master Response A – Lighting and Aesthetics.

### **Response 72.6**

The commenter states an opinion that the Draft EIR does not address increased traffic concerns, nor does it address the concerns related to teenage nighttime driving to and from campus. Additionally, the commenter states that the increase in nighttime parking will directly impact homeowners who live near the school and use street parking for their personal vehicles. The commenter suggests that additional

study of traffic and parking is warranted. The commenter concludes by restating opposition to the project based on its impacts to the neighborhood. These comments are addressed in Master Response C – Traffic.

Letter 73

**From:** Lisa Poncia [mailto:[lisaponcia@gmail.com](mailto:lisaponcia@gmail.com)]

**Sent:** Wednesday, January 25, 2017 9:14 PM

**To:** Environmental Report

**Subject:** Support of lights at San Marin

1 | I support the lights at San Marin! This is a wonderful way for us to create community in Novato and provide meaningful activities for our students.

The fact that some neighbors have a "NIMBY" attitude should not negatively effect an entire town.

Thanks,  
Lisa Poncia

## Letter 73

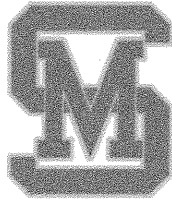
**COMMENTER:** Lisa Poncia

**DATE:** January 25, 2017

### **Response 73.1**

The commenter states support for the proposed project. This comment is noted.





Letter 74

Date: 1/19/17

Dear Yancy Hawkins and Trustees of NUSD,

1 I would like to request the approval of the EIR report and the project for stadium lights at San Marin High School athletic field. I feel the stadium lights would be an upgrade to our school community and add many benefits like the one's listed below:

- Reduced early dismissal for athletic teams.
  - Allows teachers to achieve educational goals with more class time for athletes
  - Example: When SMHS goes to later bells in 2017, it's estimated the soccer teams will miss over 1500 hours of instruction
- Reduces conflict for ACT/SAT prep and test dates
- Reduced injuries due to darkened fields
- Reduced heat related casualties to football players during the Saturday games
- Increased supervision for student activities
- Increase enrollment of local athletes with attraction of better sports environment
- Nighttime graduation for our seniors
- Family oriented High School games to bring our community closer

Thank you for your consideration to this project. San Marin High School is responsible for our future leaders and community well-being and we believe this improvement to the school will be a step in the right direction.

Sincerely,

Name: 7 Aries Lane

Address: Novato

Comments:

## Letter 74

**COMMENTER:** Gina Proffitt

**DATE:** January 19, 2017

### **Response 74.1**

The commenter states support for the proposed project. This comment is noted.

**WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!**

1  
2  
3  
4  
5  
6  
7  
8

Must  
Open  
Space  
Views  
Quiet!  
Residential

We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS). Novato Unified School District Draft Environmental Impact Report (EIR) "identifies potentially significant impacts related to aesthetics." The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.

- Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen miles away.
- Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and booing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR "identifies a significant unavoidable impact with respect to crowd and PA!"
- This project is Not for San Marin student games!** Mostly it's for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- Traffic!** Dozens of extra cars on our roads for each team's practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 games/events a year?
- Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Towering  
from  
yard!  
Expensive!  
Cops?  
medics?  
Traffic  
noise!

Your Name Robert RAVEN  
Address: 250 San Felipe Way, Novato, CA 94945

Add to Your Comments here and on back:

we hear the cheers and PA during day games.  
Neighborhood is Quiet at night, after 9!  
Wind carries noises into neighborhood!  
Residential

Traffic?  
Crime?  
fights?  
cops, medics?

**Let Your Voice Be Heard: Call, Write, Attend!**  
**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
 Yancy Hawkins- Assistant Superintendent of Business and Operations  
 Novato Unified School District, 1015 7th Street, Novato, CA 94945  
 Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

**Act Locally. Please Attend Upcoming Public Meetings:**  
 Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.  
 Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.

Trash?  
Clean up  
crews?

No significant Impact??

## Letter 75

**COMMENTER:** Robert Raven

**DATE:** Not indicated

### **Responses 75.1 through 75.8**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

### **Response 75.9**

The commenter states opposition to the proposed project and cites general concerns about traffic, crime, and noise. The commenter does not provide specific comments on the Draft EIR on which to base a specific response. Please see Master Response B —Noise, Master Response C —Traffic, and Master Response D — Public Services and Safety.

**From:** brian@brianrobinsonlandscaping.com [mailto:brian@brianrobinsonlandscaping.com]  
**Sent:** Friday, February 17, 2017 8:23 AM  
**To:** Environmental Report  
**Subject:** San Marin Stadium Lights

1 | Yancy Hawkins: We have lived in San Marin for the past 29+ years, about 1 mile from the school. Our 4 children all attended the school and played many sports. We are in favor of the stadium lights project. It will be a benefit for many athletes and it's a benefit for the community. --Brian.

**Brian Robinson**

**Robinson Landscaping, Inc.**

415-382-7933 Office (cell: 415-250-8687)

415-483-1297 Fax

Lic. # 564533

[www.BrianRobinsonLandscaping.com](http://www.BrianRobinsonLandscaping.com)

[brian@brianRobinsonLandscaping.com](mailto:brian@brianRobinsonLandscaping.com)



## Letter 76

**COMMENTER:** Brian Robinson

**DATE:** February 17, 2017

### **Response 76.1**

The commenter states support for the proposed project. This comment is noted.

Letter 77

**From:** Verena Rytter [mailto:verena.rytter@comcast.net]

**Sent:** Tuesday, February 14, 2017 2:47 PM

**To:** Environmental Report

**Subject:** I oppose the SMHS Stadium Lights Project Vote!

Dear Ms. Hawkins - Assistant Superintendent of Business and Operations;

1 | I am scanning and attaching my vote by e-mail. I am voting against installation of  
30-foot high Light Towers at  
eight locations at an Marin High School (SMHS), Novato.

Sincerely;

Verena L. Rytter


270 San Felipe Way

Novato, CA. 94945

(415) 892-5034

## WE OPPOSE THE SMHS STADIUM LIGHTS PROJECT!

- **We oppose the installation of 80 foot high Light Towers at eight locations (four on each side) and 30 foot towers at 18 locations at San Marin High School (SMHS).** Novato Unified School District Draft Environmental Impact Report (EIR) "*identifies potentially significant impacts related to aesthetics.*" The 80 foot towers will impact the views and aesthetics of the neighborhood, the high school and nearby open space! The light towers may be among the tallest structures in Novato.
- **Light Pollution!** The night lights will obstruct our views of the night sky, Milky Way, sunsets! Night-lights will harm nocturnal patterns of local wildlife, birds. The lights may be seen miles away.
- **Noise Pollution!** PA system noise and reverberation will be heard throughout the neighborhood, crowd cheering and boxing, air and car horns, plus loud music! Noise from the games will disturb neighbors. Prevailing winds blow sounds far into quiet residential neighborhood. Stores close by 9. Night games will end around 9:30 - 10 p.m. then an hour for fans to celebrate, talk, clear the field and leave parking lot. Traffic, horns, yelling. Clean up and garbage trucks at midnight? The Draft EIR "*identifies a significant unavoidable impact with respect to crowd and PA!*"
- **This project is Not for San Marin student games!** Mostly it's for private adult sports league games who will play throughout the year. So who benefits from this project? Will we the taxpayers pay?
- **Dangerous!** Tailgate parties before and after, lasting late into night. Alcohol, trash, fights. More fire danger, medical emergencies and crime in San Marin.
- **Traffic!** Dozens of extra cars on our roads for each team's practice, hundreds for the big games. Few public transit buses at night, long waits, people have to drive, and park. 300 nights a year?
- **Reduced Property Values!** The degradation of the neighborhood through light and noise pollution, increased traffic and violence. The 80 foot light towers will reduce the value of our homes. San Marin is a great place to live and raise families and we want to keep it safe and clean with beautiful views.
- **We do not want lights installed at SMHS stadium.** SMHS should not be overtaken by outside sports leagues which will hold games at night throughout the year to the detriment of the neighbors.

Your Name V Rytter  
270 San Felipe Way  
Address: Novato, CA 94945  Novato, CA 94945

Add to Your Public Comments here and on back:

I oppose to all of the above!

### **Let Your Voice Be Heard: Call, Write, Attend!**

**Public Comment Period Ends at 5:00 pm on February 14, 2017.**  
Yancy Hawkins- Assistant Superintendent of Business and Operations  
Novato Unified School District, 1015 7th Street, Novato, CA 94945  
Email: EIR@nUSD.org Fax: (415) 897-4298 Phone: (415) 897-4260

### **Act Locally. Please Attend Upcoming Public Meetings:**

Final EIR meeting: **February 28 at 6:00 pm** at NUSD boardroom.  
Final Approval meeting: **March 7 at 6:00 pm** at NUSD boardroom.



## Letter 77

**COMMENTER:** Verena Rytter

**DATE:** February 14, 2017

### **Responses 77.1**

The commenter states opposition to the project. These comments are noted.

### **Responses 77.2 through 77.9**

These comments are the same as comments 19.2 through 19.9. Please see responses 19.2 through 19.9.

### **Response 77.10**

The commenter states opposition to the proposed project. The commenter's opposition is noted.

Letter 78

**From:** Steve Sadler [mailto:Sadlerx2000@msn.com]  
**Sent:** Tuesday, February 14, 2017 3:09 PM  
**To:** Environmental Report  
**Subject:** Fw: San Marin stadium lighting

**Subject:** San Marin stadium lighting

1 | We are neighbors of San Marin High school.  
It seems to us that is what happens when a stadium is built. It is there to play sports! We have no objection to the lights or students having fun.  
We have found the students at this school are very well mannered.  
Steve and Janis Sadler  
21 Pepper Creek Way

## Letter 78

**COMMENTER:** Steve and Janis Sadler

**DATE:** February 14, 2017

### **Response 78.1**

The commenter states support for the proposed project. This comment is noted.

Letter 79

**From:** Claire Savona [mailto:savonaclaire@gmail.com]

**Sent:** Thursday, January 26, 2017 8:10 AM

**To:** TOM COOPER; millerick@nUSD.org; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; DEREK KNELL; LESLIE BENJAMIN; Environmental Report

**Subject:** Marin Catholic lights supporter

Dear NUSD Trustees,

1 | While our two boys were students in the Novato public school system throughout the majority of their early education, we felt that Marin Catholic was a better fit for them for high school. However, we strongly support Novato academics and the students here in our community. I have been involved in the effort to bring lights to the stadium at Marin Catholic. As you are, I am well aware of the many positive reasons to support nighttime athletic activities. I have witnessed the nasty 'not in my backyard' arguments from the Greenbrae residents and the various roadblocks they continue to throw in front of this effort. We have stayed in Novato because we appreciate the spirit of community here in northern Marin county. I sincerely hope that the same spirit of community pulls together to support the first lighted field at San Marin.

With Best Regards,

Claire Savona  
30 Morning Star Ct  
Novato, CA 94945

## Letter 79

**COMMENTER:** Claire Savona

**DATE:** January 26, 2017

### **Response 79.1**

The commenter states support for the proposed project. This comment is noted.

Letter 80

**From:** [lscheibel@comcast.net](mailto:lscheibel@comcast.net) [<mailto:lscheibel@comcast.net>]

**Sent:** Friday, March 3, 2017 10:21 AM

**To:** Environmental Report <[EIR@nUSD.org](mailto:EIR@nUSD.org)>

**Subject:** DEIR Comments

1

Yancy -

Attached are my comments on the San Marin High School Lights Project DEIR. Please contact me if you have any problems opening the attached Word file containing the comments. Would you please send me an e-mail confirming that you received the comments? Thanks for the opportunity to comment on this DEIR.

Larry Scheibel

# Comments on Draft EIR

## San Marin High School Stadium Lights Project

December 2016

Prepared by: Larry Scheibel

### General

2 | Your description of our neighborhood changes from suburban to urban throughout the DEIR. Our neighborhood is suburban and not urban. It appears that in each section of the DEIR you used the term, either urban or suburban, which would allow you to pick a corresponding evaluation criteria to make the case of no significant impact. This is just one of many indications of obvious bias throughout the report. It is unfortunate that EIRs, like this one, are often biased in favor of the entity that is proposing to build a project and who is paying for the preparation of the Initial Study and EIR.

3 | In CEQA Guidelines 15355, “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. This DEIR considers cumulative impacts only regarding the effects from nearby projects on each individual impact, such as noise or aesthetics, and does not consider the cumulative environmental impacts on our neighborhood from the project and all other sources combined.

The Planning Division of the Marin County Community Development Agency recently recommended rejection of Marin Catholic’s application to install lights on their football field based not on any one factor but on the combined effects of light pollution, noise, and traffic on the neighborhood resulting from the project. You are required by CEQA Guidelines 15355 to make a similar evaluation for this project in the DEIR, but did not do so. This project will have very similar cumulative impacts, changing the character of our neighborhood and the quality of life for residents, and should be rejected for the same reasons.

4 | If you believe that playing sports at night is important, this should be considered in the context of a community solution involving the District, including both high schools, and the City of Novato. A new lighted stadium could be constructed in an undeveloped area for use by all schools and the community. Putting lights on the San Marin High School football field will forever change the character of our neighborhood and negatively impact the quality of life for the nearby residents.

## Executive Summary

### Project Synopsis – Project Description

5 | What difference does it make if the proposed lights are better or worse than older lighting systems? These lights are not proposed to replace an older lighting system and should be evaluated based on their actual impact on the environment and not how they would compare to older systems.

6 | This section indicates the timing of some events would shift to evening or nighttime but the frequency of events per school year would not change significantly from existing usage. The District has an agreement with the City of Novato that allows the City to use the fields for their athletic events when not in use for school activities. The District also rents the fields out to various pay-to-play youth and adult leagues when not in use by the students. When use of the fields by students shifts from afternoons and evenings to nighttime, the vacated time slots will be filled by other organizations, increasing the total field usage.

7 | A new public address system with a DSP to control the sound volume would be a welcome addition to the field. However, the existing PA system is played very loud at times, not because it needs to be played loud to be heard in the stadium, but because the users want it loud. Can the DSP of the proposed new PA system be overridden by users resulting in sound levels that do not conform to the noise ordinance?

8 | This section indicates the stadium lights would not be used for community or non-school activities. What are the consequences if the District does allow the lights to be used for community or non-school activities? Would this trigger the need for a new EIR?

### Project Synopsis – Project Objectives

9 | Objective 1. How will the availability of the new synthetic turf practice field, constructed using Measure G bond funds, affect this objective for the lights? With the second synthetic turf field and games played on Saturday during daylight hours, why do the athletes need to miss any classes?

10 | I have often observed students on the field shivering in wet clothing trying to practice sports during rain storms with driving winds and temperatures in the 40's. Pushing these practices and games into the night will just make these conditions worse. No one seems to be exercising any common sense. Playing outdoor sports in Southern California during the winter may be feasible but it does not make any sense in Northern California.

11 | Objective 2. How is it easier for parents and community members to attend games on a week night rather than on Saturdays? I worked in Oakland and it was very hard to get home to Novato early on any weeknight, and especially on Friday night. Is increased revenue from ticket prices



11 | really an objective of this project? I had not heard this before. I am sure there will be more  
cont. | people attending Friday night games but most of these additional attendees will not be there to  
| support the team but for other reasons that concern me.

12 | Objective 3. I am sure the District will do what it can to reduce alcohol and drug use on school  
| property during Friday night games. However, you would have to be very naïve to believe that  
| Friday night football games at this school, or any other high school, would be alcohol free. This  
| indicates you do not have any knowledge of the smoking, drug, and alcohol problems that occur  
| daily among a small minority of students at the school. If you don't understand what is  
| happening now, you have no way to evaluate what will happen during future nighttime activities  
| at the stadium.

13 | Objective 4. Lighting conditions for typical daylight games and practices are far superior to  
| lighted nighttime activities. Visibility and resulting safety for athletics are greater during  
| daylight activities.

14 | Objective 5. The additional synthetic turf field will eliminate this objective.

15 | Objective 6. This would be a welcome addition to the stadium if the DSP can actually control  
| the sound level.

## 16 | Alternatives

This discussion of alternatives is very incomplete. Why wasn't the construction of the second artificial turf field included in evaluating every alternative that was considered? This second practice field, along with the upgraded PA system, eliminates all the stated project objectives, except for playing football and other sports at night.

If you believe that playing football at night is important, what is needed is a community solution involving the District, including both high schools, and the City. A new lighted field could be constructed in an outlying area without nearby homes for use by both the District and City without destroying the character of our neighborhood.

## 17 | Summary of Impacts and Mitigation Measures

Table 1: Impact AES-3. Mitigation measure AES-3 requires the district to retain a qualified lighting consultant to prepare a photometric study to estimate the light spill from the proposed project. This study must be performed before the DEIR is finalized and should be performed by a lighting consultant who is not associated with the lighting manufacturer and who will not profit financially if the project is approved. Contours of vertical and horizontal illuminance in foot-candles should be overlain on a map of the neighborhood showing the locations of houses, roads, parking lots, and other facilities.

18 | Table 1: Impact AES-4. Mitigation measure AES-4 requires the District to retain a qualified lighting consultant to prepare a photometric study to estimate glare problems created by the lighting system. It is likely that significant glare problems, that cannot be mitigated, will exist along San Marin Drive and in the main parking lot east of the stadium. Contours of discomfort glare in candelas should be overlain on a map of the neighborhood showing the locations of houses, roads, and other facilities. What are the consequences if the actual light spill and glare values around the site do not match the estimated values from the photometric study?

19 | Table 1: Impact N-2. This section indicates that noise from crowds and the proposed PA system at athletic events on the field would not exceed the threshold of 75 dBA at the sensitive receptors. This is not true. Noise from crowds, whistles, and individuals often exceed 75 dBA at nearby residences. Noise levels of 75 dBA, or greater, occur during both games and practices.

20 | Table 1: Impact T-1. Because you significantly underestimated the attendance and corresponding traffic for the maximum event at the stadium, it is not known how far operating conditions would fall below the LOS standards at any of the studied intersections. The traffic study needs to be redone using realistic assumptions for attendance and the ratio of vehicles to attendees.

## 21 | **1 Introduction**

### 21 | 1.1 Environmental Impact Report Background

Many people presented valid comments in the 57 letter responses to the Draft Initial Study. How many of these people were contacted to follow up on their comments?

22 | Table 2: Biological Resources. The discussion of biological resources in the Initial Study included as Appendix A of this DEIR is inadequate and incomplete. What are the qualifications of the person, or persons, who prepared this section of the Initial Study? Did they visit the site and perform any surveys of existing biological resources?

### 23 | 1.4 Lead, Responsible, and Trustee Agencies

Because the District voted to exempt this project from local zoning ordinances and review, other important issues that affect the environment, such as parking, were not considered in the DEIR. Other school districts that voted to exempt projects from local ordinances and review have at least studied all the important issues and attempted to comply with local issues whenever possible. Why wasn't that done for this project?

## 24 | **2 Project Description**

24  
cont.

### 2.3 Existing Site Characteristics

A small creek flows along the Dwarf Oak Trail west of the stadium site and should have been included in the discussion of existing site conditions.

25

#### 2.4.1 Project Overview

How would the district be prevented from using the stadium for community or non-school activities? Financial and other conditions at the District are always changing and use of these lights in the future could easily change from the current proposals.

26

Do LED lights really minimize glare that much with respect to older lighting systems? During our visit to Hillsdale High School to view their new stadium lights, extensive glare from the lights was visible on the field and areas surrounding the stadium, including the houses located along Alameda de las Pulgas and 31<sup>st</sup> Avenue. This glare appeared to be more prevalent than that observed at stadiums using older 4-pole Musco LED light systems.

The appearance of the lights during daylight hours is certainly better than older systems and light spill is better controlled by the shielded LED light fixtures than older systems. However, light spill observed at the front of houses along Alameda de las Pulgas and 31<sup>st</sup> Avenue was much greater than I expected. I don't know what the light level was in foot-candles, but it was very noticeable. My house is located approximately the same distance from the playing field as these homes and this level of light spill would be very undesirable to me.

27

The sound from the public-address system was loud in front of the homes located along Alameda de las Pulgas. I could not differentiate much difference from the sound level heard in front of these houses and that heard on the field. Hopefully this sound system can be adjusted and improved.

The site visit to Hillsdale High School was disappointing and it was obvious to me that conditions with respect to both the lights and public-address system were not as good as we had been led to believe by supporters of this project and the manufacture of the lights. In addition, we were observing the lights under ideal weather conditions. The light pollution during typical winter weather conditions of wind, rain, clouds, and fog will be much worse than what we observed.

The upgraded PA system will likely be an improvement over the older system, but will it "contain sound within the stadium" as claimed in this section? The sound system we observed at Hillsdale High School certainly did not contain sound within the stadium.

28

#### 2.4.1.2 Public Address System

Can the DSP be overridden by users? The current PA system is often played very loud not because it is necessary to be heard in the stadium but because the users want to play it loud. The

28 | current PA system is often used to announce baseball games although there are never many  
cont. | people attending these games. Will this practice continue with the new PA system?

### 29 | 2.4.1.3 Security, Parking, Crowd and Traffic Control, and Litter Removal

We have heard very different stories from high school principals about problems at Friday night football games than the information you got from some athletic directors. Why didn't you contact the residents in the areas surrounding these schools to find out what problems are occurring in the neighborhoods?

You were told there were so many problems at lighted athletic events in San Francisco that the public schools are not allowed to have Friday night football games. Why didn't you contact someone there to find out about these reported problems?

San Marin High School has a long history of intolerance and problems at athletic events involving both students and parents. The percentage of students involved in past instances was small and their attitudes certainly did not reflect those of the general student population. However, a similar small percentage of students with these same attitudes exist today and their behavior should be a concern if you are considering Friday night football games.

30 | The school has done very little to control litter problems from students on adjacent properties in the past. Why do you think this will be any different in the future?

### 31 | 2.4.1.5 Construction Schedule and Details

This section indicates the project would not substantially change any roadway conditions. Won't the glare from the stadium lights result in a substantial change in the driving conditions along San Marin Drive?

What will be the impact on nesting birds near the project site during construction? Do you know if there are nesting birds in this area?

### 32 | 2.4.1.6 Proposed Schedule of Events

What happens if activities do not end by 9:30 PM or the lights are not turned off by 9:45 PM? What recourses do nearby residents have if users ignore these timelines? I often go to sleep by 8:00 pm, or earlier, in the winter and activities on the field after that time will have an impact on me.

33 | The frequency of events on the field will change substantially. The time slots that open when practices and games switch to nighttime use will be filled by other activities including City sponsored athletic events and pay-to-play leagues. The total activities and noise on the field will increase substantially. Residents who live near the stadium, and have experienced the never-

33  
cont.

ending increases in activities and noise since installation of artificial turf on the field, are very aware of what will happen.

34

What happens if the stadium lights are used for community or non-school events? Would this require that a new EIR be produced? Based on everything I have observed at this school over the past 22 years, I believe the lighted field will be used for community or non-school activities in the future.

35

The projected attendance of 1440 for Friday night games with Novato High, Marin Catholic, and playoff games is significantly underestimated. Because of this, the environmental effects of traffic, noise, parking, and greenhouse gases were significantly underestimated. These analyses need to be redone using more realistic attendance figures.

For regular season games, you are estimating that attendance will increase from about 400 for Saturday day games to 1,000 for Friday night games. This is an increase of about 150%. For games with Novato High, Marin Catholic, and playoff games, you are estimating an increase in attendance from 1400 to 1440, or about 3%. How can you possibly justify this assumed increase of only 3%?

The following table presents data from both the San Marin DEIR and the most recent submittal made by Marin Catholic for field lights:

	<u>Marin Catholic</u>	<u>San Marin</u>
Student Enrolment	720	1076
Current Attendance at Saturday Football Games	400 - 1100	400 -1400
Assumed Maximum Attendance at Friday Night Games	1604	1440

Even though San Marin has 50% more students than Marin Catholic, you are estimating that maximum attendance at Friday night games will be 10% less than Marin Catholic. Marin Catholic’s estimate of 1604 is based on their maximum seating capacity of 1514, plus 90 players, coaches, cheer team members, and staff on the field.

As a minimum, the maximum attendance for San Marin Friday night football games should have been 2490, which is the stadium seating capacity plus 90 on-field personnel. This would be an increase of about 80% over the maximum Saturday day game attendance.

One could easily argue that a much higher maximum attendance figure should be used. An article published in Marinscope dated December 5, 2007, quoted the athletic director at Justin – Siena High School in Napa that attendance at football games tripled after lights were installed. Attendance at Palo Alto was reported to have quadrupled. I do not know if these figures are real or exaggerated but they were reported.

36 | Why are the evening school activities (such as graduation, rallies, or other special events) that could occur up to four times per year and would involve use of stadium lights and PA system not included in Table 3, Proposed Schedule of Events? Baseball games also make use of the stadium's PA system but are not included in Table 3.

37 | Why is the stadium's PA system allowed to be used during Pop Warner games? If they can use the PA system, don't you think they will also be allowed to use the lights at some time in the future?

38 | This section indicates that no spectators are expected to attend practices. We have visited several high schools with lights and have found that students tend to gather at stadiums and around the campuses whenever the lights are on.

### 39 | 2.5 Background and Project Objectives

How will the construction of a second artificial turf field, using Measure G Bond funds, affect the listed objectives?

40 | Why are students ever allowed to miss classes to participate in sports? Even at schools with lights, students are allowed to miss classes to play sports. This should never happen.

41 | If you think installing lights on this field is going to build community support, you are wrong. You have made hundreds of people living in this neighborhood very unhappy by just proposing this project. If the lights are installed, this dissatisfaction with the school will continue to grow. The District's consultant, TBWB, hired to advise the District on Measure G bond issues, polled the Novato community and found there was no support among voters to install lights on the high school football fields.

What are the other community building events hosted at the stadium that could benefit by occurring under lights? Why are they not listed in Table 3?

### 42 | 3.1 Regional Setting

How will the low-pressure systems which produce periods of cloudiness, strong shifting winds, and precipitation affect the lighting system? Will wind, fog, rain, and other winter conditions affect light pollution including sky glow, light spillage, and glare from the project?

With storms and temperatures ranging from the 30's to 50's in the winter, why would you want students practicing and playing games at night rather than during the day?

### 43 | 3.2 Project Site Setting

Why is the PA system used for community events?

44 | A small stream also exists along the Dwarf Oak Trail west of the stadium.

### 3.3 Cumulative Development

45 This section indicates that cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. This DEIR considered cumulative effects only regarding each individual impact such as noise or aesthetics and the effects on each individual environmental impact from nearby projects. You did not consider the combined effects from all the individual environmental impacts for this project and other nearby projects on our neighborhood.

The Planning Division of the Marin County Community Development Agency recently recommended rejection of Marin Catholic's application to install lights on their football field. This recommended rejection was not based on any single impact but on the combined effects that would result from the project. You need to make an evaluation of the combined effects on our neighborhood from all the individual impacts as required by CEQA Guidelines 15355.

46 The new artificial turf practice field and associated egress lighting system, to be constructed with Bond B funds, needs to be included in the Cumulative Project List.

Will a separate EIR be completed for the new artificial turf practice field and egress lights?

47 Why isn't the new batting cage recently constructed at the high school included in the Cumulative Project List? This has resulted in a substantial increase in noise that often occurs for hours each day.

#### 4.1.1 Setting

48 In this section, you indicate that the school is in a suburban residential neighborhood. In the Initial Study, Biological Resources Section, you indicate the school is in an urban area. You seem to be using various description of the area in different sections so you can pick criteria to make the case for no significant environmental impacts. Look at the site photos presented on Figures 5 and 6 in your DEIR. Does this look like an urban area to you? Our neighborhood is a suburban area.

49 This section indicates that some nearby residences have views of the stadium. Actually, there are many residences that have views of the stadium and some have views of the entire playing field in the stadium.

Two of the main sources of existing glare for residences north of the stadium are reflected sunlight off the sloping metal roof of the concession stand during midday and off the roof of the tent-line fabric that covers the new batting cage in the evening. This type of sloping metal roof structure and tent-like covering of the batting cage should never have been used in this area but is representative of the indifferent attitude the school has toward the neighbors.

50 | 4.1.2 Impact Analysis

References cited in this section are not listed in Section 7, References.

51 | You indicate that the E3 lighting zone applies to this site implying that this is an urban area. Once again, you have chosen to characterize the site using a description that will allow you to use criteria that will guarantee no significant impact for this environmental factor.

Lighting zone E3 as described by CIE definitely does not apply to our neighborhood. The residential areas surrounding the stadium site should be characterized as lighting zone E2 and the open space and parks as zone E1.

52 | No mention is made in this section about the effects of common winter conditions such as wind, rain, fog, and clouds on light pollution including sky glow, light trespass, and glare. Will these conditions be modeled in the photometric study? If not, what is the point of performing this study as it will not be representative of conditions often expected at the site when the lights are in use.

53 | For those residents living on the north side of the stadium, normal light pollution measurements such as sky glow, light trespass, and glare do not begin to quantify the real problem. Several residences on the north side of the stadium site have full views of the playing field from their homes. The reflected light from the playing field will overwhelm the views at night from these homes and have a significant impact on these residents and on the open space north of the field.

Our house is approximately 35 feet higher than the playing field and approximately the same horizontal distance from the playing field as Level 2 seating at Levi's Stadium. We will see the entire lighted field and all the luminaires on the 80-foot tall light poles from our house. For us, it will be equivalent to being in Levi's Stadium while the lights are on for games or practices every night of the week.

As presently planned, the 80-foot light poles on the west side of the stadium will be located behind the home bleacher seats in an area that is approximately 15 feet higher than the playing surface. These lights will tower 95 feet above the playing surface of the stadium and approximately 60 feet above the level of our house.

54 | During periods of moderate or heavy rain, water ponds on the surface of the San Marin playing field. Photo 1, presented at the end of my comments, shows this ponding during a moderate rain occurring on January 18, 2017. During heavy rain, most of the entire stadium surface has ponded water. How will this ponded water affect light pollution including sky glow, light trespass, and glare. This condition, which occurs often in the winter, should be accounted for in the photometric study.

55 | Has anyone involved in preparing this DEIR been to our neighborhood at night? We do not have substantial existing light pollution as you have stated. In fact, we have much less existing light



55  
cont.

pollution than would be expected for a suburban neighborhood because of the open space hills that surrounds most of the area. Figure 3 is a photograph of our neighborhood taken on February 28, 2017, from the Dwarf Oak Trail looking south across the San Marin High School site. Photo 4 is a photograph covering the identical area taken after dark on the same day and from the same location.

56

In the mitigation measures for Impact AES-2, you indicate that the new light poles would be visually compatible with the existing flag pole, goal post, and mounted speakers along the bleachers. However, the new light poles will be several times higher than any of these features and in no way compatible with any of them. Have you ever seen any of these 80-foot poles and how they dominate the views from both in and around a stadium, especially at night?

57

In the mitigation measures for Impact AES-3, you recommend that a photometric study be performed to evaluate the light spill and glare problems surrounding the stadium. This study must be done before the DEIR is finalized. Contours of luminance and glare should be overlain on maps including the locations of houses and other features.

58

In the mitigation measures for Impact AES-5, you indicate that lower output luminaries would be mounted facing upward at 20 feet on each light pole and would incrementally increase sky glow when in use by reflecting light off clouds and aerosols. You also state that these lights would only be used for short durations to illuminate airborne objects such as footballs during punts and kickoffs. However, during our visit to Hillsdale High School, we were told these upward facing lights would always be on when the lights are in use. Which one of these stories is true? If the upward facing lights will be use only intermittently, who will turn them on and off?

59

The proposed new artificial turf practice field will have a significant number of egress lights. This should be considered in the cumulative impacts section for the lights.

The recently installed solar panel structures all have lights that stay on all night. This must be included in the cumulative impacts section.

60

#### 4.2 Air Quality

The traffic projections used in this section are based on erroneous assumptions about game attendance as previously discussed. How would the air quality evaluations change if more realistic assumptions of attendance are used?

61

#### 4.4 Greenhouse Gas Emissions

The traffic projections used in this section are based on erroneous assumptions about game attendance as previously discussed. How would the projected greenhouse gas emissions change if more realistic assumptions of attendance are used?

62 | 4.5 Noise

The traffic projections used in this section are based on erroneous assumptions about game attendance as previously discussed. How would the noise evaluations change if more realistic assumptions of attendance are used?

63 | 4.5.1 Setting

A major source of existing noise from the school is the new batting cage. This new batting cage is several times larger than the one it replaced. The ping of aluminum bats on baseballs is a very irritating sound that now occurs for long periods of time almost every day.

The only noise monitoring stations used for the study that have any validity are LT-1, ST-1, LT-2 and ST-3. All the other monitoring stations appear to have the direct line of sight to some, or all, of the noise sources including the field, bleachers and PA speakers blocked or partially blocked by terrain or structures. Any time you block the direct line of sight to a noise source the sound level from that source is decreased. By moving the other noise monitoring stations a few feet horizontally or vertically, increased sound levels would have been recorded that would have been more representative of the neighborhoods in which they were located.

Noise monitoring station ST-7 is labeled Santa Gabriella Court and one would assume the noise recorded at this station would be representative of the houses located on Santa Gabriella Court. However, the location chosen for this station is absolutely not representative of any of the houses on Santa Gabriella Court. I was measuring sound levels at my house the same time the consultant made the measurements at ST-7. The noise levels on the south side of my house were 10 to 15 dBA higher than at ST-7, which is approximately 100 feet north of my house. This is because my house, and the small hill it sits on, blocks the direct line of sight from ST-7 to all the noise sources from the stadium.

64 | You indicated that the governing board of the district adopted Resolution No. 16-2017/17 to exempt the proposed project from local zoning ordinance requirements pertaining to noise and other issues. However, CEQA Appendix G requires that local ordinances be used to establish thresholds of significance for noise so why was Resolution No. 16-2016/17 mentioned since it does not apply to noise?

65 | Because you assumed that attendance at playoff and rivalry games would only increase from 1400 to 1440, you significantly underestimated crowd noise. An attendance figure of 2490 should have been used. You have also underestimated the amount of traffic and the corresponding traffic noise.

66 | Table 28 indicates that  $L_{max}$  noise levels from the stadium will not exceed 73 dBA for varsity football games after installation of the new PA system and Impact N-2 states that noise from crowds and the proposed PA system at athletic events on the field would not exceed the

66 | threshold of 75 dBA. This is not true. I have measured sound levels exceeding 75 dBA from  
cont. | crowd noise, whistles, and individuals, at my house, during both games and practices.

67 | Impact N-3 indicates that traffic noise from football games would exceed FTA thresholds on San  
Marin Drive and Novato Boulevard. However, because you have significantly underestimated  
attendance and the corresponding numbers of vehicles, the conditions are worse than you have  
indicated. This impact is significant.

Many of the people generating noise from the field were aware that sound level measurements  
were being made this year as part of the Initial Study and that these measurements could  
determine if they would get the lights they wanted. Noise levels from games played during  
previous years were noticeably louder.

#### 68 | 4.6 Transportation and Traffic

You indicate that the addition of lighting at the school would shift stadium events currently held  
during daylight hours to nighttime, enabling larger attendance. However, in your analyses  
throughout the DEIR you assume basically the same maximum attendance figures for nighttime  
activities (1440) as for daytime (1400). As previously discussed a more realistic attendance  
figure of 2490 should have been used in the traffic analysis.

69 | A circulation and emergency vehicle plan should have been developed and presented in this  
DEIR on a map of the stadium site.

#### 70 | 4.6.1 Setting

A total of 21 intersections were selected for analysis of potential impacts within the study area as  
indicated on Figure 13. However, the intersection of San Marin Drive and San Carlos Way,  
located directly in front of the school, was not analyzed. This is the most critical intersection for  
the project and one that will absolutely create major traffic problems. That is because of  
vehicles entering and leaving the school property combined with large numbers of pedestrians  
crossing San Marin Drive. Any traffic analysis that does not consider this intersection, along  
with its effects on adjacent streets and intersections, is worthless.

Based on 22 years experience living in this neighborhood, I have absolutely no doubt this  
intersection will be operating at LOS E or F conditions for extended periods of time during  
Friday night football games. Backups from this intersection will also have a major impact on the  
intersection at San Marin Drive and Novato Blvd., causing that intersection to operate at less  
than LOS D. Backups could also affect other intersections along both San Marin Drive and  
Novato Blvd. I have experienced LOS E and F conditions many times at both the San Carlos  
Way and Novato Blvd. intersections with San Marin Drive, at noon time, when some students  
leave the school.

71 The existing level of service data for the 21 intersections analyzed is shown in Table 34. This is based on traffic counts done on only one day; Friday, June 24, 2016. Everyone who lives in the Bay Area knows that traffic volume is much less in the summer than during the school year because of vacations and other factors. In addition, the traffic volume in the evening on San Marin Drive and Novato Blvd. is very dependent on the backup conditions on Highway 101 north. If there is a backup on Highway 101, many motorists use San Marin Drive and Novato Blvd. to access the back roads to Petaluma. Because traffic counts were performed only one day, we have no idea what these values represent. Traffic counts should have been performed during the school year and on several Fridays to determine the expected range in values.

#### 72 4.6.2 Impact Analysis

In addition to the underestimation of maximum attendees at Friday night football games, the assumed rate of 0.31 vehicle trips per occupied stadium seat, used in the analysis, is too low. The consultants who prepared the Marin Catholic submittal for their proposed lighting project measured an actual rate of 0.45 vehicle trips per attendee at their stadium. They performed a traffic count at the homecoming game, which had the highest regular season attendance of the year. This ratio would be expected to be lower for a public high school but the assumed value of 0.31 is 50% lower, which is not reasonable. Why wasn't this ratio determined by an actual traffic count during a game at San Marin High School? If you don't perform an actual traffic count, you should assume a more conservative value in the range of 0.35 to 0.40.

What are the traffic impacts if a more realistic maximum attendance figure of 2490 is used along with a more realistic ratio of 0.35 to 0.40 vehicle trips per attendee? It appears to me this would double the estimated peak hour trips of 442 shown in Table 36.

73 What are traffic impacts on residents attempting to enter or exit their driveways during Friday night football games? How will traffic be affected by parking if people need to search for parking spots because there is not enough on-site parking?

Parking has an environmental impact for this project and must be considered in the DEIR. CEQA Guidelines do not specifically list parking as one of the potential impacts that must be addressed in an Initial Study or EIR, but the guidelines do not set forth an exclusive list of all potential impacts that must be addressed. The Guidelines expressly advise: "Substantial evidence of potential impacts that are not listed on this form must also be considered". The Guidelines include a section on transportation and traffic, which issues include parking, even though parking is not expressly listed.

74 The information on parking presented in Appendix F of the Initial Study is inadequate and incomplete. It is not indicated if the parking survey was done on a Friday or some other day of the week. It is also not indicated if the parking survey was done during the school year or summer. It is not clear what the numbers presented on Figure 6 represent and the relationship between these numbers and those presented in Tables 4 and 7.

75 | How will pedestrians walking from their cars parked on the east side of San Marin Drive and along Novato Blvd. and San Carlos Way affect the traffic at the intersection of San Marin Drive and San Carlos Way, directly in front of the school, and the San Marin Drive and Novato Blvd. intersection? This should be considered in the traffic analyses of these two intersections.

76 | Have there been parking problems with previous large events held at the school? Have residents been contacted to find out if there are existing parking problems? Is it likely that some of the attendees using street parking will block residents' driveways? Will attendees park in the shopping center lot at San Marin Drive and San Ramon Way interfering with residents attempting to shop at the stores? Is the current parking compliant with ADA requirements?

## 6 Alternatives

77 | The discussion of alternatives is incomplete and like many other parts of the DEIR appears to be based on opinions rather than facts. The additional artificial turf practice field was considered as a separate alternative but no consideration was given to the fact that this field will be constructed and should have been considered in the discussions of all other alternatives. Some means should have been presented to compare the benefits and negatives of the various alternatives considered.

Your discussion of the additional on-site artificial turf field alternative is very misleading. Along with a new PA system on the existing field, this alternative would meet all the objectives of the lighting project, except for playing football on Friday night. Because of common adverse weather conditions, winter outdoor sports should be played on Saturdays and not at night. It does not make any sense to play games at night during the winter with the cold and rainy conditions. All the teams could easily be accommodated for practices on two artificial turf fields, as they are at many other high schools.

78 | With the additional artificial turf practice field, new PA system on the existing field, and portable lights for Friday night football games, all the stated objectives of the lighting project could be met. Why was this not considered in the analyses of the alternatives?

If you believe that playing football and other sports at night is important, what is needed is a community solution involving the District, including both high schools, and the City of Novato. There are many open areas around the city where a new lighted stadium could be constructed without destroying the character of any existing neighborhoods. Why was this alternative not considered?

## 79 | 7 References

This section is incomplete. Many references cited in other sections are not included.

## Appendix A

### 80 | **8 Description of Project – Project Components**

#### Security, Crowd and Traffic Control, and Litter Removal

How can the residents who live in this neighborhood, and know the most about existing problems, review and comment on a safety plan that is not available? The DEIR cannot be finalized until this document is available and can be reviewed by nearby residents who understand the existing and potential problems.

81 | We have visited several high schools with lighted stadiums in the Bay Area, and any time the lights were on large numbers of students were observed hanging around the school and stadium. That currently does not occur in our neighborhood and the area is relatively quiet after dark. I am concerned these lights will attract students and others people to the high school campus and surrounding area any time they are turned on. A small but significant percentage of these people will be involved in drug and alcohol use and corresponding problems with wildfires, traffic accidents, vandalism, and other problems.

82 | San Marin High School has a reported long history of incidences involving intolerance and problems at athletic events, including both students and parents. The Wikipedia coverage of the school on the internet includes a chronological description of these problems. I lived adjacent to the school during this period and am aware that the problems involved only a small percentage of the student population. The attitudes of this small group of students absolutely did not reflect those of the general student population. However, the actions of this small group gave the entire school a bad reputation. This same small percentage of students with similar attitudes exist today and the potential for similar problems still exist.

There have been continuing incidences of smoking, drug, and alcohol use by students in the open space and park areas surrounding the site. These problems also involve a small, but significant, percentage of the student population. The Marin County Open Space Rangers have made a great effort to control these activities on their land and have had some success. However, it appears that the same problems are continuing to occur and have just moved to other park lands near the school.

I am very concerned that Friday night football games will reignite the problems that have occurred in the past. Keeping these problems under control for indoor sports activities is one thing but controlling them during Friday night football games will be much more difficult. There will be a significant potential for wildfires set by cigarette and marijuana smokers after dark in the park and open space areas. A small percentage of students and others involved in drug and alcohol use will be driving home along with large crowds of people exiting the stadium after dark. This is much different than these same inexperienced drivers, using these substances during the day, and driving home with little traffic during daylight hours.

83 | On May 25<sup>th</sup>, last year, a Novato High School student was attacked and murdered and another student attacked and maimed by other Novato High students in a drug and gang related incident on Marin County Open Space property. The potential for such very serious incidents in our neighborhood will also be greatly increased if lights are installed, and especially at Friday night football games. I do not understand why you are not more concerned about the potential for problems at night, including drug and alcohol use by students and others, in the parks and open space areas around the stadium, if lights are installed.

84 | The ability of the school to control the behavior of students and others hanging around in the residential, open space, and park areas surrounding the stadium, during both lighted games and practices, will have a major impact on the environmental damage done by this project. It will also have a major impact on the reputation of the school.

I have not seen the school make any effort to control litter problems left by students in the area surrounding the school during the 22 years we have lived here. I don't expect this is going to be any different for Friday night football games or other lighted events.

## 85 | **Environmental Checklist**

### IV. Biological Resources

Biological resources were incorrectly identified as not having a significant impact from the project without performing adequate surveys and studies. Why were no wildlife surveys or vegetation inventories performed? An expanded evaluation and discussion of biological resources must be included in the final EIR, or it should be rejected as incomplete.

86 | Because of the potential for negative impacts to occur upon several bird and bat species, bird and bat surveys should have been conducted on site and within the buffer zones during breeding season before reaching any conclusions regarding significant impacts. These surveys should have been performed by experienced and qualified avian and bat biologists. Items IVd and IVe on page 18 of the Revised Initial Study should have been checked as having a potentially significant impact until bird and bat studies were completed.

A map of special status bird and animal species known to exist within the site vicinity should have been prepared and included in the Initial Study and DEIR. In addition, maps, figures, and photos illustrating where buffer zones extend and encroach upon natural habitat surrounding the site should have been included. These should indicate how far light and noise will encroach into the buffer zones potentially used by roosting, foraging, and nesting birds and bats.

87 | An assessment of common birds' ability to roost and forage on the site and nearby buffer zones should have been included in the Initial Study and DEIR. CDFW and USFWS regulations require that songbirds in a buffer zone as far as 50 feet from the site's boundary be protected

87  
cont.

while roosting, foraging, and nesting. Raptors in buffer zones extending as far as 250 to 500 feet from the site's boundary are also protected while roosting, foraging, and nesting.

This project could result in significant negative impacts to common biological resources located on-site and in the buffer zones surrounding the site. Photo 2, presented at the end of these comments, shows a hawk roosting on the right field foul pole of the adjacent high school baseball field on February 17, 2017. This foul pole is located approximately 150 feet from the nearest proposed 80-foot high light pole. Photo 3 shows a hawk roosting in a redwood tree on our property on January 17, 2017. The tree is located approximately 10 feet from the school property line and 200 feet from the nearest proposed light pole. These predators often hunt ground squirrels and other small animals and birds that live on the school property adjacent to the football field.

88

You indicate that prey available for owls, such as small rodents, are unlikely to occur in the athletic field area. However, there is a colony of ground squirrels located along the slope on the northwest side of the field, just north of the home bleachers. These squirrels are prey for many raptors that frequent the site and their burrows will be directly impacted by both the construction and operation of the lights.

89

There are numerous potential impacts upon birds at night caused directly by the lights including alteration of a straight flight path, bleaching visual pigments so that the birds are in effect blinded, and collision of birds with human structures such as light poles and lights. What are the impacts of this proposed lighting project on migratory and local birds? Do you know if migratory and local birds regularly fly over this site? A cumulative impact analysis of the effects on migratory and local birds should have been included in the DEIR.

90

You received numerous comments from residents about biological resources in this area. How many of these people were contacted to follow up on their comments?

91

Both owls and bats have been known to nest in the eaves of houses located along San Ramon Way and Santa Gabriella Court. Have you followed up to determine which species of owls and bats have nests in this area?

92

You indicate the nearest riparian area to the stadium is located approximately one-quarter mile to the south and southwest at Novato Creek. However, there is a riparian area located much closer along the creek that parallels the Dwarf Oak Trail west of the site.

93

Once again, in this section, you misidentified our neighborhood as urban instead of suburban because it fits your desire to imply no significant impacts on biological resources. We are located on the edge of a suburban area that is surrounded by open space and park areas with a great variety of wildlife. This project would likely result in violation of the Biological Resources section of the Marin Countywide Plan and result in degradation of our neighborhood's natural aesthetics.



93  
cont.

There are no discussions in this section on the impacts of noise on biological resources. What are the impacts of nighttime noise on owls, bats, and other wildlife?

94

This project will interfere substantially with the movement of native deer in this area. There is an existing deer nursery on the hill in the Mount Burdell Open Space Preserve north of the stadium. The football playing field is visible from much of this area and both the lights and noise from the stadium will impact deer and other wildlife in the preserve. At night, in the summer and fall, the deer travel south along the Dwarf Oak Trail west of the stadium to O'Hair Park and south along both San Ramon Way and San Andreas Drive in search of food and water. Movement of the deer will be impacted by the lights and noise from the stadium and by increased traffic on San Marin Drive and Novato Blvd. after both games and practices. Some of these deer will be killed in collisions with cars because of increased traffic, especially after Friday night football games.

95

I have spent thousands of hours over the past 22 years hiking in areas surrounding this site and observing wildlife and their reaction to human intrusion. Everything I have observed over these years indicates that this lighting project will have an enormous negative impact on wildlife. You have spent a few hours, at most, at the site and have stated that there will not be any significant impact on wildlife.

96

## VII Hazards and Hazardous Materials

Once again you have described our neighborhood as urban instead of suburban to suggest that wildfires would not be a significant hazard if the lights are installed.

There have been problems for years with students smoking cigarettes and marijuana and drinking beer in the open space and park lands surrounding the stadium. At night, these problems, including the potential for wildfires, will be substantially increased.

Wildfires have been set accidentally by students in the past and installing lights on the stadium will make future wildfires at night a certainty. The only question is how often will they occur and how much damage will they do to the adjacent residences and to the wildlife in the open space and park areas. If you don't know this, you have no understanding about what goes on in our neighborhood.

97

## XIV Public Services

Statements made in this section again indicate you have no understanding of the current smoking, drug, and alcohol problems in our neighborhood and the impact the lighted games and practices will have on these problems. The impact on public services will be significant and an expanded evaluation and discussion on this topic should have been included in the DEIR.

97  
cont. Presently, the Marin County Open Space Rangers are making significant efforts to control these illegal activities in their area. Have they been contacted to determine the availability of rangers to patrol the Mt. Burdell Open Space area during nighttime activities? If not, students and others will soon learn they can do whatever they want in these areas when there are no rangers present at night.

98 XV Recreation

In this section, you indicate that the proposed expanded schedule of events would not result in accelerated physical deterioration of the artificial playing surface. This is not true. If you look at any of the web sites for the companies that manufacture and install the artificial turf, they all indicate the useful life of the turf depends on the type and frequency of use. What is your basis for making this statement that useful life does not depend on frequency of use?

99 This lighting project will have a huge negative impact on the parks and open space areas that surround the site and the wildlife animals that live in these areas. As previously discussed, the potential for wildfires will increase significantly because of the smoking, drug, and alcohol use that will occur in these areas after dark. Wildlife animals will be harassed by students congregating in these areas to view football games and other nighttime activities at locations where they cannot be observed by school officials and police.

100



Photo 1 – Water Pondered on Field During Game on January 18, 2017



Photo 2 – San Marin High School Neighborhood



Figure 3 – San Marin High School Neighborhood at Night



Figure 4 – Red-Shouldered Hawk Roosting on Right Field Foul Pole on February 17, 2017



Figure 5 – Red-Tailed Hawk Roosting in Redwood Tree on January 17, 2017

## Letter 80

**COMMENTER:** Larry Scheibel

**DATE:** March 3, 2017

### **Response 80.1**

This is the transmittal for the commenter's main comments document. The commenter's comments on the Draft EIR are addressed below.

### **Response 80.2**

The commenter states an opinion that the project neighborhood is described as both "suburban" and "urban" in the Draft EIR for purposes of biasing the EIR's conclusions. The project neighborhood is best described as suburban. However, there are times when the word "urban" or "urbanized" is used in environmental analysis as a general synonym for "developed," distinguishing, for example, between a "greenfield" site and one that, like the project site, is within a developed neighborhood. The use of "urban" or "suburban" generally has no effect on impact determinations or "bias." Nevertheless, the Revised Draft Initial Study (Appendix A of the Draft EIR) has been clarified to state that the project site is in a suburban residential neighborhood as shown in Response 5.1. For a discussion of this issue in relation to lighting zones, see Master Response A —Aesthetics and Lighting.

### **Response 80.3**

The commenter quotes CEQA Guidelines Section 15355 regarding cumulative impacts, and states an opinion that the Draft EIR does not consider the cumulative environmental impacts on the neighborhood from the project and other sources combined. The cumulative setting is described in Section 3, *Environmental Setting*, of the Draft EIR, and each topical section of the Draft EIR in Section 4, *Environmental Impact Analysis*, includes a cumulative impacts discussion. As also noted in Section 3, and consistent with CEQA Guidelines Section 15130(b):

This analysis considers the relevance of each potential cumulative project in light of the geographic scope of the specific resource area for which impacts may occur. For instance, cumulative aesthetic impacts are limited to potential projects within the immediate viewshed or line-of-sight of the stadium or potential projects that would affect the visual character of the immediately surrounding neighborhood, whereas cumulative traffic impacts consider other potential projects within a more broad geographic scope.

As the commenter does not provide specific comments on the cumulative analyses in the Draft EIR, a more specific response is not possible.

### **Response 80.4**

The commenter states an opinion that the project should be located "in an undeveloped area" and that the project would have adverse effects on community character and quality of life. These comments are noted but do not challenge the analysis or conclusions of the Draft EIR. Please see also Master Response E —Alternatives.

**Response 80.5**

The commenter states an opinion that the proposed lights should be evaluated based on their actual impact on the environment and not how they would compare to older systems. Section 2, *Project Description*, of the Draft EIR notes for informational purposes that the proposed lighting system would result in less light trespass and glare than older lighting systems. However, this is not factored into the analysis of project light impacts under Impact AES-3, which takes into account only existing light conditions on the project site and the proposed new lights.

**Response 80.6**

The commenter states an opinion that when the field is not in use by students, it would be filled by other organizations that would increase the total field usage. As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, while the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not significantly change from existing usage. The stadium lights would not be used for community or non-school activities. Please see Response 19.5.

**Response 80.7**

The commenter asks if the proposed new PA system could be overridden by users resulting in sound levels that do not conform to the ordinance. Whether or not the proposed PA system could potentially be “overridden,” as explained in the Draft EIR in Section 4.5, *Noise*, Mitigation Measure N-2 would require the District to operate the PA system to the extent possible at sound levels that would not exceed the identified significance thresholds. Please see also Master Response B —Noise.

**Response 80.8**

The commenter asks what the consequences would be if the District allowed lights to be used by non-school activities and if this would trigger a new EIR. Such a change would need to be evaluated under CEQA and, if new or substantially increased impacts would occur, or if other criteria listed in CEQA Guidelines Section 15162 were met, subsequent CEQA review including, potentially, a subsequent or supplemental EIR would be required. See also Response 56.3. Please note that the Draft EIR analyzes the project as proposed by NUSD, and does not engage in speculation on potential changes to the project, pursuant to CEQA Guidelines sections 15064, 15145 and 15384.

**Response 80.9**

The commenter asks how the availability of the new synthetic turf practice field would affect Objective 1 of the project. Additionally, the commenter asks why athletes need to miss any classes with the second synthetic field and games played on Saturday during daylight hours.

Objective 1 is to “Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.” As discussed under Section 2.5, *Background and Project Objectives*, during winter months (November through March) the sun sets on average at 5:00 PM, impacting the ability of the winter sports teams to get their practice times and games in before dark. Since practices and games are scheduled early during daylight, the soccer, lacrosse, and track/field athletes are leaving afternoon classes early and missing instructional time to attend practice and games. The availability of a second synthetic field and games played on Saturday during daylight hours would not affect students missing instructional time because students would still need to leave early to attend weekday practices.

**Response 80.10**

The commenter states an opinion that playing outdoor sports during the winter does not make any sense in Northern California due to weather conditions. This comment is noted but does not question or challenge the analysis or conclusions of the Draft EIR, and therefore does not require a specific response.

**Response 80.11**

The commenter asks how it is easier for parents and community members to attend games on a week night rather than on Saturdays. The commenter also asks if increased revenue is really an objective of the project. The commenter concludes this point by stating that more people may attend Friday night games, but not to support the team. This comment is noted but does not question or challenge the analysis or conclusions of the Draft EIR, nor does it address a potential impact on an environmental resource as defined by CEQA, and therefore does not require a specific response.

**Response 80.12**

The commenter states concerns about drug and alcohol use associated with night time events at the stadium. Please see Master Response D – Public Services and Safety.

**Response 80.13**

The commenter states an opinion that lighting conditions for typical daytime games and practices are superior to lighted nighttime events with greater visibility and increased safety. This comment is noted. The project includes nighttime lighting and, as required by CEQA, the Draft EIR examined the project as proposed; therefore, the comparable benefits of daytime versus nighttime lighting do not affect the analysis or conclusions of the Draft EIR.

**Response 80.14**

The commenter states an opinion that the additional synthetic field would eliminate Objective 5.

Objective 5 is to “Improve safety by minimizing incompatible uses from sharing the field (e.g.: lacrosse teams and track/field teams practicing at the same time means that lacrosse balls may hit runners on the track).” While an additional synthetic field would also minimize incompatible uses from field sharing, its construction would not eliminate the project’s effect in relation to this objective.

**Response 80.15**

The commenter states that it would be a welcome addition to the stadium if the DSP could control the sound levels. The commenter’s support for this component of the project is noted.

**Response 80.16**

The commenter states an opinion that the discussion of alternatives is incomplete. Specifically, the commenter asks why the construction of the second artificial turf field was not included in the evaluation of each of the alternatives and states that this field along with upgrading the PA system would eliminate all project objectives, except for playing sports at night.

Please see Master Response E—Alternatives.



**Response 80.17**

The commenter states an opinion that the photometric study required in Mitigation Measure AES-3 must be complete before the Draft EIR is finalized and be completed by a lighting consultant that is not associated with the lighting manufacturer or profit financially from the project if approved. The commenter suggests that contours of the vertical and horizontal illuminance in foot-candles should be overlain on a map of the neighborhood showing the locations of houses, roads, parking lots, and other facilities. Please note that the Draft EIR was finalized in 2016 (these responses are part of the Final EIR). The commenter's suggestions regarding the preparer of the study and format for displaying the results are noted. Please see also Master Response A —Lighting and Aesthetics.

**Response 80.18**

The commenter states that Table 1, Mitigation Measure AES-4 requires the District to retain a qualified lighting consultant to prepare a photometric study to estimate glare problems created by the lighting system. The commenter suggests that it is likely that there will be significant glare problems along San Marin Drive and in the main parking lot east of the stadium. The commenter states that contours of discomfort glare in candelas should be overlain on a map of the neighborhood showing the locations of houses, roads, and other facilities. The commenter concludes this thought by asking what the consequences would be if actual light spill and glare values around the side do not match the estimated values from the photometric study.

Please see Master Response A —Lighting and Aesthetics.

**Response 80.19**

The commenter states an opinion that the discussion under Impact N-2 in the Draft EIR is incorrect because noise from crowds, whistles, and individuals often exceed 75 dBA at nearby residences during games and practices. The commenter does not provide data or evidence to support this challenge to this conclusion of the Draft EIR, which was based on sound level readings taken at a varsity football game, where the maximum noise measured was 74 dBA  $L_{max}$ . Please see also Master Response B —Noise.

**Response 80.20**

The commenter states an opinion that the Draft EIR significantly underestimated the attendance and corresponding traffic for the maximum event at the stadium. The commenter does not provide data or evidence to specifically challenge the attendance assumptions of the Draft EIR; therefore, a specific response is not possible. Please see responses 7.3, 7.5, 9.1 and 12.7. Please also see Master Response C —Traffic.

**Response 80.21**

The commenter states that many people presented valid comments on the Revised Draft Initial Study (Appendix A of the Draft EIR) and asks how many of the commenters were contacted to follow up on their comments. CEQA does not require that each commenter on a Notice of Preparation or Initial Study be contacted by the lead agency to follow up. All of the comments were, however, reviewed and considered by NUSD in preparation of the Draft EIR. The comments are included in the Draft EIR in Appendix A. Table 2 in Section 1, *Introduction*, of the Draft EIR summarizes the comments received that were relevant to the CEQA analysis and where the comment topics are addressed in the Draft EIR.

**Response 80.22**

The commenter states an opinion that the discussion of biological resources in the Revised Draft Initial Study (Appendix A of the Draft EIR) is inadequate and incomplete, but does not provide specific information on which to base a specific response. The commenter also asks what the qualifications of the person who prepared that section of the Revised Draft Initial Study are, and whether they visited the site or performed any surveys of the existing biological resources. Please see the responses to the comments in Letter 5 and Letter 8.

**Response 80.23**

The commenter states an opinion that other issues were not discussed in the Draft EIR, such as traffic, because the District voted to exempt this project from local zoning ordinances and review. The commenter adds that other School Districts that have voted to exempt projects from local ordinances and review have studied all of the important issues and attempted to comply with local issues whenever possible and suggests that wasn't done for this project. The Draft EIR studies environmental impacts pursuant to CEQA; the scope of review is not dependent on whether local ordinances control the District's actions or not. It should be noted that City of Novato standards were used in several of the impact evaluations in the Draft EIR, including under such topics as greenhouse gas emissions, noise and traffic. Regarding parking, please see Response 7.7 and Master Response C – Traffic.

**Response 80.24**

The commenter states that a small creek flows along the Dwarf Oak Trail west of the stadium site and it should have been included in the discussion of the existing site conditions.

The presence of waters and riparian vegetation community are discussed in the Revised Draft Initial Study (Item IV, Appendix A of the Draft EIR). The project is over a quarter mile away from the nearest significant watercourse, Novato Creek, and would have no significant effect on the creek or related biological resources. The commenter is correct in noting the presence of an intermittent stream approximately 750 feet to the west-northwest of the project. Project construction would not impact either of these features and ongoing operation of the lights would have no significant impact on either of these features. For additional details on this response, please refer to the Draft EIR and Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study.

**Response 80.25**

The commenter asks how the District would be prevented from using the stadium for community and non-school activities. Please see response to Comment 80.8.

**Response 80.26**

The commenter asks if LED lights really minimize glare that much with respect to older lighting systems. The commenter states an opinion that during their visit to Hillsdale High School to view the stadium lights, extensive glare was visible on the field and areas around the stadium. The commenter adds that this glare appeared to be more prevalent than that observed at stadiums using 4-pole Musco LED light systems. Additionally, the commenter states that the appearance of the lights during daytime hours is better than the old systems and light spill is better controlled, but light spill observed at the front of houses along Alameda de las Pulgas and 31<sup>st</sup> Avenue appeared to be greater than what the commenter expected. The commenter adds that their house is located approximately the same distance from the playing field as these homes and the level of light would be undesirable to them.

It should also be noted that the houses along Alameda de las Pulgas and 31<sup>st</sup> Avenue are approximately 60 to 70 feet from the Hillsdale High School stadium and are at a similar elevation to the stadium, while the nearest residences to the San Marin High School stadium are approximately 120 feet away and are at a higher elevation than the stadium. These differences may help account for some of the commenter's observations in relation to the proposed project. As required by Mitigation Measure AES-3 (described in Section 4.1.2 of the Draft EIR, *Impact Analysis*), both horizontal and vertical light trespass from the proposed project would be limited to 2.0 foot-candles at the neighboring property lines.

Please see Master Response A — Lighting and Aesthetics.

**Response 80.27**

The commenter states an opinion that the difference in the sound level from the public address system at Hillsdale High School was not much different between the front of the homes along Alameda de las Pulgas and what could be heard on the field. Additionally, the commenter states an opinion that the conditions of the lights and public address system were not as good as they had been led to believe. The commenter asks whether the PA system would contain sound within the stadium or not. The commenter states an opinion that the sound system that was observed at the Hillsdale High School stadium did not contain sound within the stadium.

As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, noise from the PA would not be fully contained within the stadium but rather would be limited to an L<sub>5</sub> noise level of 55 dBA at the nearest property lines to the extent possible. Although the commenter's observations are noted, the commenter does not provide noise measurements from the site visit at Hillsdale High School and therefore it is not possible to comment on the PA noise level differences between locations on the field at Hillsdale High School and locations at nearby residences.

Please see Master Response B — Noise.

**Response 80.28**

The commenter asks if the DSP could be overridden by users and suggests that the PA system is often played very loud because the users want it this way, not because it's required to be heard. Please see Response 80.7 and Master Response B — Noise. The commenter also asks whether baseball games would continue to be announced over the PA. The baseball fields have their own set of speakers and the improved speakers that would be installed at the football stadium would not be used to announce baseball games. PA announcements for baseball games would not change with implementation of the proposed project, and no project-related changes to the existing baseball PA speaker system would occur.

**Response 80.29**

The commenter asks why residents weren't contacted in areas surrounding other schools to find out what problems they may be facing. Additionally, the commenter states that the District was told that due to problems at events, no lighted games are allowed in San Francisco and suggests someone from that area be contacted about the reported problems. The commenter adds that San Marin High School has a long history of "intolerance" and problems at athletic events involving students and parents.

As discussed in Section 2.4.1.3 of the Draft EIR, athletic directors or alternative campus representatives from surrounding high schools with existing stadium lights and evening events were contacted in order to gather information most relevant to the local community. Please see also Master Response D — Public Services and Safety.

**Response 80.30**

The commenter states an opinion that the school has done very little to control litter problems from students on adjacent property in the past, and asks how it will be different in the future. Please see Master Response D — Public Services and Safety.

**Response 80.31**

The commenter asks if the glare from the stadium lights would result in a substantial change in the driving conditions along San Marin Drive. Additionally, the commenter asks what the impact would be on nesting birds near the project site during construction and if there are any nesting birds in the area. Please see the responses to Letter 5 regarding nesting birds. Regarding effects of the lights on drivers, please see the discussion in the Draft EIR under Impact AES-4 in Section 4.1, Aesthetics. As discussed there, impacts would be less than significant with implementation of Mitigation Measure AES-4.

**Response 80.32**

The commenter asks what would happen if activities do not end by 9:30 PM and the lights are not turned off by 9:45 PM, and what recourse the neighbors may have if users of the field ignore the timeframes. District staff will develop an Administrative Regulation (AR) for consideration and approval by the Board of Trustees. The Board would consider and potentially approve the AR at the same time that the Board considers approval of the proposed project. The AR will contain policies and restrictions that implement the requirements contained in the Draft EIR, including policies regarding the shut-off time for the stadium lights. Please see response to Comment 80.8. See also Master Response A – Lighting and Aesthetics.

**Response 80.33**

The commenter states an opinion that the frequency of events on the field would change substantially, and suggests that the timeframes that become open when events switch to the evening time would be filled with City-sponsored athletic events and pay-to-play leagues. The commenter also states that the total activity and noise levels would increase substantially.

As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, while the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not significantly change from existing usage. Please see also Response 80.8. No changes to the analysis in the Draft EIR are warranted.

**Response 80.34**

The commenter asks what would happen if the stadium lights are used for community or non-school events. The commenter adds that based on what they have seen, they believe the lighted field will be used for community or non-school activities in the future. Please see response to Comment 80.8.

**Response 80.35**

The commenter states an opinion that the projected attendance for Friday night and playoff games is underestimated. Therefore, the commenter opines that the environmental effects related to traffic, noise, parking, and greenhouse gas emissions are also underestimated and analysis regarding these topics needs to be redone. The commenter provides analysis to support this claim, based on information from other schools. The commenter suggests that, at a minimum, the maximum attendance for San Marin Friday night football games should have been 2,490, which is the stadium seating capacity plus 90 on-field personnel, which would represent an increase of about 80 percent over the maximum Saturday day game attendance. Please see Response 7.5 and Master Response C – Traffic for a response to this comment.

**Response 80.36**

The commenter asks why evening school activities that may involve the use of stadium lighting and the PA system (such as graduation, rallies, or other special events) were not included in Table 3 of the Draft EIR, Proposed Schedule of Events. The commenter adds that the baseball games make use of the PA system, but were not included in Table 3 of the Draft EIR.

Although evening events such as graduation, rallies, or other special events were not included in Table 3 of the Draft EIR, these events were described in the text of Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*. In order to simplify and clarify the number of days with light usage and the number of days with PA usage under the proposed project, Table 4 has been added in the Final EIR to present the frequency of events on a monthly and annual basis. The frequency data in Table 4 account for all proposed evening activities at the stadium, including graduation, rallies, and other special events. For an illustration of the new Table 4 of the Final EIR, please see Response 19.5. Baseball games are not included in Table 3 of the Draft EIR because while baseball fields are adjacent to the project site, they are not located within the project site, and therefore would not utilize the PA system. The baseball fields have their own set of speakers and the improved speakers that would be installed at the football stadium would not be used to announce baseball games. PA announcements for baseball games would not change with implementation of the proposed project, and no project-related changes to the existing baseball PA speaker system would occur.

**Response 80.37**

The commenter asks why the stadium's PA system is allowed to be used during the Pop Warner games and suggests that if they can use the PA system, they'll soon be allowed to use the lights.

Pop Warner games occur during the day under the existing circumstances and do not require the use of lights. Assuming that the Pop Warner games will require lighting in the future would be speculative. No changes to the Draft EIR analysis are warranted.

**Response 80.38**

The commenter states that the proposed schedule of events indicates that no spectators are expected to attend practices but opines that, based on personal visits to high schools with lights, students gather at

stadiums and around the campuses whenever the lights are on. The proposed schedule does not, and need not for purposes of the environmental analysis, account for informal gatherings of students on the high school campus in relatively small numbers.

### **Response 80.39**

The commenter asks how the construction of the second artificial turf field using Measure G Bond funds would affect the listed objectives. The commenter does not explain how this question is relevant to the analysis or conclusions regarding environmental impacts. Please also refer to Master Response E — Alternatives and Master Response G – Project Cost.

### **Response 80.40**

The commenter asks why students are allowed to miss classes to participate in sports and states that even at schools with lights, students are allowed to miss classes to play sports. The commenter concludes by stating an opinion that this should never happen. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 80.41**

The commenter states opposition to the project and asks what other community building events would be hosted at the stadium under the lights that are not listed in Table 3.

These comments regarding opposition are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please refer to Draft EIR Section 2.0, *Project Description*, for information on proposed field usage.

### **Response 80.42**

The commenter asks how low-pressure weather systems would affect the lighting system, including sky glow, light spillage, and glare from the project. The commenter also asks why students should practice and play games at night rather than during the day.

The discussion of sky glow in Section 4.1.2 of the Draft EIR, Impact Analysis, was revised to clarify that the upward facing luminaires would be used during games (as opposed to only during kickoffs and punts as described in the Draft EIR). Please see Master Response A – Lighting and Aesthetics for a depiction of changes to the sky glow analysis. The discussion of sky glow in the Draft EIR did account for the effect of reflection off of clouds. The relevant part of the discussion is presented here below, with revisions shown in strikethrough and underline:

Although lower-output luminaires would be mounted facing upward at 20 feet on each light pole and would incrementally increase sky glow when in use by reflecting light off clouds and aerosols, these lights would only be used ~~for short durations to illuminate airborne objects such as footballs during punts and kickoffs~~ during games and would be designed to provide only the minimum amount of illumination necessary to see airborne objects in the stadium.

The analysis in Section 4.1.2 of the Draft EIR, Impact Analysis, found that impacts related to sky glow would be less than significant. The commenter does not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted beyond those shown above and in Master Response A – Lighting and Aesthetics. While the commenter’s question about the project objectives regarding practicing and playing games at night is noted, this comment does not pertain to the

environmental analysis in the Draft EIR. No changes to the analysis or conclusions of the Draft EIR are warranted.

**Response 80.43**

The commenter asks why the PA system is used for community events. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore it does not require a specific response in the context of the CEQA document.

**Response 80.44**

The commenter states that there is a small stream that exists along Dwarf Oak Trail west of the stadium. Please see response to Comment 80.24.

**Response 80.45**

This comment is similar to Comment 80.3. Please see response to Comment 80.3.

**Response 80.46**

The commenter states that the new artificial turf practice field and associated lighting system need to be included in the Cumulative Projects list and asks if a separate EIR will be completed for the new artificial field.

The additional turf practice field, although planned, was not yet considered by the Board at the time of publication of the Draft EIR and therefore was not considered an existing component of the proposed project setting. The Bond Implementation Committee and the Superintendent made a recommendation to the Board on the first phase of projects under the Measure G Bond on May 2<sup>nd</sup> of 2017. The additional on-site artificial turf field was chosen as part of the first phase of projects under the Measure G Bond, but approval of this project was pending at the time of publication of the Draft EIR and implementation of the turf field project was not certain at that time.

Please see Master Response E – Alternatives.

**Response 80.47**

The commenter asks why the batting cage is not included in the Cumulative Project list. The commenter adds an opinion that the batting cage has resulted in a substantial increase in noise that often occurs for hours each day. Projects that are already constructed are considered as cumulative projects, but rather as part of the existing setting (see sections 3.1 and 3.2 of the Draft EIR).

**Response 80.48**

The commenter states an opinion that in Section 4.1.1, *Setting*, it is indicated that the school is in an suburban area, which contradicts the Biological Resources Section included in the Revised Draft Initial Study, which describes the area as urban. Please see Response 80.2.

**Response 80.49**

The commenter states that Section 4.1.1, *Setting*, states that some nearby residences have views of the stadiums. Instead, the commenter suggests that many residents have entire views of the stadium and the playing field. The commenter provides information on what they opine are the two main sources of

existing glare for residences north of the stadium (metal roof on the concession stand and tent-line fabric on the batting cage) and suggest that the coverings used should have never been utilized in the area, and represent the indifferent attitude the school has towards neighbors.

These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 80.50**

The commenter states that the references cited in Section 4.1.2 of the Draft EIR, *Impact Analysis*, are not listed in Section 7, *References*.

The commenter is correct and the following references have been added to Section 7, *References*.

American Medical Association. 2016. *Human and Environmental Effects of Light Emitting Diode (LED) Community Lighting*. Available at: [http://darksky.org/wp-content/uploads/bsk-pdf-manager/AMA\\_Report\\_2016\\_60.pdf](http://darksky.org/wp-content/uploads/bsk-pdf-manager/AMA_Report_2016_60.pdf)

Glendale Unified School District. June 2012. *Hoover High School Practice Field Lighting Project Initial Study/Negative Declaration*. Available at: [http://www.gusd.net/cms/lib03/CA01000648/Centricity/Domain/53/WEB%20DF%20HooverHS\\_Field\\_Lights\\_DraftISND\\_2012-06-04.pdf](http://www.gusd.net/cms/lib03/CA01000648/Centricity/Domain/53/WEB%20DF%20HooverHS_Field_Lights_DraftISND_2012-06-04.pdf)

Hiscocks, Peter D. Updated January 2011. *Measuring Light*. Ryerson University. Available at: <http://www.ee.ryerson.ca/~phiscock/astronomy/light-pollution/photometry.pdf>

International Commission on Illumination (CIE). 2003. *Technical Report: Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations*.

Novato Unified School District (NUSD). June 2006. *PBC Parcels 1A and 1B Draft Mitigated Negative Declaration*.

Pennsylvania Outdoor Lighting Council. No date. *Common Lighting Terms Defined*. Available at: [http://www.polcouncil.org/polc2/common\\_lighting\\_terms\\_defined.PDF](http://www.polcouncil.org/polc2/common_lighting_terms_defined.PDF)

San Diego Unified School District. May 2014. *Crawford High School and Main Middle School Athletic Facility Upgrade and Modernization Project Draft Environmental Impact Report*. Available at: [https://www.sandiegounified.org/sites/default/files\\_link/district/files/facilities/environmental\\_studies/crawfordhs/draft%20eir/CHS\\_MMS\\_Draft\\_EIR.pdf](https://www.sandiegounified.org/sites/default/files_link/district/files/facilities/environmental_studies/crawfordhs/draft%20eir/CHS_MMS_Draft_EIR.pdf)

Shuster, Jeff. January 2014. *White Paper: Addressing Glare in Solid-State Lighting*. Ephesus Lighting. Available at: <http://ephesuslighting.com/wp-content/uploads/2014/01/Addressing-Glare.pdf>

These text updates did not change the findings of the Draft EIR.

### **Response 80.51**

The commenter states an opinion that Lighting Zone E3 is not the appropriate characterization, and suggests that it was chosen based on the idea that the project site is urban. Again, the commenter



suggests that the project site designation (urban vs suburban) was chosen to guarantee that no significant impact was found and states that the residential areas surrounding the stadium site should be characterized as lighting zone E2 and the open space and parks as zone E1. Please see Master Response A — Lighting and Aesthetics for a response to this comment.

### **Response 80.52**

The commenter states that there is no mention of winter conditions in the Draft EIR and asks if these conditions would be modeled in the photometric study. The commenter asks if the winter conditions are included in the study, and if they are not included, the commenter asks what the purpose of performing the study is.

The purpose of performing the photometric study was to estimate the vertical and horizontal foot-candles generated by the proposed stadium lighting on the football field and at the boundaries of the stadium site. Winter conditions are not expected to substantially alter the findings of the photometric analyses. As required by Mitigation Measures AES-3 and AES-4 in Section 4.1.2 of the Draft EIR, *Impact Analysis*, light trespass would be limited to 2.0 vertical and horizontal foot-candles at the neighboring property lines and glare would be limited to 10,000 candelas at the neighboring property lines. These limitations would apply under all conditions, including winter conditions. Please see also Response 80.42.

### **Response 80.53**

The commenter states that the problem for the residents living on the north side of the stadium is not so much glow, but the fact that they can fully view the playing field from their residences and the commenter suggests that the light from the field would overwhelm the views at night from these residences. The commenter adds that their house is approximately 35 feet higher than the playing field and suggests that if the project is approved, it would be equivalent to being in Levis Stadium with the lights on every night of the week. The commenter also states that, as presently planned, the 80-foot light poles on the west side of the stadium would be located approximately 15 feet higher than the playing surface, and therefore 95 feet above the stadium. Please see Master Response A – Lighting and Aesthetics.

In addition, it should be noted that CEQA does not typically consider impacts to private views as significant unless the number of properties significantly affected is relatively high. As noted by the California Court of Appeal in *Ocean View Homeowners Assn., Inc. v. Montecito Water District* (116 Cal. App. 4th 396), “[t]hat a project affects only a few private views may be a factor in determining whether the impact is significant.” Therefore, although the District acknowledges that some homeowners may experience adverse impacts to private views for two to four hours on a limited number of evenings each year, the impact is not significant for purposes of the CEQA analysis.

### **Response 80.54**

The commenter states that during periods of moderate to heavy rain, water ponds on the surface of the San Marin field. The commenter adds that they provided a picture and asks how the ponded water would affect light pollution and suggests that this should be accounted for in the photometric study. When the stadium lights would be in use, the field would be well lit already, so reflections of light off ponded water would not add substantial additional glare. In addition, in such conditions light reflected from ponded water would be reflected mainly upward toward the light source, rather than outward from the field due to the narrow beam angle of the highly mounted luminaires.

**Response 80.55**

The commenter states an opinion that there is not substantial existing light pollution in the neighborhood, and that there is less light pollution than what would be expected from a suburban neighborhood because of the open space that surrounds the area. The commenter also provides two photographs, one showing the neighborhood during the day, and the second, in the same spot, showing the neighborhood at night.

The presence of undeveloped open space is discussed in the Draft EIR in the Setting section of Section 4.1, *Aesthetics*, and is shown in figures 5 and 6. Please also see Master Response A— Lighting and Aesthetics.

**Response 80.56**

The commenter states that, contrary to what the Draft EIR states under Impact AES-2, the light poles would not be visually compatible with the existing flag pole, goal post, and mounted speakers along the bleachers.

The commenter cites the height of the light poles as one of the reasons for their visual incompatibility. The new light poles would be installed within an existing stadium and their height alone does not make them visually incompatible with the surrounding environment. In Section 4.1.2, *Impact Analysis*, the Draft EIR found that the “mass, materials, architectural style, and surface treatments of the poles also would be typical of elements commonly seen at sports stadiums.” The commenter further opines that the new light poles would “dominate the views from both in and around a stadium, especially at night.” Contrary to the commenter’s opinion, the Draft EIR concluded in Section 4.1.2, *Impact Analysis*, that the “narrow light poles would only occupy a sliver of the overall views through the stadium site.” The aesthetic impacts of the lights at night are addressed in Section 4.1.2 of the Draft EIR, *Impact Analysis*, under Impacts AES-3 and AES-4. The conclusions of the Draft EIR that impacts related to aesthetics would be less than significant remain valid and no changes to the Draft EIR are warranted.

Please see Master Response A — Lighting and Aesthetics.

**Response 80.57**

The commenter reiterates their point that the photometric study should be performed before the Draft EIR is finalized and should include contours of luminance and glare overlain on maps including the locations of houses and other features. Please see Response 80.17 and Master Response A — Lighting and Aesthetics.

**Response 80.58**

The commenter asks if the upward luminaries would be used for short durations to illuminate airborne objects, as indicated in the Draft EIR, or if they would be on for the entire duration that the lights are in use, as indicated during their site visit to Hillsdale High School. The Final EIR has been updated in regard to this topic, as discussed in Master Response A – Lighting and Aesthetics.

**Response 80.59**

The commenter states that the new proposed practice field would have a significant number of lights which should be considered in the cumulative impacts section for the lights, in addition to the lights included in the solar panel structures that allegedly stay on all night.

The additional turf practice field, although planned, was not yet considered by the Board at the time of publication of the Draft EIR and therefore was not considered an existing component of the proposed project setting. The Bond Implementation Committee and the Superintendent made a recommendation to the Board on the first phase of projects under the Measure G Bond on May 2<sup>nd</sup> of 2017. The additional on-site artificial turf field was chosen as part of the first phase of projects under the Measure G Bond, but approval of this project was pending at the time of publication of the Draft EIR and implementation of the turf field project was not certain at that time. No nighttime use is planned for the additional turf field.

Lights associated with on-site solar panels are motion-activated LED lights with dual-dimming controls. The lights are designed to have minimal horizontal light trespass and are turned off at 10:00 PM. Section 4.1.1 of the Draft EIR, Setting, has been revised as follows in response to this comment:

Exterior security light fixtures are located at on-site school buildings and at on-site solar panels.

Please see Master Response E – Alternatives.

**Response 80.60**

The commenter states an opinion that the traffic projections are based on erroneous assumptions about attendance and asks how the air quality evaluation may change if the traffic section is updated. Please see Response 7.5 and Master Comment C – Traffic. No updates to the document are required.

**Response 80.61**

The commenter states an opinion that the traffic projections are based on erroneous assumptions about attendance and asks how the greenhouse gas emission evaluation may change if the traffic section is updated. Please see Response 7.5 and Master Comment C – Traffic. No updates to the document are required.

**Response 80.62**

The commenter states an opinion that the traffic projections are based on erroneous assumptions about attendance and asks how the noise evaluation may change if the traffic section is updated. Please see Response 7.5 and Master Comment C – Traffic. No updates to the document are required.

**Response 80.63**

The commenter states an opinion that the new batting cage is a major source of existing noise from the school and suggests that some of the noise measurement locations have no validity because they appear to have no direct line of sight to the noise sources (field, bleachers, PA system). The commenter further opines that noise monitoring station ST-7 appears to be representative of Santa Gabriella Court, but states that it is not because the commenter states that they were also measuring the sound levels at their house at the same time the consultant recorded measurements at ST-7 and the commenter recorded levels that were 10-15 dBA higher than at ST-7.

Figure 9, *Noise Measurement Locations*, included in the Draft EIR shows approximate noise measurement locations on a map with a 200 foot scale. The noise measurement locations were chosen to represent sensitive receptors around the project site. Measurement ST-7 is representative of the noise recorded at that specific location on Santa Gabriella Court, and noise measured in a different geographical location would likely be different due to attenuation. Please also see response to Comment B – Noise.

**Response 80.64**

The commenter states an opinion that CEQA Appendix G requires that local ordinances be used to establish thresholds of significance for noise and asks why NUSD's Resolution No. 16-2017/17 was mentioned if it does not apply to noise.

The intent of this comment is unclear, so a specific response is not possible. However, CEQA Guidelines Appendix G does not require that local ordinances be used to establish thresholds of significance for noise; rather the lead agency may identify its own thresholds, as NUSD has done. It should be noted that many of the noise thresholds adopted by NUSD for the Draft EIR are derived directly from the City of Novato's policies and regulations, as discussed in the Draft EIR in Section 4.5.2 under *Methodology and Significance Thresholds*.

**Response 80.65**

The commenter states an opinion that crowd noise is underestimated and again reiterates their point that an attendance figure of 2,490 should have been used. The commenter adds that the amount of traffic and corresponding traffic noise was also underestimated. Please see Response 7.5 and Master Response C —Traffic.

**Response 80.66**

The commenter states that Table 28 indicates that  $L_{max}$  noise levels from the stadium would not exceed 73 dBA for varsity football games. The commenter opines that this is not true because they state that they have measured sound levels that exceeded 75 dBA at their house during games and practices.

Please see Response 80.19.

**Response 80.67**

The commenter states an opinion that due to the underestimation of attendance and the corresponding number of vehicles noise impacts would actually be significant. Please see Response 7.5. The commenter also appears to suggest that field users made less noise than usual during measurements to influence the results of the study. This comment is noted. However, the participants and spectators were not informed of the measurements and therefore, to NUSD's knowledge, did not conspire *en masse* to skew the study results.

**Response 80.68**

The commenter again reiterates their assertion that a more realistic attendance figure of 2,490 should be used for the traffic analysis. Please see Response 7.5 and Master Response C —Traffic.

**Response 80.69**

The commenter states an opinion that a circulation and emergency vehicle plan should have been developed and presented in the Draft EIR on a map of the stadium site. This comment is noted. However, the lack of such a map does not render the Draft EIR inadequate. Emergency vehicle access is discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR) under items VIII.g and XVI.e. As discussed therein, impacts would be less than significant. Please see also Master Response D — Public Services and Safety.

**Response 80.70**

The commenter states that the intersection of San Marin Drive and San Carlos Way was not analyzed and suggests that this is the most critical intersection for the project. The commenter states an opinion that this intersection would create a major traffic problem because of vehicles entering and leaving the site in combination with the large number of pedestrians crossing San Marin Drive. Please see Response 7.1 and Master Response C —Traffic.

**Response 80.71**

The commenter states that the existing level of service data for the 21 intersections analyzed and shown in Table 34 is based on traffic counts that were done on one day. Additionally, the commenter states that traffic is varied on this roadway and suggests that traffic counts should have been performed during the school year on several Fridays to determine the expected range in values. Please see Master Response C —Traffic.

**Response 80.72**

The commenter states an opinion that the assumed rate of 0.31 vehicle trips per occupied stadium seat used in the traffic analysis is too low. The commenter refers to the consultants who prepared the Marin Catholic submittal for their proposed lighting project and the measured rate of 0.45 vehicle trips per attendees at their stadium.

Please see Responses 7.3, 7.5, and Master Response C —Traffic.

**Response 80.73**

The commenter asks what the impact would be on residents entering or exiting their driveways during Friday night football games and asks how traffic would be affected by parking if people search for sports because there isn't enough on-site parking.

Regarding people entering and exiting their driveways, the majority of homes directly accessible from a route project trips will take are located along San Marin Drive. As this roadway is boulevarded, driveways only have right-in/right-out access. As a result, there is no concern with an increased conflicting flow restricting access to driveways.

Additionally, the commenter states that parking has an environmental impact for this project and must be considered in the Draft EIR even though the CEQA Guidelines do not specifically list parking as one of the potential impacts that must be addressed. This comment is noted. Please see Master Response C —Traffic for information related to traffic impacts of people looking for parking spaces.

**Response 80.74**

The commenter states that information regarding traffic included in the Transportation Impact Study (Appendix F of the Draft EIR) is inadequate and incomplete. The commenter adds that it is unclear when the parking survey was completed and what the numbers in Figure 6 represent and how they correspond with the numbers in Tables 4 and 7.

The information and analysis included in the Transportation Impact Study (TIS) is consistent with standard TIS guidelines and methodologies. Regarding Tables 4 and 7 and Figure 6, the blue area represents on-site parking occupancy and supply and the orange area represents nearby street parking occupancy and supply. There is a typo on Figure 6; the onsite parking occupancy should read 2/122 at

the main lot by the stadium instead of 5/122. Data was collected on June 8, 2016 between 8:00 PM and 9:00 PM.

Please see also Master Response C —Traffic.

**Response 80.75**

The commenter asks how pedestrians will affect traffic and whether or not this should be included in the traffic analysis.

Pedestrians rarely affect traffic except in situations with very high pedestrian volumes and right-turning vehicle volumes. Pedestrian volumes were collected at study intersections and are included in Appendix A of the Transportation Impact Study (Appendix F of the Draft EIR). However the volumes are very low and not significant to traffic operations. This is because pedestrian crossing phases are timed to occur during non-conflicting vehicle movements. The majority of pedestrian movement related to the stadium would occur on-site, away from vehicle movement.

Please see Master Response C – Traffic.

**Response 80.76**

The commenter asks if there have been parking problems with large events held at the school in the past and if residents have been contacted about existing parking-related problems. The commenter also asks if some attendees will use street parking and block residents’ driveways or park at the shopping center parking lot at San Marin Drive and San Ramon Way. Additionally, the commenter asks if the current parking is compliant with ADA requirements.

While approximately 60 vehicles would need to park off-site during large events, there is sufficient parking adjacent to the school, away from residential streets. No issues with cars blocking driveways are expected with implementation of the proposed project. Attendees would not need to park in the shopping center lot at San Marin Drive and San Ramon Way as sufficient parking is available adjacent to the school. In addition, the San Marin High School parking lots meet ADA requirements.

Please see Master Response C – Traffic.

**Response 80.77**

The commenter states an opinion that the additional artificial turf field should not be considered as a separate alternative, but instead considered in the discussions of all other alternatives because it will be constructed. As described in Master Response E – Alternatives, the additional turf practice field, although planned, was not yet considered by the Board at the time of publication of the Draft EIR and therefore was not considered an existing component of the proposed project setting. The Bond Implementation Committee and the Superintendent made a recommendation to the Board on the first phase of projects under the Measure G Bond on May 2<sup>nd</sup> of 2017. The additional on-site artificial turf field was chosen as part of the first phase of projects under the Measure G Bond, but approval of this project was pending at the time of publication of the Draft EIR and implementation of the turf field project was not certain at that time.

The commenter also opines that some means should have been presented to compare the benefits and drawbacks of the various alternatives considered. Please see Table 42 of the Draft EIR, *Impact Comparison of Alternatives*.

Additionally, the commenter states an opinion that along with a new PA system on the existing field, the new field alternative should meet the objectives of the lighting project, except for playing football on

Friday nights. The commenter continues by stating that because of the potential for bad weather, games should be played on Saturday and not Friday night and suggests that with the new field, all teams could be accommodated for practices and games.

As described in Section 6 the Draft EIR, *Alternatives*, and Master Response E – Alternatives, installation of an additional on-site turf practice field would not achieve most of the project objectives and therefore is not considered a feasible alternative to the proposed project.

Please see Master Response E – Alternatives.

### **Response 80.78**

The commenter states that with the additional artificial turf field, new PA system on the existing field, and portable lights, all of the stated objectives of the lighting project could be met and asks why this alternative was not considered. Additionally, the commenter states that if playing football and other sports at night is important, then a community solution is required. The commenter concludes this thought by stating that there are many open areas around the City where a new lighted field could be constructed without destroying the character of an existing neighborhood and asks why that was not considered.

Section 6 of the Draft EIR evaluates potential alternatives to the proposed project. The Draft EIR evaluated numerous alternatives, including an additional artificial turf field, the use of portable lights, and several off-site alternatives. The additional artificial turf field alternative was rejected as infeasible because it would not achieve the basic objectives of the proposed project. The portable lighting alternative was carried forward for detailed analysis. Most of the off-site alternatives (with the exception of the Novato High School alternative) were rejected as infeasible and were not carried forward for detailed analysis. Please see Master Response E – Alternatives.

### **Response 80.79**

The commenter states an opinion that the reference section is incomplete and suggests that many references that were cited in other sections were not included. Please see responses to comments 8.10 and 80.50. As shown in those responses, Section 7, *References*, of the Final EIR has been updated to include the missing references.

### **Response 80.80**

The commenter asks how residents can comment on a Safety Plan if it is not available and suggests that the Draft EIR cannot be finalized until the safety plan is available and can be reviewed by nearby residents.

While the forthcoming Safety Plan was described for informational purposes in the Draft EIR, the plan was not required to mitigate potential impacts associated with implementation of the proposed project. As described in Item XIV, *Public Services*, in Appendix A of the Draft EIR (Revised Draft Initial Study), the Novato Police Department reports that there is currently adequate police protection for San Marin High School and the surrounding neighborhood and that they do not foresee elevated crime associated with the proposed project (personal communication Captain Jamie Knox, October 18, 2016). As described in Item VII, *Hazards and Hazardous Materials*, in Appendix A of the Draft EIR (Revised Draft Initial Study), the proposed project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Revised Draft Initial Study (Appendix A of the Draft EIR) found that impacts related to public services (including police and fire protection) and hazards and hazardous materials (including emergency response and evacuation) would be less than significant and no mitigation is required. Please

see Master Response D – Public Services and Safety. For a discussion of potential traffic safety impacts, please see Master Response C – Traffic.

**Response 80.81**

The commenter states that they have visited several high schools with lighted stadiums in the Bay Area and notes that when the lights are on, a “large number” of students can be observed hanging around the school and the stadium. The commenter suggests that students do not currently hang around San Marin High School and they are concerned that the lights would attract students and other people to the campus when they are turned on. Specifically, the commenter is concerned that some of these people might be involved in drug and alcohol use and corresponding problems including wildfires, traffic accidents, vandalism, and other problems. Please see Master Response D — Public Services and Safety.

**Response 80.82**

The commenter reiterates their earlier opinion that San Marin High School has a reported history of incidences involving “intolerance” and problems at athletic events, and is concerned that Friday night football games will increase these problems. The commenter is concerned specifically about controlling the students and states that there could be incidences of wildfire or inebriated driving. Please see Master Response C – Traffic and Master Response D — Public Services and Safety.

**Response 80.83**

The commenter refers to a recent crime committed on Marin County Open Space property. The commenter states that the potential for similar events will be increased if the lights are installed. Please see Master Response D — Public Services and Safety.

**Response 80.84**

The commenter reiterates that they are concerned about the behavior of students, and about litter. Please see Master Response D — Public Services and Safety.

**Response 80.85**

The commenter states an opinion that biological resources were incorrectly identified as not having a significant impact from the project without performing adequate surveys or studies. The commenter suggests that an expanded evaluation and discussion of biological resources must be included in the Final EIR.

The Revised Draft Initial Study (Item IV, Appendix A of the Draft EIR) provides a discussion of the biological study for the Draft EIR and presents the findings and conclusions. As mentioned in response to Comment 8.2, the biological study consists of a desktop analysis, including agency database queries, literature review, aerial imagery review, and construction plan review. Based on this desktop analysis, it was determined that impacts under CEQA would not be significant and biological resources would not need to be addressed further in the EIR. Please refer to the Revised Draft Initial Study for further discussion on this matter. Please see also responses to Letter 5.

**Response 80.86**

The commenter states an opinion that due to the potential for impacts to occur related to several bird and bat species, surveys should have been conducted on-site and within the buffer zones during



breeding season by experienced and qualified avian and bat biologists. Additionally, the commenter suggests that impact areas IVd and IVe in the Revised Draft Initial Study should have been checked as having a potentially significant impact. The commenter also suggests that a map of special status bird and animal species known to exist within the site should have been prepared and included in the Revised Draft Initial Study and Draft EIR. Furthermore, the commenter also states that maps, figures, and photos illustrating the buffer zones should have also been included to indicate how far light and noise could encroach.

Please see the responses to letter 5.

### **Response 80.87**

The commenter asserts that an assessment of common birds' ability to roost and forage on the site and in nearby buffer zones should have been included in the Revised Draft Initial Study and the Draft EIR. The commenter states an opinion that the project could result in significant negative impacts to common biological resources located on-site and in the buffer zones around the site and provides photos of two hawks as comment 80.100.

Please see the responses to Letter 5.

### **Response 80.88**

The commenter states an opinion that the Draft EIR indicated that prey available for owls is unlikely to occur in the athletic field area. However, the commenter suggests that there is a colony of ground squirrels that are prey for many raptors that frequent the site that would be impacted by the construction and operation of the project, located along the northwest side of the field.

The ground squirrels referenced by the commenter are the California ground squirrel (*Otospermophilus beecheyi*) and are not a special status species requiring review under CEQA. No evidence exists that the colony of ground squirrels present around the school campus constitutes a significant and unique food source for owls foraging in the vicinity of the project site. While it is possible that owls may prey on California ground squirrels under certain circumstances, the species is primarily active during the day (diurnal) while owl species large enough to capture California ground squirrels, namely great horned owls (*Bubo virginianus*) and large barn owls (*Tyto alba*), are primarily active at night (nocturnal) and forage after sundown. No revisions or clarification are necessary as a result of this comment and no change to the conclusion in the Revised Draft Initial Study was made.

### **Response 80.89**

The commenter states an opinion that there are potential impacts to birds at night caused by the lights. The commenter also asks what the impacts of the proposed lighting project would be on migratory and local birds and asks if birds regularly fly over the site. The commenter adds that a cumulative impact analysis of the effects on migratory and local birds should have been included in the Draft EIR.

Potential impacts to birds at night as a result of the lights have been addressed in the Revised Draft Initial Study (Item IV, Appendix A of the Draft EIR) and were found to be less than significant. Please see responses to Letter 5.

### **Response 80.90**

The commenter states that multiple comments regarding biological resources were submitted by residents. The commenter asks how many people were contacted to follow up on their concerns.

Please see response to Comment 80.21.

**Response 80.91**

The commenter states that owls and bats have been known to nest in the eaves of houses located along San Ramon Way and Santa Gabriella Court. The commenter asks if it has been determined as to what species of owls and bats have nests in the area.

Bats and owls that could nest in the neighborhood are expected to be those common to the region. No specific field surveys were conducted to determine if actual roosting bat colonies or nesting owls have been present in the past or were present at the inception of the Revised Draft Initial Study. Some clarification was provided in the Revised Draft Initial Study and is included in response to Comment 5.1. For addition details on this response, please refer to Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study.

**Response 80.92**

The commenter states an opinion that there is a riparian area located along the creek that parallels the Dwarf Oak Trail west of the site. Please see Response 80.24.

**Response 80.93**

The commenter states an opinion that the neighborhood was misidentified as urban in the Biological Resources Section. Additionally, the commenter states that they are located on the edge of a suburban area that is surrounded by open space and suggests that the project would likely result in a violation of the Biological Resources section of the Marin Countywide Plan and result in degradation of the neighborhood's natural aesthetics. The commenter opines that there is no discussion of the impacts of noise on biological resources and asks what the impacts of nighttime noise would be on owls, bats, and other wildlife.

The Revised Draft Initial Study (Appendix A of the Draft EIR) has been clarified to state that the project site is in a suburban residential neighborhood as shown in Response 5.1.

The project site is separated from the area of natural open space by residential development. The project would be completely developed within the grounds of the existing school campus on previously disturbed land. The project is in compliance with the Biological Resources section of the Marin Countywide Plan as it would not contribute to the continued loss of habitat, fragmentation of natural areas, inadequate management of open space lands, potential for catastrophic wildfires, or invasion of exotic species. There is no potential for special status species to occur on the project site based on a lack of habitat. Finally, activity levels would occur with the same frequency after installation of the lights, but will vary in timing. Night time activities would take place up to four hours after sundown on limited occasions. This level of nighttime noise is not likely to have a significant impact on animals in the vicinity of the project. The conclusions in the Revised Draft Initial Study remain valid. For addition details on this topic, please refer to Item IV, Appendix A of the Draft EIR, Revised Draft Initial Study.

**Response 80.94**

The commenter states an opinion that the project would interfere with the movement of native deer in the area. The commenter suggests that there is an existing deer nursery on the hill in the Mount Burdell Open Space Preserve north of the stadium where the field is visible. Additionally, the commenter states an opinion that at night in the summer and fall, the deer travel in search of food and water which would be impacted by the lights as well as the increased traffic.

While it is likely that there are deer in the vicinity of the project site, at this time deer are not covered under CEQA guidelines or any other regulation related to the project. Based on the relatively small construction footprint of the project, contained levels of lighting and light trespass, and the limited timing duration of night-time lighting, it is unlikely that the project will have any impact on the deer population in the vicinity of the project.

### **Response 80.95**

The commenter states that they have spent thousands of hours hiking in the area surrounding the site and observing wildlife. The commenter concludes that everything they have observed indicated that the project would have a negative impact on wildlife, despite the conclusions included in the Draft EIR. However, the commenter does not provide information or evidence on which to base a specific response.

### **Response 80.96**

The commenter states an opinion that in the Hazards and Hazardous Material Section, the project site and neighborhood was classified as suburban with the goal of suggesting that wildfires would not be a significant hazard if the lights are installed. The commenter suggests that there have been issues in the past with students smoking and drinking in the open space and park lands surrounding the stadium and concludes that these problems would increase at night. The commenter states that wildfires have been accidentally set by students and suggests that installing lights at the stadium would make future night wildfires even more certain. Please see Master Response D – Public Services and Safety.

### **Response 80.97**

The commenter suggests that the impact on public services would be significant and an expanded evaluation and discussion of this topic should have been included in the Draft EIR. The commenter reiterates the fact that the Marin County Open Space Rangers are working to control illegal activities in the open space area and asks if they have been contacted to determine availability of rangers to patrol the open space area during nighttime activities. Please see Master Response D – Public Services and Safety.

### **Response 80.98**

The commenter states that in the Recreation Section, it is indicated that the proposed schedule of events would not result in accelerated physical deterioration of the artificial playing field. The commenter suggests that this is not true because websites and artificial turf manufacturers indicate that the useful life depends on the type and frequency of use.

The commenter is correct that the useful life of an artificial turf field depends on frequency of use. However, Item XV, *Recreation*, included in the Revised Draft Initial Study (Appendix A of the Draft EIR), states:

The athletic field that would be upgraded as part of the project is designed for frequent use by high-school athletes and would not experience accelerated physical deterioration as a result of the proposed expanded schedule of events. No impact would occur and further analysis of this issue in an EIR is not warranted.

The term expanded refers to the fact that the events would be completed at different times throughout the day than they currently are, but does not refer to an increase in the number of events, as stated in

Subsection 9, *Description of the Project – Schedules*, included in the Revised Draft Initial Study (Appendix A of the Draft EIR):

While the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not change from existing usage.

No changes to the Draft EIR are warranted.

**Response 80.99**

The commenter states an opinion that the lighting project would have a negative impact on the parks and open space areas that surround the site as well as the wildlife that live in the area. The commenter reiterates their point that the potential for wildfires would increase because of smoking and drinking that could occur after dark. The commenter also states an opinion that animals living in the open space will be harassed by students when they are not observed by school officials and police.

The presence of unsupervised students is a current existing condition. Whether students are harassing wildlife currently is speculative and the potential for the project to result harassment of wildlife is likewise speculative. Please also see Master Response D – Public Services and Safety.

**Response 80.100**

The commenter provided photos as outlined above of water ponded on the field during a game on February 18, 2017 (Figure 1); the San Marin High School Neighborhood during the day (Figure 2) and at night (Figure 3); a red shouldered hawk roosting on the right field foul pole on February 17, 2017 (Figure 4); and a red-tailed hawk roosting in a Redwood Tree on January 17, 2017.

Hawks displayed in the photographs are common hawks of California are known to be in the region of the project. No project activities are expected to have a significant impact on hawks. The project would be constructed outside of the nesting season and so would have no significant impacts on nesting raptors. Hawks are active and forage during the day and so their behavior would not be significantly impacted during the night-time lighting and associated activity. Please see clarification from the Revised Draft Initial Study (Appendix A of the Draft EIR) in response to Comment 5.1.

Letter 81

**From:** Hollie Selfridge [mailto:hselfridge@comcast.net]  
**Sent:** Friday, February 17, 2017 11:27 AM  
**To:** Environmental Report  
**Subject:** San Marin High School Stadium Lights Project- statement of concern

Greetings! Yancy Hawkins - Assistant Superintendent of Business and Operations NUSD

1 | First, I want to let you know that I'm a Marin County native and have lived in San Marin since February 1, 1974. I've raised three children who attended San Ramon, Sinaloa, and San Marin High schools. My son played football as a freshman and sophomore. One of my daughters was a cheerleader and a Homecoming Princess. We are a family that loved sports and engaged as such.

Second, over our years of living and enjoying activities in the San Marin area, I've seen many changes. I'm not in favor of change just for the sake of change; however, I do recognize that things are always in flux and I am open to understanding the needs of this proposal. I have read all supporting materials on your Web site and did not find any "Statement of Objectives" as such. However, I can infer that these are they: "1) to build school spirit and excitement around Friday night Football games; and, 2) to increase practice time for other sports" ...as stated in one of your postings. Having said this, I'm very concerned about this particular proposal's approach to expanding the capabilities of a neighborhood school in such a manner.

Specifically:

- 2 | • The three Project Need statements given are extremely weak for such a highly impacting and unnecessarily large response to address lights and a PA system at a neighborhood high school. The project is far more appropriate for a large university (eight 80' poles, eighteen 30' poles... to support various lights and the PA) (average neighborhood light poles are 30 feet and telephone poles are 40 feet... buried 6 feet in the ground)
- 3 | • I am also confused by the need statement: "... limits the availability of practice time and can require early dismissal from class for student athletes to compete in games." REALLY? Someone really believes that this is a need? A thought... why not schedule (as students require) PE at 6th period to enable athletes to start earlier and not need to be pulled? Are you NOT a learning institution first? This comment is NOT a statement of need
- 4 | • Noise and traffic "**significant impact**" effects those of us who actually LIVE HERE. Others are temporary users that never need experience the effects of such a large and invasive project that impacts all families in this area
  - o infrastructure does not currently support additional traffic and additional hours on San Marin Drive and its feeder streets. Over some years now, I've spoken with law enforcement and witnessed the increased speeds clocked on San Marin and San Carlos Way. The speed limit on San Marin is 35mph, San Carlos 25mph. While speaking with a motorcycle officer with a radar gun, he clocked a driver doing 51mph heading towards the High School. Currently, It's a daily problem during commute, school arrival/departure times, and after-school-hours events
- 5 | • New Stadium Schedule enables ongoing use with a high likelihood of expanding the usage and attendance numbers once the project has been implemented; ensures an ongoing increase in the amount of traffic and noise; decreases the availability of resident

5  
cont.

parking; maximizes the schedule without guaranteeing how infrastructure stress will be monitored and mitigated in the long term. Once in place, WE will be forced to “live with it”

6

Finally, it appears that, at this point in the process, there is a small self-interest group committed to supporting only this alternative. With this in mind, I must say that it appears to be an overkill response to a relatively small problem... a ridiculous expenditure... noise and traffic increasing without possible mitigation and much more likely to produce unintended consequences in NUSD's haste. Proponents need to go back to the drawing board and rethink what their objectives truly are (e.g., adding a potential income source) or deal with today's realities more effectively at San Marin High.

Thank you for your consideration and for the public feedback extension. I was never directly made aware of this proposal last year.

Best regards,

Hollie Selfridge  
297 San Carlos Way  
[hselfridge@comcast.net](mailto:hselfridge@comcast.net)

## Letter 81

**COMMENTER:** Hollie Selfridge

**DATE:** February 17, 2017

### **Response 81.1**

The commenter states that they have read the materials on the website and did not find a “Statement of Objectives.” The objectives of the project are listed in the Draft EIR in the Executive Summary under “Project Objectives” and in Section 2.5, *Background and Project Objectives*. The commenter also states that they are concerned about the project, but does not provide specific comments on the Draft EIR.

### **Response 81.2**

The commenter states an opinion that the three “Project Need Statements” given are extremely weak and that the project is more appropriate for a large university. These comments on the project are noted but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 81.3**

The commenter suggests alternative scheduling to address the project objectives. This comment on the project is noted but does not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 81.4**

The commenter states an opinion that noise and traffic significant impacts affect those who live in the area, whereas others are temporary users that won’t experience the effects of such a large and invasive project. This comment is noted but does not question or challenge the analysis or conclusions of the Draft EIR. The commenter also states an opinion that existing infrastructure does not currently support additional traffic and additional hours on San Marin Drive and its feeder streets, but as the commenter does not provide information or analysis to support this statement, a specific response is not possible. Traffic impacts and existing conditions are addressed in Section 4.6, *Transportation and Traffic*, of the Draft EIR; Item XVI, *Transportation/Traffic*, of Appendix A of the Draft EIR (Revised Draft Initial Study); and Appendix F of the Draft EIR, *Transportation Impact Study*. Impacts would be less than significant.

The commenter also expresses concerns regarding speeding. Please see Master Response D – Public Services and Safety.

### **Response 81.5**

The commenter states an opinion that the proposed stadium schedule enables ongoing use with the possibility to expand the usage and increase the associated traffic and noise while decreasing the availability of resident parking, and maximizing the schedule without guaranteeing how infrastructure stress will be monitored and mitigated.

The Draft EIR examined the project as proposed, as required by CEQA. It would be speculative to assume the environmental impacts of increased use of the fields at some future time because that usage is currently not proposed. No changes to the Draft EIR are warranted.

**Response 81.6**

The commenter states an opinion that the proposed project is “overkill” for a small problem. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. The commenter also notes, without providing specifics, concerns about noise, traffic and cost. As these are not specific comments on the Draft EIR, specific responses are not possible. Please see Master Response B – Noise, Master Response C – Traffic, and Master Response G – Project Cost.



Letter 82

**From:** pat Silveri [mailto:maccarocks2@gmail.com]

**Sent:** Tuesday, February 28, 2017 6:24 PM

**To:** TOM COOPER; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; derek@strahmcom.com; Environmental Report

**Subject:** San Marin Stadium Lights

Dear NUSD Trustees:

1 | The Environmental Impact Report for the proposed San Marin stadium lights does not properly address neighborhood concerns regarding vandalism, drinking and trash during lighted games. The only entry is the opinion of the police that the "benefits to the community far outweighs the demands on the Novato police force".

2 | Six athletic directors for other schools gave testimony that they had no problems during lighted games. Is that supposed to be unbiased expert opinion? Why has the city San Francisco banned lighted events at their schools? Where is the testimony of citizens who live next to lighted fields? It seems like this issue was glossed over in the EIR so that the writers of the EIR could give their paying clients what they WANT to hear. No effort was made to consider objective facts that might contradict the fantasy of those who insist nothing could go wrong with lighted games. What is the school's liability if kids drink or smoke pot at games and then something unthinkable happens?

Thank you for taking a fresh look at these considerations, I hope a realistic plan and budget can be put forth to address added security and clean up.

Pat Silveri

201 Alder Pl

Novato, Ca 94945

## Letter 82

**COMMENTER:** Pat Silveri

**DATE:** February 28, 2017

### **Response 82.1**

The commenter states an opinion that the Draft EIR for the project does not properly address neighborhood concerns regarding vandalism, drinking, and trash during lighted games. Additionally, the commenter states an opinion that the only entry is the opinion of the police that the “benefits of the community far outweighs the demands on the Novato police force.” Please see Master Response D – Public Services and Safety. Item XIV of the Revised Draft Initial Study (Appendix A of the Draft EIR) has been revised as follows to reflect the neutral stance of the Novato Police Department towards the proposed project:

There is currently adequate police protection in the project area and according to Novato Police Captain, Jamie Knox and his staff, the community benefit of the project would outweigh any additional burden to the Novato Police Department (personal communication with Novato Police Department Captain Jamie Knox, October 18, 2016).

### **Response 82.1**

The commenter states that six athletic directors from other schools gave testimony that they had no problems during lighted games and asks if this is supposed to be an unbiased expert opinion. The commenter also asks why the City of San Francisco has banned lighted events at their school and where the testimony is located from citizens who live next to the lighted fields. The commenter suggests that this issue was glossed over in the Draft EIR to appease the District and that no effort was made to consider objective facts. The commenter asks what the school’s liability is if kids drink and smoke marijuana at the games and something goes wrong.

Please see Master Response D – Public Services and Safety.

**From:** Kim Springer [mailto:kimangelart@gmail.com]  
**Sent:** Monday, February 13, 2017 7:40 PM  
**To:** Environmental Report  
**Subject:** San Marin High School stadium Light Project

1 | I have been a NUSD PTA member from 1986 to 2014. All my kids have attended Ranch and three different middle Schools. They went to attend Novato High and MSA also located Novato H. S. We live next to San Marin High School and have been there since 1996.

I was wondering where's the SAN Marin High School lighting and new PA system funding will come from?

Are there any NUSD staff that can recall what happened when the housing bubble burst?

**For period of 2 years strait NUSD had to hand out pink slips to the teachers and staff. At that time, the Superintendent told us "come to the Rancho School to meet the PTA members they will manage the funding and save money for a rainy day and never repeat the situation with pink slips for the teachers.**

**Now, with the housing market booming again maybe enough taxes are coming to NUSD. But there are still valid reasons in opposing the project.**

2 | **1. When the lights and new PA system are installed my property value will drop, period. Apart from the loss of property value, if this was in your back yard, how would you feel? During the last 20 years we couldn't open the windows on weekends because the school athletic events were so loud. Without a PA system we can hear coaches calling out to or screaming instructions to players in practice. Also, on school open house day or any type of school event, it is hard to find street parking.**

3 | **2. There is no possibility of an enforceable prohibition against other types of events. There is too much money to be made at a venue that can hold 4000 people. It appears certain in listening to the majority of speakers at the last board meeting, that gate receipts will go to individuals who want the money the most. But the cost of maintenance for the lights and a " technician " for the sound system will fall to the tax payers. The city events or park and Rec's music concerts like " Novato Live " will inevitably follow.**

4 | **3. Potentially, all high schools in the district will follow. No school will want to be left out. I mean if this is so good for the academic performance of students how can other schools be treated unfairly? Unless of course the idea makes no sense.**

4  
cont.

**Of course it makes no sense. If there were studies that lights and a sound system raised academic performance we should hear it. Then it could be compared to the cost effectiveness of all the schools having new computer systems for all the students. Or possibly a measurable improvement to the education of the kids. It seems worth pointing out that in 1999, a 3.5 GPA Novato high graduate student could go to UC Davis without any doubt. But, by 2014 the same GPA with better SAT scores couldn't go to UC Davis. What is the situation today and is a new set of lights and a new sound system the answer to better academic performance? Clearly the students performance decreased. The district should give more money to the education programs and invest in the teachers. Please be fair and think through the issue of quality of education and the quality of life in and around the San Marin neighborhoods. Surely, despite the flawed EIR, the best choice is a large inclusive athletic arena near the college.**

5

**4. It is also important to consider that Under President Trump, the federal government threatened "California with no Funding or reduced funding " if the state does not follow instructions. No matter what the merits of the disputed issues are, there is a likelihood of uncertain or limited funding. If the NUSD's plan to deal with these uncertainties and the quality of life for students and the quality of life for residents is to put in lights and a sound system, there will be litigation.**

6

**Lastly, we are not familiar with Novato's indemnification of the Board Of Education in connection with decision making and litigation I want to praise the Board for the process so far and their conscientious effort to get to the right decision. But during the last meeting the public commentary was instructive. The attorney who spoke and the individual who is qualified as an expert witness in federal court were very persuasive. Even a person who seemed to be a proponent ,wanted a swimming pool too. Surely a large multi venue athletic arena near the College of Marin in Novato is a better idea! It allow all schools to benefit and provide income too. Done correctly it could become a " place to go!"**

**'Kim & Chris Springer**

## Letter 83

**COMMENTER:** Kim and Chris Springer

**DATE:** February 13, 2017

### **Response 83.1**

The commenter asks where the funding for the lighting and new PA system would come and states an opinion that, regardless, there are valid reasons to oppose the project. The commenter's opposition to the project is noted. Please see also Master Response G – Project Cost.

### **Response 83.2**

The commenter states concerns regarding property values, noise and parking, but does not provide specific comments on the analysis or conclusions of the Draft EIR on which to base a specific response. Please see Master Response F - Property Values for information regarding property values, Master Response B – Noise for a discussion of the project's noise impacts, and Master Response C - Traffic for a discussion of parking.

### **Response 83.3**

The commenter states an opinion that there is no way to enforce prohibition against other types of events because there is too much potential to make money. The commenter also states that the maintenance for the lights and sound system will be paid for by tax payers and the City will eventually host events and concerts at the project site.

Please see Response 56.3.

### **Response 83.4**

The commenter states opposition to the project citing reasons related to the project's merits, allocation of funding, and other issues outside of the range of environmental impact topics addressed under CEQA. The commenter notes quality of life concerns but does not provide specific comments on the Draft EIR. The commenter also suggests an off-site alternative. Please see Master Response E – Alternatives and Master Response G – Project Cost.

### **Response 83.5**

The commenter states opinions regarding uncertainty of funding. The commenter also notes quality of life concerns but does not provide specific comments on the Draft EIR. Please see Master Response G – Project Cost.

### **Response 83.6**

The commenter suggests an off-site alternative near the College of Marin. This suggestion is noted. Please see Master Response E - Alternatives.

Letter 84

**From:** Jeff Stewart [mailto:jeffstewart2500@gmail.com]

**Sent:** Wednesday, February 15, 2017 12:05 PM

**To:** Environmental Report

**Subject:** Lights on San Marin football field

- 1 | My wife and I have a daughter at San Marin now and a son that will go to San Marin High School in 3 years. We are long term residents of Novato and strongly support the installation of lights on the San Marin football field. We would attend more games if they could be played under the lights.  
thank you,  
Jeff Stewart  
415 250 1953

## Letter 84

**COMMENTER:** Jeff Stewart

**DATE:** February 15, 2017

### **Response 84.1**

The commenter states support for the proposed project but does not provide specific comments on the Draft EIR. This comment is noted.

Letter 85

From: Carol [mailto:carolstothers@aol.com]  
Sent: Monday, February 13, 2017 4:30 PM  
To: Environmental Report  
Subject: SMHS Stadium lights

To: Yancy Hawkins

1 | I am opposed to the stadium lights. I live directly across the street and have put up with all my parking spaces in front of my house being taken from the high school students, the constant trash that has been tossed in our front yard and the early morning microphone noise but refuse to support the night football games that will certainly bring drunk drivers noise and extra trash. Our bedroom windows face the street so I am sure the lights will make it harder to get to sleep. My husband and I are seniors and thought this would be where we would live in our retirement. Please respect the your neighbors across the street by not installing the lights for nighttime games.

Sent from my iPhone



## Letter 85

**COMMENTER:** Carol Stothers

**DATE:** February 13, 2017

### **Response 85.1**

The commenter states that they are opposed to the proposed project, and citing concerns about drunk drivers, noise, extra trash, and effects of the lights on sleep.

The commenter's opposition to the project is noted. Please see Master Response A – Lighting and Aesthetics; Master Response B – Noise; and Master Response C – Public Services and Safety.

12-27-16

TANCY HAWKINS - NUSD

1

We would like to go on the record  
AS opposed to lights AT SAN MARIN  
High School football field.

We have been here 30 yrs peacefully  
with NO lights, NO added NOISE, CARS,  
people. It is a nice quiet, peaceful  
place to live and would like that  
to continue.

2

The money would be better spent  
ON education, NOT noise AND illumination.  
If you must have SATURDAY night  
lights move to TEXAS!

THANK YOU,  
Patti of Robert VANDIS  
259 SAN RAMON WAY  
NOVATO, CA. 94945

## Letter 86

**COMMENTER:** Patti and Robert Vandis

**DATE:** December 27, 2016

### **Response 86.1**

The commenter states opposition to the proposed project, citing concerns regarding lights, noise, cars, and “people.” Please see Master Response A – Lighting and Aesthetics regarding aesthetics impacts; Master Response B – Noise regarding noise impacts; Master Response C – Traffic regarding traffic impacts; and Master Response D – Public Services and Safety regarding public safety.

### **Response 86.2**

The commenter states an opinion that the money would be better spent on education, not noise and illumination. These comments, and the commenter’s opposition, are noted. Please see Master Response G – Project Cost.



Letter 87

Date: 1/19/17

Dear Yancy Hawkins and Trustees of NUSD,

1 I would like to request the approval of the EIR report and the project for stadium lights at San Marin High School athletic field. I feel the stadium lights would be an upgrade to our school community and add many benefits like the one's listed below:

- Reduced early dismissal for athletic teams.
  - Allows teachers to achieve educational goals with more class time for athletes
  - Example: When SMHS goes to later bells in 2017, it's estimated the soccer teams will miss over 1500 hours of instruction
- Reduces conflict for ACT/SAT prep and test dates
- Reduced injuries due to darkened fields
- Reduced heat related casualties to football players during the Saturday games
- Increased supervision for student activities
- Increase enrollment of local athletes with attraction of better sports environment
- Nighttime graduation for our seniors
- Family oriented High School games to bring our community closer

Thank you for your consideration to this project. San Marin High School is responsible for our future leaders and community well-being and we believe this improvement to the school will be a step in the right direction.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Walera".

Name: Lisa Walera

Address: 1735 Center Road

Comments:

## Letter 87

**COMMENTER:** Lisa Walera

**DATE:** January 19, 2017

### **Response 87.1**

The commenter states support for the proposed project and the EIR, but does not provide specific comments on the Draft EIR. The commenter's stated support of the project and EIR is noted.

February 25, 2017

Yancy Hawkins – Assistant Superintendent of Business and Operations  
Novato Unified School District  
1015 7<sup>th</sup> Street  
Novato, California 94945

Email: [EIR@nusd.org](mailto:EIR@nusd.org)

Dear Yancy Hawkins,

1 | I am writing in objection to the planned San Marin High School Stadium  
Lights Project. I have read and reviewed the Draft Environmental  
Impact Report (DEIR) and believe that this project is not in the best  
interests of our community.

2 | **Aesthetics** – The DEIR wholly ignores the aesthetic implications of the  
stadium lights project. The planned lighting configuration calls for (8)  
80 foot high poles (the equivalent of a four story building in a  
residential neighborhood), up to (24) 30 foot poles, and potentially (18)  
additional 30 foot poles for the planned public address system.  
Hundreds of homeowners’ views of the Mount Burdell Open Space will  
be permanently marred by giant standards jutting above the  
surrounding neighborhoods destroying our valued hillside views.

3 | **Noise** – The DEIR states that the noise from the stadium lights project  
will be “significant and unavoidable,” for the surrounding  
neighborhoods. Our nighttime “quiet enjoyment,” of our homes will be  
forever impacted, affecting not just our quality of life, but the resale  
value of our homes.

4 | **Light** – The DEIR states that “lighting could spill over exceeding the  
District’s standards for illuminance at property lines facing residences,”  
and “Lighting and glare impacts would be potentially significant, but  
mitigable,” however the suggested solution (including a photometric  
study) would come after board approval with no guarantee of a remedy  
to the problem. The discussed “mitigation,” (attempting to point the  
lights downward) is speculative at best and does not provide a concrete  
solution to the nighttime glare that will be created for surrounding

4  
cont.

neighborhoods. Approval of the project forces homeowners to live with a permanent unsolvable nighttime LED ambient light issue, with all of its attendant potential health risks.

5

**Traffic and Parking** – The DEIR does not address increased traffic concerns – it summarily dismisses them without meaningful discussion. Clearly, further study of this issue is warranted.

In summary, the Novato Unified School District Board has a responsibility to the community at large to not approve a project that has a significant, negative impact on the surrounding residences.

Sincerely,



Mark Warcholski  
25 Eames Court  
Novato, California 94947

## Letter 88

**COMMENTER:** Mike Warcholski

**DATE:** February 25, 2017

### **Response 88.1**

The commenter states opposition to the project and an opinion that the project is not in the best interest of the community. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 88.2**

The commenter opines that the Draft EIR wholly ignores the aesthetic implications of the stadium lights project. Specifically, the commenter states an opinion that hundreds of homeowners' views of the Mount Burdell Open Space would be permanently marred by the light poles extending above the surrounding neighborhoods and destroying the views of the hillside.

Contrary to this comment, the Draft EIR does not ignore, wholly or otherwise, the issue of aesthetics. Aesthetic impacts are discussed at length in the Revised Draft Initial Study (Appendix A of the Draft EIR) under Item I, *Aesthetics*, and in the Draft EIR in Section 4.1, *Aesthetics*. As discussed therein, impacts were found to be less than significant or potentially significant but mitigable. Please see Master Response A – Lighting and Aesthetics.

### **Response 88.3**

The commenter states that the Draft EIR states that the noise from the stadium lights project would be “significant and unavoidable” and, and opines that their nighttime enjoyment would be forever impacted, affecting their quality of life and resale value of their home.

Please see Master Response B — Noise, and Master Response F – Property Values regarding property values in the context of CEQA.

### **Response 88.4**

The commenter states an opinion that the mitigation measures identified in the Draft EIR to reduce lighting impacts are inadequate, and that the measures would be “speculative” and unenforceable. Contrary to this comment, Mitigation Measure AES-3 not only requires a final photometric study prior to commencement of construction confirming that the illumination threshold at the District property line would be met, but also requires that the project lighting design be adjusted, if necessary, to meet the adopted threshold. Mitigation Measure AES-4 not only requires preparation of a photometric study in accordance with industry standards to estimate the amount of discomfort glare to which nearby residents would be subjected when facing the proposed stadium lights, but also requires the District to coordinate with the lighting consultant to ensure that the final design of the lighting system would not allow discomfort glare to exceed 10,000 candelas at residential property lines facing the stadium. These are measurable performance standards that must be met by the District. Please see also Master Response A – Lighting and Aesthetics.



**Response 88.5**

The commenter states an opinion that the Draft EIR does not address increased traffic concerns and suggests that it dismisses traffic impacts without a meaningful discussion. On the contrary, however, traffic impacts are discussed at length in the Revised Draft Initial Study (Appendix A of the Draft EIR) under Item XVI, *Transportation/Traffic*, and in the Draft EIR in Section 4.6, *Transportation and Traffic*, as well as in a full traffic study (Appendix F of the Draft EIR). As discussed in detail therein, impacts were found to be less than significant. Please see also Master Response C —Traffic.

February 25, 2017

Yancy Hawkins – Assistant Superintendent of Business and Operations  
Novato Unified School District  
1015 7<sup>th</sup> Street  
Novato, California 94945

Email: [EIR@nusd.org](mailto:EIR@nusd.org)

Dear Yancy Hawkins,

1 | I am writing in objection to the planned San Marin High School Stadium  
Lights Project. I have read and reviewed the Draft Environmental  
Impact Report (DEIR) and believe that this project is not in the best  
interests of our community.

2 | **Aesthetics** – The DEIR wholly ignores the aesthetic implications of the  
stadium lights project. The planned lighting configuration calls for (8)  
80 foot high poles (the equivalent of a four story building in a  
residential neighborhood), up to (24) 30 foot poles, and potentially (18)  
additional 30 foot poles for the planned public address system.  
Hundreds of homeowners’ views of the Mount Burdell Open Space will  
be permanently marred by giant standards jutting above the  
surrounding neighborhoods destroying our valued hillside views.

3 | **Noise** – The DEIR states that the noise from the stadium lights project  
will be “significant and unavoidable,” for the surrounding  
neighborhoods. Our nighttime “quiet enjoyment,” of our homes will be  
forever impacted, affecting not just our quality of life, but the resale  
value of our homes.

4 | **Light** – The DEIR states that “lighting could spill over exceeding the  
District’s standards for illuminance at property lines facing residences,”  
and “Lighting and glare impacts would be potentially significant, but  
mitigable,” however the suggested solution (including a photometric  
study) would come after board approval with no guarantee of a remedy  
to the problem. The discussed “mitigation,” (attempting to point the  
lights downward) is speculative at best and does not provide a concrete  
solution to the nighttime glare that will be created for surrounding

4  
cont.

neighborhoods. Approval of the project forces homeowners to live with a permanent unsolvable nighttime LED ambient light issue, with all of its attendant potential health risks.

5

**Traffic and Parking** – The DEIR does not address increased traffic concerns – it summarily dismisses them without meaningful discussion. Clearly, further study of this issue is warranted.

In summary, the Novato Unified School District Board has a responsibility to the community at large to not approve a project that has a significant, negative impact on the surrounding residences.

Sincerely,



Michael Warcholski  
68 Sandy Creek Way  
Novato, California 94947

## Letter 89

**COMMENTER:** Michael Warcholski

**DATE:** February 25, 2017

### **Response 89.1**

This comment is identical to Comment 88.1. Please see Response 88.1.

### **Response 89.2**

This comment is identical to Comment 88.2. Please see Response 88.2.

### **Response 89.3**

This comment is identical to Comment 88.3. Please see Response 88.3.

### **Response 89.4**

This comment is identical to Comment 88.4. Please see Response 88.4.

### **Response 89.5**

This comment is identical to Comment 88.5. Please see Response 88.5.

Letter 90

**From:** Leslie Weber [mailto:deckweb@comcast.net]  
**Sent:** Sunday, January 22, 2017 5:41 PM  
**To:** TOM COOPER; millerick@nUSD.org; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; DEREK KNELL  
**Cc:** LESLIE BENJAMIN; 'Leslie'; Environmental Report  
**Subject:** Lights at San Marin

Dear Novato Unified Board of Trustees

1 | I am writing in support of the draft EIR report regarding the project for stadium lights at the San Marin High School athletic field.

I have had one son graduate from San Marin and my daughter is a sophomore at San Marin. I feel the stadium lights are a well needed addition to our school and the community as a whole.

Athletics are an important part of a high school experience. They help to keep students focused on their grades, are a wonderful physical outlet and create lifelong friendships.

Students have to miss class in order to get to games on time and that is not a positive outcome of playing sports. As a parent I want my student in class. Lights will provide more time for practice which will reduce conflicts with school, tutoring etc. Also, as a working parent, it can be very difficult to attend your child's games if they start at 4pm, especially if they are "away" games.

I also strongly believe that many students in the community that don't play football, lacrosse, baseball or soccer want the experience to attend a night time game. Our basketball games (at night) are packed with students expressing school spirit! The students all plan what to wear and cheer on their classmates. It is a wonderful thing to see and it is a safe and positive social experience!

Public school is the tie that binds the community. Please provide an opportunity for the community to attend games, for students to practice and not miss school.

I appreciate all that you do and hope you will support this project.

Thank you,  
Leslie Weber

*Leslie Weber*  
[deckweb@comcast.net](mailto:deckweb@comcast.net)  
(415) 246-7767  
235 Saddle Wood Drive  
Novato, CA 94945

## Letter 90

**COMMENTER:** Leslie Weber

**DATE:** January 22, 2017

### **Response 90.1**

The commenter states support for the project but does not provide specific comments on the Draft EIR. These comments are noted.

**From:** Ginny [mailto:ginbit@cox.net]

**Sent:** Monday, January 23, 2017 1:29 PM

**To:** TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT; Environmental Report

**Subject:** EIR San Marin High School Stadium Lights and sound

Hello,

1 | I have very strong concerns about the proposed project of lights and sound at San Marin High School. I have been a long time owner of property in Madera Marin since my son went to grammar school in San Marin in 1975, and later to High School at San Marin. What an awful thought that this might actually be put in place. You might want to listen to the sounds where this was done in San Diego on a much, much smaller scale. Huge and horrible. Any EIR that says there is no impact, is not truly done without bias.

2 | I doubt anyone would like to live anywhere near San Marin with the extreme noise and lights that would go on to 10 p.m. I know of people are already looking to sell their homes due to this possibility, as they know home values will go DOWN dramatically. I understand the fun and excitement of the students when there is a game on, and they will be loud, and we can already hear them, but currently at a muted acceptable level. I implore you to vote NO on this proposal.

Thank you for your consideration.

Virginia Welton

## Letter 91

**COMMENTER:** Virginia Welton

**DATE:** January 23, 2017

### **Response 91.1**

The commenter states concerns about noise impacts associated with the proposed project states an opinion that “Any EIR that says there is no impact, is not truly done without bias.” Please note that the Draft EIR identified a significant and unavoidable impact related to noise during athletic events. Please see Master Response B — Noise.

### **Response 91.2**

The commenter states additional concerns regarding noise impacts and concerns regarding project effects on property values. Please see Master Response B — Noise, and Master Response F – Property Values regarding property values in the context of CEQA.



Letter 92

From: mary wikstrom [mailto:mmwikstrom@icloud.com]  
Sent: Saturday, January 21, 2017 7:26 PM  
To: Environmental Report  
Subject: San Marin HighSchool lights

1 | I own a townhouse at 605 Cedar Place in Madera Marin. Installing the proposed lights would significantly - negatively - impact the serenity of our neighborhood. Please consider other options.

Thank you

Mary Wikstrom  
415-254-2123

## Letter 92

**COMMENTER:** Mary Wikstrom

**DATE:** January 21, 2017

### **Response 92.1**

The commenter states an opinion that the proposed project would negatively impact the serenity of the neighborhood. They request other options be considered.

These comments and the commenter's opposition are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

Letter 93

From: Danielle [mailto:dani081603@yahoo.com]  
Sent: Friday, January 13, 2017 7:50 PM  
To: Environmental Report  
Subject: SAN Marin lights

Hello,

1 | Our family would love to have the lights installed at SAN Marin High. We live in San Andreas Dr and our kids will move from Sinaloa to San Marin in a couple of years. We believe lights would mean outdoor evening games and this, family events to attend and enjoy together. This would be great for bringing our community together!

The Wright Family

## Letter 93

**COMMENTER:** Danielle Wright

**DATE:** January 13, 2017

### **Response 93.1**

The commenter states support for the project but does not provide specific comments on the Draft EIR. These comments are noted.

**From:** Sherry Zagunis [mailto:sherry@collegereadyscholars.com]  
**Sent:** Tuesday, February 07, 2017 6:16 PM  
**To:** Environmental Report  
**Subject:** Public Comment on San Marin High School Stadium Lights Project

Dear Mr. Hawkins,

1 | Thank you for sending us the Notice of Extension for San Marin's Stadium Lights Project EIR. Here are the reasons for our opposition to the proposed stadium upgrade:

- This upgrade would increase unwelcome lighting and noise in the surrounding neighborhood (homes, streets, etc.) until 9:30PM or later.
- 2 | • Parking and traffic impacts during after-dark hours ( a time when residents park in front of many homes, and spots are in greater demand) would also rise.
- 3 | • When purchasing their homes, owners near San Marin High School received a disclosure regarding their proximity to the campus. Enclosed and closely supervised events such as dances, plays, concerts, and meetings are assumed occasional impacts of owning a home near a high school. However, because (like other venues in Marin County) the field surrounded by this neighborhood has not been previously been equipped for use at after-dark games and events, buyers set prices for their homes with the reasonable expectation that the noise, glare, parking impacts, and behavioral/ substance issues related to night games and events—and the amplification of a stronger sound system--would not affect their lives or their home investments. These issues (real and perceived) have been shown to injure home values.
- 4 | • Up to the present, San Marin has honored its obligations to various sporting organizations and schedule events such as graduation, without needing night-time lighting or increased amplification.
- 5 | • Rumors in our neighborhood that the contractual door would be left open to renting out the field at night—if true—would increase impacts on neighbors without directly benefitting our athletes and residents.

6 | During the two decades we've lived here, our neighbors have welcomed the chance to create a safe harbor for new high school grads each June when it's time for Safe Grad Night at Rolling Hills, and to hear the sounds of young people and their families bonding over a hard-fought sporting event down the street during daylight hours throughout the school year. We've just voted through a large bond measure to give our students the funds they need to prosper. But there is a give-and-take to being good neighbors, as evidenced by the County's decision not to approve a stadium upgrade at Marin Catholic. Students, parents, the school board, neighbors and city officials all share an interest in getting this right—so that future bond measures can

6  
cont.

pass and traditional school events take place with the continued support of neighbors who are flexible, and proud to do their part.

We join our neighbors in asking that the delicate balance we've learned to live with in San Marin be kept in place by maintaining the status quo rather than improving and expanding stadium use as proposed.

Appreciatively yours,

The Zagunis Family  
408 San Andreas Drive  
Novato

## Letter 94

**COMMENTER:** Sherry Zagunis

**DATE:** February 7, 2017

### **Response 94.1**

The commenter states opposition to the proposed project, citing concerns regarding light and noise impacts, but does not provide specific comments on the Draft EIR analysis. Please see Master Response A – Lighting and Aesthetics and Master Response B – Noise.

### **Response 94.2**

The commenter states an opinion that parking and traffic impacts during after-dark hours would rise, but does not provide specific comments on the Draft EIR analysis. Please see Master Response C – Traffic.

### **Response 94.3**

The commenter states concerns about the project’s potential effects on property values. Please see Master Response F – Property Values.

### **Response 94.4**

The commenter states that up until present, San Marin has completed graduation and other nighttime events without lighting or increased amplification. This comment is noted, but does not question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response.

### **Response 94.5**

The commenter states an opinion that the field may be rented out at night to non-school uses.

As described in Section 2.4.1.6 of the Draft EIR, *Proposed Schedule of Events*, the stadium lights would not be used for community or non-school activities. No changes to the Draft EIR are warranted. See also Response 19.5.

### **Response 94.6**

The commenter asks that the project not be approved and that things remain as they are. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

Letter 95

**From:** NORMAN ZEISER [<mailto:normanzee@mac.com>]

**Sent:** Friday, January 27, 2017 2:09 PM

**To:** TOM COOPER <[TCOOPER@nUSD.org](mailto:TCOOPER@nUSD.org)>; DEBBIE BUTLER <[DBUTLER@nUSD.org](mailto:DBUTLER@nUSD.org)>; MARIA LUISA AGUILA <[MAGUILA@nUSD.org](mailto:MAGUILA@nUSD.org)>; DEREK KNELL <[DKNELL@nUSD.org](mailto:DKNELL@nUSD.org)>; GREGORY MACK <[gmack@nUSD.org](mailto:gmack@nUSD.org)>; ROSS MILLERICK <[RMILLERICK@nUSD.org](mailto:RMILLERICK@nUSD.org)>; SHELLY SCOTT <[SSCOTT@nUSD.org](mailto:SSCOTT@nUSD.org)>

**Cc:** LESLIE BENJAMIN <[LBENJAMIN@nUSD.org](mailto:LBENJAMIN@nUSD.org)>

**Subject:** letter to NUSD

Dear Board Members,

1 | I attended the Board meeting on January 24. My observation is that the Board has unintentionally pitted the pro sports people against the neighbors in San Marin, especially those residents living close to SMHS. I believe the Board erred by not bringing the entire neighborhood into the discussion as soon as the Boosters brought the concept of lighting the SMHS stadium and keeping the lights on until 9:45 PM on football night games and until 8 PM almost every other night. I consider that an infringement of my rights to enjoying peaceful and quiet evenings in the home I will have lived in for 30 years this coming March. I have NEVER complained about the usual noise accompanying the many games played in the SMHS field during the day. Now that noise will be amplified by the goal of having well over 1500 people attend the night games.

2 | Have you given any thought to the traffic that will be brought to the entire San Marin area as well as other parts of Novato. The most practical and obvious means of leaving the San Marin High School field is either straight east on San Marin Drive, or taking San Carlos Way to San Marin Drive, or straight south on Novato Blvd. ALL of those routes are controlled ONLY by STOP SIGNS until getting close to US 101 - the expected route for visiting students and even Novato residents living in the south end of Novato. I KNOW YOU MUST REMEMBER THE TRAGIC INCIDENT IN 2009 AT THE SAN CARLOS WAY & SAN MARIN DRIVE. A DRUNK DRIVER KILLED A YOUNG GIRL AND MAIMED HER FATHER (HE LOST A LEG) AS THEY CROSSED SAN MARIN DRIVE IN THE EVENING. WE DO NOT EVER WANT TO SEE THAT TYPE OF INCIDENT REPEATED! NEVER!!!

3 | Before my family moved to our Santa Gabriella home in 1987, we lived for eight years at 291 San Carlos Way. Two incidents precipitated our move to Santa Gabriella Court. Around 1985 a car driven by a teenager ran into our garage in the middle of the night- jumping the curb and into our driveway! On another occasion a group of teenagers flipped over a jeep and the kids in the car were all taken to the hospital with possible broken back and other severe injuries. My point is there are incidents where teenagers are involved and if you put up to thousands of teenagers on the Novato roads in the later hours of the night, after getting revved up at a football game, the question is not if an incident like I just described will ever happen, the question is when.

I plan to submit comments on the DEIR, but the above are my heartfelt thoughts I wanted to share with each of you personally.

Respectfully,

Norman Zeiser



## Letter 95

**COMMENTER:** Norman Zeiser

**DATE:** January 27, 2017

### **Response 95.1**

The commenter states general concerns regarding noise generated by the proposed project and the effects on neighborhood peace and quiet. The commenter also opines that the District should have brought the entire neighborhood into the discussion about the project.

These commenter's concerns regarding the public process are noted, but do not pertain to the analysis or conclusions of the Draft EIR. Regarding noise impacts, please see Master Response B – Noise.

### **Response 95.2**

The commenter states concerns regarding traffic impacts and vehicular safety. The commenter specifically states that all routes leaving the campus are stop sign-controlled until you reach US 101 and references a fatal traffic accident in 2009. The commenter does not provide specific comments on the analysis or conclusions of the Draft EIR. Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

### **Response 95.3**

The commenter describes past incidents which involved traffic accidents and states concerns about potential traffic safety impacts. Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

**From:** NORMAN ZEISER [mailto:normanzee@mac.com]

**Sent:** Monday, February 27, 2017 9:05 AM

**To:** Environmental Report

**Cc:** TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; derek@strahmcom.com; LESLIE BENJAMIN

**Subject:** SMHS stadium light DEIR

Dear NUSD Board Members et al,

1 | My name is Norman Zeiser. I have lived with my wife in 5 Santa Gabriella Court for 30 years. Our two children, Joshua & Abby, graduated from San Marin High School in 2000 and 2002 respectively. Our court is very peaceful and safe. We have lived with early morning games on weekends since we moved here and know that is what we bought into when we moved here. If stadium lights are installed at SMHS and the lights are kept on until 8:00 PM every night except when they are kept on until 9:45 PM, our quiet court, and the entire neighborhood surrounding the school will change so much that living here will not be the same. For the NUSD to approve the lights, and the seven figure cost to install them, the entire San Marin neighborhood will change for the benefit of a few. In a recent report on the Novato Patch on December 14, 2016 it reported about California public school districts rankings. NUSD did not make the top 100 while other school districts in Marin did. To my knowledge non of these Marin districts have lighted fields, but do have superior academic credentials to NUSD. Please spend the \$1,000,000 on academics, not stadium lights.

2 | My comments on the DEIR for SMHS stadium lights follow. My comments are in *italics*. I previously sent an email to all of the Board members on January 27, 2017 with comments on the traffic problems associated with increased teenage drivers on the Novato roads if there are night games. I would like those comments to be included in all the comments submitted on the DEIR. Please let me know if you require I send another copy. There are many sections of the DEIR that leave a lot to be desired. Many are addressed by other commenters, including the Audubon Society, that I am not discussing at this time. I do reserve the opportunity to provide further comments if my time permits.

3 | Executive Summary - Alternatives:

"None of the alternatives would eliminate the unavoidably significant noise impact associated with nighttime football games. Also, all of the development alternatives would introduce additional or more severe impacts compared to the proposed project for certain resource areas. For example, Alternative 2 would result in increased impacts to transportation and traffic, and Alternative 3 would result in

3  
cont.

increased impacts to air quality and greenhouse gas emissions. Among the considered alternatives to the proposed project, the Novato High School Stadium Lighting alternative (Alternative 2) is the environmentally superior alternative.”

*The above DEIR conclusion that none of the alternatives would eliminate noise is not logical as Alternative 1 is no lights. If there are no lights, there are no night games and therefore no noise at night.*

4

#### PROJECT OBJECTIVES (CHAPTER 6)

My comments in *italics* follow each objective.

- - 1 Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.  
*There is no data to support the extended availability of the field will result in improved academic performance.*
  - 2 Allow for the scheduling of games at times when students, parents, and community members can more easily attend the events, which would increase school spirit and increase revenue from ticket purchases.  
*There no supporting documentation that school spirit would increase. Increased ticket sales won't come close to paying the cost of the lights and maintenance of them. Data is needed to support this conclusion.*
  - 3 Provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities.  
*There is no definitive supporting data that students will forego parties to go to games. More that likely there will be parties after the night games that could result in later starting time for parties, after 9:45PM, and teenage drivers on Novato roads much later in the night.*
  - 4 Improve athlete safety by providing superior lighting conditions during evening practices and sports events.  
*no comment*
  - 5 Improve safety by minimizing incompatible uses from sharing the field (e.g.: lacrosse teams and track/field teams practicing at the same time means that lacrosse balls may hit runners on the track).  
*There is no data supporting the assumption that safety would be improved if lights are installed.*

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- 6 Improve the public address system to focus and contain sound within the stadium.
- *no comment*
- 

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- Norman Zeiser’s General comments on the DEIR:
- 
- *Throughout the DEIR conclusions are made with no evidence that any data was collected to support those conclusions. Examples are noted above.*
- 

11

- *I retired in 2002. My career was in environmental conservation. I have an advanced degree in Air Pollution Toxicology. I spent over 20 years as a Board Certified Industrial Hygienist. There are inherent health issues associated with the stadium lights proposed to be installed. **As reported in 2016 in CNN:***
- 

- **“The American Medical Association (AMA) has just adopted an [official policy statement](#) about street lighting: cool it and dim it.**

**The statement, adopted unanimously at the AMA's annual meeting in Chicago on June 14, comes in response to the rise of new LED street lighting sweeping the country. An AMA committee issued guidelines on how communities can choose LED streetlights to "minimize potential harmful human health and environmental effects."**

**Municipalities are replacing existing streetlights with efficient and long-lasting LEDs to save money on energy and maintenance. Although the streetlights are delivering these benefits, the AMA's stance reflects how important proper design of new technologies is and the close connection between light and human health.**

•

**The AMA's statement recommends that outdoor lighting at night, particularly street lighting, should have a color temperature of no greater than 3000 Kelvin (K). [Color temperature](#) (CT) is a measure of the spectral content of light from a source; how much blue, green, yellow and red there is in it. A higher CT rating generally means greater blue content, and the whiter the light appears.**



A white LED at CT 4000K or 5000K contains a high level of short-wavelength blue light; this has been the choice for a number of cities that have recently retrofitted their street lighting such as Seattle and New York.

### [Explainer: What is seasonal affective disorder?](#)

But in the wake of these installations have been complaints about the harshness of these lights. An extreme example is the city of Davis, California, where the residents demanded a [complete replacement](#) of these high color temperature LED street lights.

Can communities have more efficient lighting without causing health and safety problems?

## **Two problems with LED street lighting**

An incandescent bulb has a color temperature of 2400K, which means it contains far less blue and far more yellow and red wavelengths. Before electric light, we burned wood and candles at night; this artificial light has a CT of about 1800K, quite yellow/red and almost no blue. What we have now is very different.

The new "white" LED street lighting which is rapidly being retrofitted in cities throughout the country has two problems, according to the AMA. The first is discomfort and glare. Because LED light is so concentrated and has high blue content, it can cause severe glare, resulting in pupillary constriction in the eyes. Blue light scatters more in the human eye than the longer wavelengths of yellow and red, and sufficient levels can [damage the retina](#). This can cause problems seeing clearly for safe driving or walking at night.

You can sense this easily if you look directly into one of the control lights on your new washing machine or other appliance: it is very difficult to do because it hurts. Street lighting can have this same effect, especially if its blue content is high and there is not appropriate shielding.

The other issue addressed by the AMA statement is the impact on human circadian rhythmicity.

Color temperature reliably predicts spectral content of light -- that is, how much of each wavelength is present. It's designed specifically for light that comes off the tungsten filament of an incandescent bulb. However, the CT rating does not reliably measure color from fluorescent and LED lights.

Another system for measuring light color for these sources is called correlated color temperature (CCT). It adjusts the spectral content of the light source to the color sensitivity of human vision. Using this rating, two different 3000K light sources could have fairly large differences in blue light content.

Therefore, the AMA's recommendation for CCT below 3000K is not quite enough to be sure that blue light is minimized. The actual spectral irradiance of the LED -- the relative amounts of each of the colors produced -- should be considered, as well.

## The reason lighting matters

The AMA policy statement is particularly timely because the new World Atlas of Artificial Night Sky Brightness just appeared last week, and street lighting is an important component of light pollution. According to the AMA statement, one of the considerations of lighting the night is its impact on human health.

In previous articles for The Conversation, I have described how lighting affects our [normal circadian physiology](#), how this could lead to some [serious health consequences](#) and most recently how [lighting the night affects sleep](#).

In the case of white LED light, it is estimated to be [five times more effective at suppressing melatonin](#) at night than the high pressure sodium lamps (given the same light output) which have been the mainstay of street lighting for decades. Melatonin suppression is a marker of circadian disruption, which includes disrupted sleep.

### [A dark night is good for your health](#)

Bright electric lighting can also [adversely affect wildlife](#) by, for example, disturbing migratory patterns of birds and some aquatic animals which nest on shore.

## Street lighting and human health

The AMA has made three recommendations in its new policy statement:

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cont.

**First, the AMA supports a "proper conversion to community based Light Emitting Diode (LED) lighting, which reduces energy consumption and decreases the use of fossil fuels."**

**Second, the AMA "encourage[s] minimizing and controlling blue-rich environmental lighting by using the lowest emission of blue light possible to reduce glare."**

### **Join the conversation**

See the latest news and share your comments with CNN Health on [Facebook](#) and [Twitter](#).

**Third, the AMA "encourage[s] the use of 3000K or lower lighting for outdoor installations such as roadways. All LED lighting should be properly shielded to minimize glare and detrimental human and environmental effects, and consideration should be given to utilize the ability of LED lighting to be dimmed for off-peak time periods."**

**There is almost never a completely satisfactory solution to a complex problem. We must have lighting at night, not only in our homes and businesses, but also outdoors on our streets. The need for energy efficiency is serious, but so too is minimizing human risk from bad lighting, both due to glare and to circadian disruption. LED technology can optimize both when properly designed."**

**Richard G. "Bugs" Stevens is a professor in the School of Medicine at the University of Connecticut.**

**Copyright 2016 [The Conversation](#).**

12 | *Although the lights proposed are not street lights per se, they will be on every night except Sunday (maybe) and neighbors as well as students will be exposed to them for much longer times that exposure to street lights.*

13 | *Since the above health hazard has been reported by CNN it is imperative that the DEIR consultant address the health issue which it has ignored in its initial draft. Do we want to create a major health hazard in San Marin for both students and neighbors? I consider this issue a large enough one to cause NUSD Board to dismiss the idea of stadium lights at SMHS and look for an alternative that would eliminate the hazard.*

14 | *Another issue related to the lights is that as a priority for residents in Novato polled by NUSD contractor in late 2016 the list of priorities that the survey covered found that school stadium lighted fields was close to dead last in the poll. So why has NUSD decided to go ahead with even considering them? I guess there is some disposition among the Board members who are willing to support the few and ignore the majority of residents who want superior academic achievements and not so concerned with night lighted football games.*

15 | *My home is my biggest asset and where I spend more time that anywhere else. It is extremely important to me and my family that we protect the value we have in the peace*

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cont.

*and quiet of our home. I ask that each Board member think of their own home and if it were disrupted by daily lights shining in until late evening hours and noisy spectators at games until 9:45 PM disrupting family dinners, and at gathering to celebrate their special occasions on a Friday night and the light and noise making the gathering unenjoyable. Would you want that? I know I don't!!!*

**Sincerely,**

**Norman Zeiser & family  
5 Santa Gabriella Court  
Novato, CA 94945**



## Letter 96

**COMMENTER:** Norman Zeiser

**DATE:** February 27, 2017

### **Response 96.1**

The commenter states general concerns regarding the project's potential effects on the neighborhood quality of life and requests that the funds for the project be allocated differently. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please also see Master Response G – Project Cost.

### **Response 96.2**

The commenter states that they've included comments on the Draft EIR and also requests that the comments in an email sent to the Board members, dated January 27, 2017 (Letter 94) also be included as comments submitted on the Draft EIR. These comments are noted and the comments sent by the commenter to the Board are included as Letter 94.

### **Response 96.3**

The commenter provides a quote from the Draft EIR regarding alternatives and states an opinion that it is not logical that none of the alternatives would eliminate noise because if there are no lights installed (Alternative 1), there would be no nighttime games, and therefore, no noise at night.

The Executive Summary of the Draft EIR, under the heading *Alternatives*, has been revised as follows to clarify that none of the development alternatives would eliminate the unavoidably significant noise impact associated with nighttime football games:

None of the development alternatives would eliminate the unavoidably significant noise impact associated with nighttime football games.

This revision is consistent with the analysis presented in Section 6.3.2 of the Draft EIR, *Impact Analysis*, which states that the "No Project Alternative would eliminate the proposed project's significant and unavoidable noise impact."

Please see Master Response E – Alternatives.

### **Response 96.4**

The commenter states that there is no data to support that the extended availability of the field would result in improved academic performance.

While the commenter challenges to project objective of improving academic performance by providing extended availability of the athletic fields, the commenter does not provide evidence to challenge that objective. The commenter omits the second part of that objective, which provides the reasoning behind improved academic performance from extended availability of athletic fields, namely that early class dismissal and missed instructional time for student athletes would be minimized. These comments do not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

**Response 96.5**

The commenter states that there is no supporting documentation that school spirit would increase nor is there evidence that suggests increased ticket sales would pay for the cost of the lights and maintenance of them. The commenter suggests that data is needed to support these conclusions.

While the commenter challenges the likelihood of achieving the project objective of increasing school spirit, the commenter does not provide evidence to challenge that objective. The commenter also opines that increased ticket sales won't pay for the cost of the lights and the cost of maintenance of the lights. The Draft EIR does not claim that increased revenue from ticket sales would pay for the cost of installing and maintaining the lights. Furthermore, these comments do not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

Please see Master Response G – Project Cost.

**Response 96.6**

The commenter states that there is no definitive supporting data that students will forego parties to go to games, and instead, the commenter suggests that there will be parties after the night games that would result in later starting time for parties, which would result in teenage drivers on the roads later at night.

While the commenter challenges the likelihood of achieving one of the project objectives, namely to provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities, in an alcohol-free environment, the commenter does not present evidence to challenge the achievability of this project objective. The commenter presents no evidence to support the claim that implementation of the proposed project would result in later starting times for parties or an increase in the number of teenage drivers on the roads at night. The commenter does not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

Please see Master Response C – Traffic and Master Response D – Public Services and Safety.

**Response 96.7**

The commenter states that they have no comment related to the project improving athletic safety by providing superior lighting conditions during evening practices and sports events. This comment is noted.

**Response 96.8**

The commenter states that there is no data supporting the assumption that safety would be improved if lights were installed.

While the commenter's disagreement with the project objectives is noted, this comment does not challenge the environmental analysis or the conclusions of the Draft EIR. No changes to the Draft EIR are warranted.

**Response 96.9**

The commenter states that they have no comment related to the fact that the improved public address system would focus and contain sound within the stadium. This comment is noted.

**Response 96.10**

The commenter states an opinion that throughout the Draft EIR conclusions are made with no evidence that any data was collected to support these conclusions and references the above examples. The above comments are responded to individually above.

**Response 96.11**

The commenter states an opinion that there are inherent health issues associated with the stadium lights proposed to be installed. The commenter includes an excerpt from CNN dated 2016.

Please see Master Response A – Lighting and Aesthetics.

**Response 96.12**

The commenter notes that, although the lights proposed aren't streetlights, they would be on every night except Sunday and neighbors and students would be exposed to them for longer periods of time than street lamps.

Contrary to this comment, the lights would not be on every night, excluding Sundays. As outlined in the update to Impact AES-5 included in Master Response A – Lighting and Aesthetics:

The use of all stadium lights would be limited to approximately 152 nights of the year, approximately 83 of which would be games (this estimate includes the maximum number of playoff games that could be played in any given year). For most lighted evenings, the lights would be turned off by 8:30 PM or earlier. For approximately 15 or fewer nights per year, the lights would be cut off by 9:45 PM in the evening.

Impacts associated with the proposed lights are addressed throughout the Draft EIR, and specifically, the potential aesthetic impacts of the lights are addressed in Section 4.1, *Aesthetics*, and in Item I, *Aesthetics*, in Appendix A of the Draft EIR (Revised Draft Initial Study). In addition, please see Master Response A– Lighting and Aesthetics.

**Response 96.13**

The commenter states an opinion that because the health risks of LEDs have been reported by CNN, it is imperative that the Draft EIR address these concerns. The commenter states an opinion that they consider this issue a large enough one to cause the NUSD Board to dismiss their idea of stadium lighting and look for an alternative that would eliminate the potential hazard.

Please see Master Response A– Lighting and Aesthetics.

**Response 96.14**

The commenter states an opinion that based on a survey completed by residents, the stadium lighting project was not a high priority and the commenter asks why NUSD has decided to proceed with considering it. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

**Response 96.15**

The commenter reiterates opposition to the project and concern regarding its potential impact on quality of life for nearby residents. These comments, and the commenter's opposition, are noted, but do

not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

**From:** Eva Zeiser [mailto:evazee@mac.com]

**Sent:** Tuesday, February 28, 2017 1:58 PM

**To:** Environmental Report

**Cc:** TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; derek@strahmcom.com; LESLIE BENJAMIN

**Subject:** SMHS Stadium lights

Dear Board Members,

1 | Regarding the proposed lights at San Marin HS field:

I live at 5 Santa Gabriella Court. My family and I have lived here for 30 years. Our court hears the practices, games, and school announcements generated by SMHS. It is part and parcel of living so close to a school, and I have never objected to it, even with the early morning weekend practice and game start times. But lighting the field is a game-changer which none of us signed up for, and I vehemently object to.

I attended the board meeting on January 24. Frankly, I was appalled at the presenter for the contractor who was hired to do the EIR. I do not know what his role in the company is, as he was never properly introduced, but he clearly was a talking head with absolutely no knowledge on the topic. Why even send someone? We could have read the prepared slides ourselves. He did, however, personify the fact that the EIR was worthy of all the criticisms voiced by attendees at the meeting that evening — it was glaringly obvious that an in-depth environmental study had not been done. It appeared to be boiler-plate documents which were not site-specific, and did not take into account any issues regarding the neighborhood or the environment this proposal would impact, nor present a researched set of alternatives.

2 | The field trip scheduled this month is a visit to a school where the lights may not even be finished (from what was said at the board meeting), and therefore cannot demonstrate their implementation in the real world. What conclusions can be drawn in this scenario? Is this the best you could do? What's the rush?

3 | I have always supported funding for education, but I believe that spending seven figures on lights for the benefit of a very small percentage of students is wrong. .

Sports are part of the high school life and curriculum, but should not be the primary focus on which to spend an enormous amount of money which impinges upon numerous neighbors. Not to mention that fact that a very small percentage of the student body actually benefits from this money, yet it disrupts the lives of so many. At the very least, if this excessive amount of money were to be spent on lighting a field, it should be a field that benefits BOTH high schools, in a location that does not place the full burden of its impact on only one of the neighborhoods.

4 | Lighted fields were 16th out of 17 priorities in a survey commissioned by the school district. Clearly this issue is being pushed to the forefront by a small but vocal minority. It appeared that

4 | negotiations were conducted with the interested parties well before the issue was raised with the  
cont. | community. It smacks of collusion.

5 | There are three major concerns for the neighborhood. Lights, of course. But noise pollution is a  
significant concern as well. It's one thing to hear the weekend games; it's another to hear the  
announcements and the screaming crowds during our evening hours. And of course the resulting  
traffic congestion and safety of all concerned is the third major issue which needs a great deal of  
attention. This was completely overlooked in the EIR.

6 | Who will pay for security needed at evening games? SMHS? The school district? The city?

7 | Who will clean up the inevitable trash generated in the neighborhood?

8 | Increased use of artificial turf will require an accelerated maintenance/replacement schedule. Has  
this been addressed and budgeted for?

9 | It is clear to me that this wish on the part of a select group to light the field has snowballed into a  
rush to make the commitment and begin construction well before all angles and aspects have  
been looked at. This is a decision that has major lasting impacts on our community and needs  
much more serious, thoughtful contemplation and conversation. It may be a priority for the  
parents and students anxious to have lighted fields, but they pass through on a yearly basis. The  
neighbors are here to stay. Our lives will be impacted forever.

Sincerely,

Eva Zeiser  
5 Santa Gabriella Court  
Novato CA

## Letter 97

**COMMENTER:** Eva Zeiser

**DATE:** February 28, 2017

### **Response 97.1**

The commenter states opposition to the proposed project and non-specific criticism of the Draft EIR.

The commenter's opposition and comments about the project and Draft EIR are noted. Specific concerns and requests for clarification of proposed project details are addressed below under each specific comment.

### **Response 97.2**

The commenter criticizes the field trip organized by NUSD. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 97.3**

The commenter questions the project's merits and the use of funds for the project. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR. Please see also Master Response G – Project Cost.

### **Response 97.4**

The commenter states opinions regarding NUSD's prioritization of the project and public process. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.

### **Response 97.5**

The commenter states an opinion that there are three major concerns for the neighborhood: lights, noise, and traffic. The commenter further opines that these issues were overlooked in the Draft EIR. The commenter does not provide information or analysis to challenge the analysis or conclusions of the Draft EIR, so a specific response is not possible. Please see Master Response A – Lighting and Aesthetics, Master Response B – Noise, and Master Response C – Traffic.

### **Response 97.6**

The commenter asks who will pay for security at evening games. The funding of the project is not an environmental issue and therefore is not germane to the adequacy of the Draft EIR. Please see also Master Response G – Project Cost.

### **Response 97.7**

The commenter asks who will clean up the trash generated in the neighborhood. Please see Master Response D – Public Services and Safety.

**Response 97.8**

The commenter states an opinion that increased use of artificial turf will require an accelerated maintenance/replacement schedule and asks whether this has been addressed and budgeted for.

As stated in Section 2.4.1.6, *Proposed Schedule of Events*, of the Draft EIR:

While the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not significantly change from existing usage.

Please also see Master Response G – Project Cost.

**Response 97.9**

The commenter states concerns about the project’s potential impacts on the lives of neighborhood residents. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response.



**From:** CoalitionToSaveSanMarin [mailto:coalition@savesanmarin.com]  
**Sent:** Friday, March 03, 2017 4:59 PM  
**To:** JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER  
**Subject:** DEIR Comments

To NUSD Trustees & Supt Jim Hogeboom & Asst Superintendent Hawkins:

- 1 | 1) The DEIR should have included the NUSD District Safety Plan for expert peer review about that part pertinent to public safety at night time stadium use especially considering that only a portion of page 22 (Sect 2.4.1.3) addressed 4 important topics to the whole Novato community: Security, Parking, Crowd & Traffic Control and Litter Removal. Even though this point was made by several 8/25 Initial Study public comments, little if anything was added to these 4 topics between the 8/25 Initial Study and the 12/16/16 Draft EIR implying almost no sensitivity to these essential neighborhood concerns.
- 2 | 2) The above fact that only a portion of a page in the DEIR addressed 4 major "people concerns" – versus 135 pages for Environmental Impact Analysis – speaks for itself in disparagement of the EIR process as missing the point. The fact that only 11 pages (only 9 of which were text) addressed Alternatives versus 155 pages (total 166 in the DEIR) dedicated to the 1 San Marin HS site shows a clear bias in pursuit of the latter site with only a half-hearted Alternatives pursuit
- 3 | 3) This half-hearted pursuit of Alternatives is shown on page 145 sect D College of Marin Indian Valley College existing fields which says: "No residences are located adjacent to these fields, therefore the significant & unavoidable operational noise impact will be eliminated with use of this site". This "no residences...impact" is then cavalierly dismissed with the almost flippant statement that "The District's schedule may not be accommodated at this facility." Our neighborhood group would like to expert-peer review the present schedule of this IVC lighted stadium to see why the District's "schedule may not be accommodated at this facility." We have heard from a Trustee that City of Novato Parks & Rec is blocking use of this alternative; we surmise that may be to maximize the number of playing fields by installing lights at potentially both high schools who could BOTH use this already lighted IVC stadium, which strategy works to Parks & Rec's distinct advantage.  
  
We have also been told by City of Novato officials that each year at an annual meeting between IVC & Parks and Rec that a NEW schedule of teams playing at IVC is agreed so we think NUSD could trade off use of some of their many fields to groups now using IVC so both our high schools' football teams could enjoy playing under the lights Friday nights at a local community-based location ALREADY in existence.
- 4 | 4) NUSD Resolution 16-2016/17 (passed unanimously on 11/15/16 to self-exempt NUSD from normal city/county civic overview) WHEREAS #2 and #3 clearly categorizes the playing fields as "classroom facilities" for "educational purposes" under Government Code Section 53094 which clearly makes Project Objective #1 on DEIR page 2 UNNECESSARY as NO "early class dismissal" and "missed instructional time" could possibly occur as our present unlighted athletic fields ARE ALREADY classified as "classroom facilities...for educational purposes" by NUSD's own resolution using CA Code 53094 so Project Objective #1 is VOID.
- 5 | 5) Project Objective #2 is already accomplished and has been for years by Saturday football games. Project Objective #2 is WHY THERE ARE AND HAVE BEEN FOR MANY YEARS THESE SATURDAY FOOTBALL GAMES AT SAN MARIN because Saturday is a non-school day when students need NOT miss class & instructional time (Project Objective #1) and a basically non-working day so "students, parents and community members can more easily attend the games."
- 6 | 6) Project Objective 3 says "Provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities in an alcohol free environment." We want our students to have a fun high school experience and this Objective sounds good on paper but we worry about unintended consequences in which the goal becomes the problem

6 cont'd

itself, where the gathering itself for some students BECOMES "an unhealthy recreational activity" enhanced by alcohol. The Objective sounds good & obviously well-intentioned but those of us parents raising & having raised teen age students know that our students can cross boundaries into wrong behaviors especially in groups. We worry when our homes will "become the party" without OUR nighttime attendance; in fact for many of us SMHS neighbors this will be an unhosted party because we are out Friday nights for our own entertainment or to avoid the lights! Alcohol & other recreational drugs are part of youth culture today and we worry that the school's hosting such lighted "nighttime opportunities to gather" will INCREASE the school district's legal liabilities for illegal behaviors done on their geography and surrounding geographies where students gather from all over the City of Novato for this BIG EVENT. We believe students will go on to other after game parties in a game-excited mode and not go home on a Friday night, especially with no school restraining them the next day.

7) Further to point 6 above, many of us San Marin neighbors are terrified of fire on our Open Space hills surrounding the stadium where many students will gather to better see the event. These hills are dry tinder in football season. We have had some smoking created fires and much larger crowds in our rural open space will enhance this danger.

8) NUSD courtesy policy needs improvement. Our neighborhood was brought into this lighted field project very late in its birth just before the EIR consultants were hired. In fact, the 1st official notice from NUSD to our neighborhood was May 4, 2016 and Rincon was engaged as your EIR consultants only a few days later. The SMHS Boosters knocked on a few of our neighborhood doors in later January 2016 inviting us to a San Marin lights project discussion at Our Lady of Loretto. Most people received no notice. A few who attended were horrified at how advanced the project was already – with full color posters and a full court press. NUSD had an obligation to engage ALL the stakeholders in this project at the time of its conception. NUSD failed miserably in this, perhaps because NUSD does not have the mindset to appreciate the EFFECT of school events on their neighbors.

It was not the responsibility of the SMHS Boosters to reach out to us neighbors, it was the RESPONSIBILITY of NUSD to inform and involve the San Marin neighborhood who are voters, taxpayers, neighboring landowners & parents. Many of us believe that this stadium project was illegitimately conceived and the School Board is trying to legitimate the project's birth by wrapping the project in the authority of NUSD with an EIR – but neither NUSD nor a badly done EIR can legitimate the birth of this stadium project. In fact, many of us believe the school and the Board are about to become the very thing the school & the Board say they dislike – A SCHOOL BULLY. NUSD is acting like a bully by trying to force this lights project down Novato residents' throats because you have the power to exempt yourselves from normal civic oversight. This normal oversight has STOPPED similar projects at private high schools like Marin Catholic and one of the private San Mateo high schools.

The NUSD courtesy policy has ONLY followed required CEQA courtesy policy with a 5/04/16 pre EIR required letter and then an undated letter received August 25, 2016 which told about the CEQA-required scoping meeting. The scoping meeting was held 9/07/2016 at SMHS, attended by at least 80 neighbors, of whom 26 spoke openly and passionately against this project. That August 25<sup>th</sup> letter was ALSO a CEQA requirement. Also, NO NUSD Trustees attended that public 9/07 scoping meeting. This seems highly indicative of a pre-conceived voting preference.

A review of NUSD's anti-bullying policy discusses an Emotional (Psychological) section of the act of bullying which many of Novato residents feel NUSD itself is doing with this project, in addition to the Physical threat of assault on our very quality of life, which these lights will clearly violate. The attempt to sanitize this neighborhood assault by the CEQA EIR process is a VERY limited redress process which seems to protect everything except human neighbors! The San Marin neighborhood – which may have to live with these lights for years to come – should have been involved at the very conception of this project when NUSD involved other stakeholders like the students, Boosters & parents. We are glad NUSD did a full EIR, although it has some glaring holes.

7

The Coalition to Save San Marin believes NUSD did the full EIR to protect ITSELF not Novato residents and neighbors; the EIR is a CYA legal necessity, NOT the gesture of a caring neighbor. This is very sad

7 cont'd

because our San Marin neighborhood has been a GREAT neighbor to San Marin High School since 1968. We have maturely accepted the normal nuisance of living near & respecting a great high school which is so important to us and where we educated our children, but now NUSD wants to essentially crucify us on these huge 80 foot light poles. This is not respect, this is abuse sanctioned by power.

This vast land use expansion from daytime facilities use only – which all of us accepted when we bought our properties – to now potentially 6 nights a week of nighttime use sports fields with huge lights simply crosses the line of respectful decency. As I have said to the Board publicly, none of us signed up to live 35 years ago to live next to an SFO-like lighted sports stadium complex!

9) We cannot understand how it's possible that other larger population Marin high schools like Novato HS, Tam HS, Redwood HS, Drake HS & Terra Linda HS all can accommodate the MCAL winterization of soccer without THEIR need & demand for lighted fields, and San Marin can't. If all these other schools can manage, San Marin can also. There are other solutions than lights which were not addressed by the EIR. We believe the DEIR should have included detailed field usage discussion which the Coalition to Save San Marin could have reviewed by a peer expert to validate the need for lights. Table 26 on page 106 in the DEIR highlights 363 lighted events (and 148 Community Usages not lighted but potentially with sound) of which 313 are deemed practices. A new soccer lacrosse artificial turf field is now being planned at SMHS which will remove much of the need for these huge 80 foot lights. How is it that these larger Marin high schools manage to safely accommodate their students without asking for lights and San Marin High School cannot?

10) We heard a senior Booster say earlier this week that those not in favor of lights at San Marin HS were preventing his son from getting an education! I can only suppose he meant that lighted fields might get his football player son more noticed by college scouts, but as I told the Board in open comment once, we have right here in our own Novato the absolute rebuke of the honesty of this Booster remark: Novato's own Novato athlete, Jared Goff, who played without lights at Marin Catholic and went on to become the #1 NFL draft choice nationally for 2016. Jared did not need lights to attend college and excel; Jared needed good coaching & his dedicated talent to succeed. I believe 12,000 students have graduated San Marin and many of these students, like my son, Nicholas, were athletes who went on to college and great jobs and they did not have or NEED lights. Lights are a WANT for students but not a NEED like quality of life & our enjoyment of nearby properties.

I have talked with many of our fine San Marin students who understand that their want for the lights has a huge cost attached to it which is paid by the neighbors. Many of our students understand the meaning of empathy and that actions have consequences. I have spoken with many former SMHS athletes who are now parents & home owners and many of them feel the lights are not necessary. One of these athletes was a multi-letter SMHS graduate who went on a 10-12 year coaching career in college & high school sports and he told me that when he was at SMHS in the 90's, he was always glad when it got dark because he knew it meant he was done with school – which he had been at for at least 9 hours including practice. He was happy & ready to go home, shower and be with his family to eat and enjoy and then do several hours of homework & go to bed at a proper time for his needed sleep. This person believes the lights are not necessary and he has coached at lighted high school fields & is intimate with the 40 acre geography at SMHS of which he is a proud son.

8 | 11) The aesthetics impact of this stadium project on the present school, fields & neighborhood is DRAMATIC, Lights have been absent from this campus & neighborhood geography since San Marin HS was built in 1968. Use of this school and facilities has always been daytime only but now this project is about to add the dramatic light insult of nighttime use in an E2 environment that borders parkland on the west and Marin Open Space on the north and northeast with close dense residential neighborhoods to the east & south. San Marin High School is basically a series of one story buildings with 1 or 2 buildings having small cupola-like 2nd stories and the cultural center having a cathedral-like roof. The campus buildings and the campus geography are very much horizontally oriented in fitting with surrounding residential structures.

9 | The Project Description on page 1 of the DEIR mentions 44 possible stadium poles as follows:

9 cont'd

- 8 lights poles 80 feet tall
- 18 egress light poles 30 feet tall
- 18 PA sound poles 30 feet tall

10 | The DEIR says some of these 30 foot poles MAY (not WILL) be used in a unison of use, i.e., some of the 18 egress lights may be on PA sound poles and vice versa but 44 poles are detailed to my close reading. There is NO pole on campus or in the surrounding neighborhood anywhere near the huge 80 foot height of the 8 big main light poles and story poles should be erected before approval of a final EIR so San Marin neighbors can actually SEE the size/height of these poles & their effect on visuals.

These 8 @ 80' main light poles will dwarf all and any other vertical poles on campus like the flag pole, 4 football goal posts & the multiple chain link baseball backstop poles and the cumulative ADDITIVE effect of these giant 8 @ 80' poles PLUS the possible 36 additional 30' egress & sound poles (they may be less) will radically alter the present horizontal orientation of the school & campus and tilt the whole visual orientation to the VERTICAL with disturbing incongruence that will violate the surrounding ridgelines & hillsides. The DEIR says these multiple poles would be "visually compatible with existing elevated structures at the stadium" which is NOT true (see last sentence page 41 & first sentence top page 42). We strongly disagree with the DEIR page 41 paragraph 1 when it wrongly states: "However the narrow light poles would only occupy a sliver of the overall views through the stadium."

The cumulative ADDITION of up to 44 new poles would create a circus carousel effect and for those moving in and near the stadium the parallax moving effect of this many vertical poles against the horizontal & open space background would create an unsettling visual effect. Use of words like "narrow" & "sliver" by the DEIR shows bias & pre-disposition to "lack of significance" – they make the DEIR not believable & challenges integrity & competence.

11 | The new lacrosse & soccer field now being planned at SMHS will have an additional 26 light poles at 15' and these additional poles are EXCLUDED from this DEIR which should be delayed to INCLUDE this additional lacrosse project to prevent obvious "piecemealing." These additional 26 egress light poles make the cumulative light & aesthetic effect that much worse. These 8 @ 80' main light poles are said to  
12 | be seen from 225' away in the DEIR but that 225' categorization is totally false; these 80' poles will be seen from a much greater distance than 225' and will be visible from all aspects of the 360 degree neighborhood.

13 | Also, the DEIR is NOT believable when it says on page 36 paragraph 2 last sentence "A few single family residences on San Ramon Way to the north have direct southward views looking down on the stadium". There are at least 10 single family residences on San Ramon Way to the north plus 7 homes on Santa Yorma plus 4 homes on Santa Gabriella for a minimum of 21 homes which is hardly "a few." Again this makes this reader and others believe the DEIR shows extreme bias toward a pre-arranged conclusion and diminishes the integrity & competence of this DEIR.

14 | Finally, review of DEIR Sect 4.1.2 Impact Analysis -Significance Thresholds on p.39 ff of the DEIR study 4 Significance Thresholds at the bottom of p.39 & top p.40 and the DEIR concludes that #3 and #4 are "potentially significant" and #1 "Have a substantial adverse effect on a scenic vista" is categorized as "less than significant" which I have clearly shown in my analysis to be false. I would categorize #1, #3 & #4 as SIGNIFICANT and the lack of a photometric study in this DEIR would not challenge MY saying #1 #3 & #4 are indeed SIGNIFICANT.

15 | The DEIR itself correctly states on p35 paragraph 2 of Sect 4.1.1 SETTING under Aesthetics "The City finds that views from Novato to the surrounding scenic resources are extremely important to Novato residents. These views...are integral to the City's character & sense of place". We believe strongly that this San Marin HS stadium lights project will irrevocably violate & destroy these magnificent community "scenic resources" and views.

Respectfully submitted by,

Coalition to Save San Marin

## Letter 98

**COMMENTER:** Coalition to Save San Marin

**DATE:** March 3, 2017

### **Response 98.1**

The commenter states an opinion that the Draft EIR should have included the NUSD District Safety Plan, and expresses concerns regarding security, parking, crowd and traffic control, and litter removal. Please see Master Response D –Public Services and Safety.

### **Response 98.2**

The commenter notes that the number of pages devoted to summarizing public comments on the NOP (see Table 2 in Section 1, *Introduction*, of the Draft EIR) and project alternatives (Section 6 of the Draft EIR) in the Draft EIR are fewer than those devoted to the potential environmental impacts of the project, and also discusses the number of pages devoted to specific alternatives. The commenter states an opinion that this indicates “disparagement of the EIR process” and favoring one alternative over others.

These comments are noted. However, the commenter does not discuss the content of the Draft EIR sections or their conclusions; therefore a specific response is not possible. It should be noted that discussing a project’s potential environmental impacts is a central purpose of CEQA and therefore it is reasonable that the bulk of a CEQA document deals with those issues.

### **Response 98.3**

The commenter states an opinion that the Draft EIR is incorrect that the IVC alternative is not feasible. Please see Master Response E –Alternatives, under the heading *New Off-site Shared Stadium Facilities*, for a detailed discussion of the feasibility of the IVC alternative.

### **Response 98.4**

The commenter states an opinion that project objective #1 (see Section 2.5 of the Draft EIR, *Background and Project Objectives*) is unnecessary. The commenter appears to be asserting that NUSD considers athletic activities and classroom learning to be equivalent, which would negate the need for scheduling athletic activities to preserve classroom time. On the contrary, NUSD does not consider athletic activities to be a substitute for classroom learning; the objective is to accommodate both school-related activities. This comment is noted, but no changes to the objectives are warranted.

### **Response 98.5**

The commenter states an opinion that project objective #2 (see Section 2.5 of the Draft EIR, *Background and Project Objectives*) is unnecessary because Saturday games already allow for the scheduling of games at times when students, parents, and community members can more easily attend the events. Objective #2 applies to many of the proposed events at the stadium, including soccer and lacrosse games. Currently soccer and lacrosse games start at approximately 4:00 PM, which is a difficult time for parents of soccer and lacrosse players to attend games. The proposed project would allow for later scheduling of soccer and lacrosse games, which would help to increase attendance at those games by athletes’ parents, thus achieving in part objective #2. A second goal of objective #2 is to increase revenue

from ticket purchases, which would be achieved by moving football games from Saturday during the day to Friday nights. No changes to the Draft EIR are warranted.

**Response 98.6**

The commenter states concerns regarding alcohol use, crime and fire danger. Please see Master Response D – Public Services and Safety.

The commenter also states concerns about the District’s project initiation and public process. These comments are noted but do not relate to the content, analysis or conclusions of the Draft EIR and therefore do not require a specific response here.

**Response 98.7**

The commenter states opposition to the project and states an opinion that the project is not necessary, opining that the Draft EIR “should have included detailed field usage discussion which the Coalition to Save San Marin could have reviewed by a peer expert to validate the need for lights.” These comments on the project are noted but do not question or challenge the content, analysis or conclusions of the Draft EIR and therefore do not require a specific response here. “Validation” of need for a project is not a CEQA requirement.

**Response 98.8**

The commenter states concerns about aesthetic impacts related to the proposed lights and states disagreement with use of the E2 lighting zone designation. Please see Master Response A – Lighting and Aesthetics.

**Response 98.9**

The commenter states that the proposed project could include up to 44 poles (8 main stadium light poles, 18 egress light poles, and 18 public address system speaker poles). This is an accurate description of the proposed project as described in Section 2.4 of the Draft EIR, *Project Characteristics*. It should be noted that this represents the maximum number of poles that would be installed with implementation of the proposed project. As described in Section 2.4 of the Draft EIR, *Project Characteristics*, a “second set of lower-output LED luminaires would be installed on up to 18 new and existing poles, each up to approximately 30 feet tall.” Section 2.4 also states that the “upgraded public address system would consist of speakers mounted on up to 18 poles, each approximately 30 feet tall.” The exact number of poles needed for egress lighting and public address speakers would be determined after final design plans for the project are completed. The total number of new poles may be less than 44 but would not exceed that number. No changes to the Draft EIR are warranted.

**Response 98.10**

The commenter states an opinion that the proposed light poles would not be visually compatible with existing elevated structures at the stadium and that visual impacts related to the poles would be significant. Please see Master Response A – Lighting and Aesthetics.

**Response 98.11**

The commenter states an opinion that the proposed light poles as part of a separate lacrosse and soccer field should have been accounted for in the Draft EIR. It is assumed that the commenter is referring to the

additional on-site turf field that was described as rejected alternative “h” in Section 6.2 of the Draft EIR, *Alternatives Considered but Rejected as Infeasible*. Contrary to the commenter’s assertion, the planned on-site turf field would not include lighting. It should also be noted that the on-site turf field had not been considered by the District Board at the time of publication of the Draft EIR and approval of that project was not certain at that time. Please also see Master Response E – Alternatives. No changes to the Draft EIR are warranted.

**Response 98.12**

The commenter states an opinion that the proposed light poles would be visible from a much greater distance than 225 feet and would be visible from all viewpoints in the neighborhood. Please note that the cited sentence from the Draft EIR (see Impact AES-2 in Section 4.1, *Aesthetics*) states that “The light poles would be fully visible to these residences from a distance of *at least* 225 feet” (emphasis added). In addition, the commenter is incorrect that the light poles would be visible from every location in the neighborhood; many viewpoints are blocked by intervening structures, trees and topography. Nevertheless, the analysis addresses visibility in general and does not limit impacts due to a measurement of 225 feet; for example, the immediately following sentence in the Draft EIR notes visibility from a viewpoint on the Dwarf Oak Trail over 1,000 feet from the poles. Please see also Master Response A – Lighting and Aesthetics.

**Response 98.13**

The commenter states an opinion that the Draft EIR characterization that a “few single-family residences on San Ramon Way to the north have direct southward views looking down on the stadium” is incorrect, and that the number is closer to 21. However, although some portion of the project may be visible from some locations on those additional properties, the cited sentence refers to direct, fully unobstructed views, which are generally limited to a few residences on San Ramon Way (and some of those views are also at least partially obstructed by existing trees). Please see also Master Response A – Lighting and Aesthetics.

**Response 98.14**

The commenter states an opinion that impacts related to aesthetics would be significant, but does not provide specifics on which to base a specific response. However, this comment is noted. Please see responses 98.8 through 98.13, and Master Response A – Lighting and Aesthetics.

**Response 98.15**

The commenter states an opinion that the proposed project would violate and destroy community scenic resources and views. This comment is noted, but the commenter does not provide specific information or analysis to challenge the analysis or conclusions of the Draft EIR. Please see responses 98.8 through 98.13, and Master Response A – Lighting and Aesthetics.



## Letter 99

**From:** mhjoly@aol.com [mailto:mhjoly@aol.com]

**Sent:** Friday, March 03, 2017 4:19 PM

**To:** Environmental Report

**Cc:** TOM COOPER

**Subject:** Fwd: San Marin stadium lights project Draft Environmental Impact Report DEIR of 12/16/16

CORRECTED SUMISSION

Dear Trustees of Novato Unified School District & Superintendents Hogeboom & Hawkins:

1)The DEIR should have included the NUSD District Safety Plan for expert peer review about that part pertinent to public safety at night time stadium use especially considering that only 2/3rds of page 22 (Sect 2.4.1.3) addressed 4 important topics to the whole Novato community: Security, Parking, Crowd & Traffic Control and Litter Removal. Even though this point was made by several 8/25 Initial Study public comments, little if anything was added to these 4 topics between the 8/25 Initial Study and the 12/16/16 Draft EIR implying almost no sensitivity to these essential neighborhood concerns

2)The above fact that only 2/3rd of a page in the DEIR addressed 4 major people concerns versus 135 pages for Environmental Impact Analysis speaks for itself in disparagement of the EIR process as missing the point and the fact that only 11 pages (of which 2 were photos meaning 9 written pages) addressed Alternatives versus 155 pages (total 166 in the DEIR) dedicated to the 1 San Marin HS site shows a clear bias in pursuit of the latter site with only a half-hearted Alternatives pursuit

3)This half hearted Alternatives pursuit is shown on page 145 sect D College of Marin Indian Valley College existing fields which says: "No residences are located adjacent to these fields , therefore the significant & unavoidable operational noise impact will be eliminated with use of this site". This "no residences...impact" is then cavalierly dismissed with the almost flippant statement that "The District's schedule may not be accommodated at this facility." We should at least really try to make these schedules at IVC-Parks & Rec and NUSD work which must happen for the benefit of our high school students.

Our neighborhood group would like to expert-peer review the present schedule of this IVC lighted stadium to see why the District's "schedule may not be accommodated at this facility". We have heard from a Trustee that City of Novato Parks & Rec is blocking use of this alternative and we surmise that may be to maximize the number of playing fields by installing lights at potentially both high schools (who could BOTH use this already 'lighted IVC stadium) which strategy works to Parks & Rec's distinct advantage. We have also been told by City of Novato officials that each year at an annual meeting between IVC & Parks and Rec that a NEW schedule of teams playing at IVC is agreed so we think NUSD could trade off use of some of their fields for use by both our high schools' football players under the IVC lights already installed!

4)NUSD Resolution 16-2016/17's (passed unanimously on 11/15/16 to self-exempt NUSD from normal city/county civic overview) WHEREAS #2 and #3 clearly categorizes the playing fields as "classroom facilities" for "educational purposes" under Government Code Section 53094 which clearly makes Project Objective #1 on DEIR page 2 UNNECESSARY as NO "early class dismissal" and "missed instructional time" could possibly occur as our present unlighted athletic fields ARE ALREADY classified as "classroom facilities...for educational purposes" by NUSD's own resolution using CA Code 53094 so Project Objective #1 is VOID

5)Project Objective #2 is already accomplished and has been for years by Saturday football games & Project Objective #2 is WHY THERE ARE AND HAVE BEEN FOR MANY YEARS THESE SATURDAY FOOTBALL GAMES AT SAN MARIN because Saturday is a non school day when students need NOT

miss class & instructional time (Project Objective #1) and a basically non working day so "students, parents and community members can more easily attend the games". Saturday daytime games already accomplish much of Project Objective #2.

6)Project Objective #3 says "Provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities in an alcohol free environment". We want our students to have a fun high school experience and this Objective sounds good on paper but we worry about unintended consequences in which the goal becomes the problem itself, where the gathering itself for some students BECOMES "an unhealthy recreational activity" enhanced by alcohol. The Objective sounds good & obviously well intentioned but those of us parents raising & having raised teen age students know that our students can inadvertently cross boundaries into wrong behaviors especially in groups. We worry that our homes will "become the party" without OUR nighttime attendance; in fact for many of us SMHS neighbors this will be an unhosted party because we are out Friday nights for our own entertainment or to avoid the lights! Alcohol & other recreational drugs are part of youth culture today and we worry that the school's hosting such lighted "nighttime opportunities to gather" will INCREASE the school district's legal liabilities for illegal behaviors done on their geography and surrounding geographies where students gather from all over the City of Novato for this BIG EVENT. We believe students will go on to other after game parties in a game-excited mode and not go home on a Friday night with no school restraining them the next day.

7)Further to point 6 above many of us San Marin neighbors are terrified of fire on our Open Space hills surrounding the stadium where many students will gather to better see the event. These hills are dry tinder in football season. We have had some smoking created fires and worry that much larger crowds in our rural open space will enhance this danger.

8)NUSD courtesy policy needs improvement. Our neighborhood was brought into this lighted field project very late in its birth just before the EIR consultants were hired. In fact the 1st official notice from NUSD to our neighborhood was May 4, 2016 and Rincon was engaged as your EIR consultants only a few days later. The SMHS Boosters knocked on some of our neighborhood doors in later January 2016 inviting us to a San Marin lights project discussion at Our Lady of Loretto hall. Some of us went and were horrified at how advanced the project was with full color posters and a full court press. NUSD had an obligation to engage ALL the stakeholders in this project at the time of its conception. NUSD failed miserably in this I believe because NUSD does not have the mindset to appreciate the EFFECT of school events on their neighbors. It was not the responsibility of the SMHS Boosters to reach out to us neighbors, it was the RESPONSIBILITY of NUSD to inform and involve the San Marin neighborhood who are voters, taxpayers, neighboring landowners & parents. Many of us believe that this stadium project was illegitimately conceived and the School Board is trying to legitimate the project's birth by wrapping the project in the authority of NUSD with an EIR but neither NUSD nor a badly done EIR can legitimate the birth of this stadium project. In fact, many of us believe the school and the Board are about to become the very thing the school & the Board say they dislike - A SCHOOL BULLY forcing this lights project down our neighbor throats because you have the power to exempt yourselves from normal civic oversight which has STOPPED similar projects at private high schools like Marin Catholic and one of the private San Mateo high schools. Having the POWER does not make you right.

The NUSD courtesy policy has ONLY followed required CEQA courtesy policy with a 5/04/16 pre EIR required letter and then an undated letter I received August 25, 2016 telling me about the CEQA required scoping meeting which was held 9/07/2016 at SMHS and at which at least 80 neighbors came of which 26 spoke openly and passionately against this project. That August 25th letter notice is ALSO a CEQA requirement. Also, NO NUSD Trustees attended that public 9/07 scoping meeting which many of us in opposition to this project found very disappointing if not

highly indicative of their pre-conceived voting preference.

A review of NUSD's anti bullying policy discusses an Emotional (Psychological) section of the act of bullying which many of us neighbors feel NUSD itself is doing in this project besides the Physical threat of assault on our very quality of life which these lights will clearly violate despite the attempt to sanitize this neighborhood assault by the CEQA EIR process which is a VERY limited redress process which seems to protect everything except human neighbors!

NUSD should have involved the San Marin neighborhood which may have to live with these lights for years to come at the very conception of this project when NUSD involved other stakeholders like the students, Boosters & parents. We are glad NUSD did a full EIR but we neighbors believe NUSD did the full EIR to protect ITSELF not the neighborhood; the EIR is a CYA legal necessity NOT the gesture of a caring neighbor which is very sad because our San Marin neighborhood has been a GREAT neighbor to San Marin High School since 1968 because the students & the school are important to us. We have maturely accepted the normal daily noise and nuisance of living near & respecting a great high school which is so important to us and where we educated our children, but now instead of being grateful to us great neighbors, NUSD wants to what feels like crucify us on these huge 80 foot light poles. This is not respect, this is abuse sanctioned by power. This vast land use expansion from daytime facilities use only, which all of us accepted when we bought our properties, to now potential 6 nights a week nighttime use of sports fields many months of which will be lighted in a dark natural open space neighborhood - this vast land use expansion into nighttime facilities use with huge lights simply crosses the line of respectful decency & as I have said to the Board publicly: none of us signed up to live 35 years later next to an SFO-like lighted sports stadium complex!

9)We cannot understand WHY larger population Marin high schools like Novato HS, Tam HS, Redwood HS, Drake HS & Terra Linda HS all can accommodate the MCAL winterization of soccer without THEIR need & demand for lighted fields but none of those high schools has done that which make us believe that San Marin does not need to do this either. We believe the DEIR should have included detailed field usage discussion which our neighbor group could have peer expert reviewed to validate the need for lights. Table 26 on page 106 in the DEIR highlights 363 lighted events (and 148 Community Usages not lighted) of which 313 are deemed practices. A new soccer lacrosse artificial turf field is now being planned at SMHS which will remove much of the need for these huge 80 foot lights. How do these larger Marin high schools safely accommodate their students without asking for lights and San Marin High School cannot? Let's see a detailed daily sports field usage plan & study.

10)We heard a senior Booster say earlier this week that we in opposition to these lights were preventing his son from getting an education which remark is biased. We believe he meant that lighted fields might get his football player son more noticed by college scouts, but as I told the Board in open comment once, we have right here in our own Novato the absolute rebuke of the honesty of this Booster remark in our own Novato athlete Jared Goff who played without lights at Marin Catholic and went on to become the #1 NFL draft choice nationally for 2016. Jared did not need lights to attend college and excel; Jared needed good coaching & his dedicated talent to succeed. I believe 12,000 students have graduated San Marin and many of these students like my son Nicholas were athletes who went on to college and great jobs and they did not have or NEED lights. Lights are a WANT for students but not a NEED like quality of life & our enjoyment of our properties are for home owning abutting neighbors. I have talked with many of our fine San Marin students who understand that their want for the lights has a huge cost attached to it which is paid by the neighbors. Many of our students understand the meaning of empathy and that actions have consequences. I have spoken with many former SMHS athletes who are now parents & home owners and many of them feel the lights are not necessary. One of these athletes was a multi letter SMHS graduate who went on a 10-12 year coaching career in college & high school sports and he told me that when he was at SMHS in the 90's when it got dark he knew he was done with school which he had been at for at least 9 hours including practice. He was happy & ready to go home, shower and be with his family to eat and enjoy and then do several hours of homework & go to bed at a proper time for his needed sleep. This person believes the lights are not necessary and he has coached at lighted high school fields & is intimate with the 40 acre geography at SMHS of which he is proud son.

11)The aesthetics impact of this stadium project on the present school, fields & neighborhood is DRAMATIC,

Lights have never been used on this campus & neighborhood geography since San Marin HS was built in 1968. Use of this school and facilities has always been daytime only but now this project is about to add the dramatic light insult of nighttime use in an E2 environment that borders parkland on the west and Marin Open Space on the north and northeast with close dense residential neighborhoods to the east & south.

San Marin High School is basically a series of one story buildings with 1 or 2 buildings having small cupola-like 2nd stories and the cultural center having a cathedral-like roof. The campus buildings and the campus geography are very much horizontally oriented in fitting with surrounding residential structures.

The Project Description on page 1 of the DEIR mentions 44 possible stadium poles as follows:

8 lights poles 80 feet tall

18 egress light poles 30 feet tall

18 PA sound poles 30 feet tall

The DEIR says some of these 30 foot poles MAY (not WILL) be used in a unison of use, ie some of the 18 egress lights may be on PA sound poles and vice versa but 44 poles are detailed to my close reading. There is NO pole on campus or in the surrounding neighborhood anywhere near the huge 80 foot height of the 8 big main light poles and story poles should be erected before approval of a final EIR so San Marin neighbors can actually SEE the size/height of these poles & their effect on visuals. These 8 @ 80' main light poles will dwarf all and any other vertical poles on campus like the flag pole, 4 football goal posts & the multiple chain link baseball backstop poles and the cumulative ADDITIVE effect of these giant 8 @ 80' poles PLUS the possible 36 additional 30' egress & sound poles (they may be less) will radically alter the present horizontal orientation of the school & campus and tilt the whole visual orientation to the VERTICAL with disturbing incongruence that will violate the surrounding ridgelines & hillsides. The DEIR says these multiple poles would be "visually compatible with existing elevated structures at the stadium" which is NOT true (see last sentence page 41 & first sentence top p42). We strongly disagree with the DEIR page 41 paragraph 1 when it wrongly states:"However the narrow light poles would only occupy a sliver of the overall views through the stadium." The cumulative ADDITION of up to 44 new poles would create a circus carousel effect and for those moving in and near the stadium the parallax moving effect of this many vertical poles against the horizontal & open space background would create an unsettling visual effect. Use of words like "narrow" & "sliver" by the DEIR shows bias & pre-disposition to "lack of significance" - they make the DEIR not believable & challenges its integrity & competence. The new lacrosse & soccer field now being planned at SMHS will have an additional 26 light poles at 15' and these additional poles are EXCLUDED from this DEIR which should be delayed to INCLUDE this additional lacrosse project to prevent obvious "piece mealism". These additional 26 egress light poles make the cumulative light & aesthetic effect that much worse. These 8 @ 80' main light poles are said to be seen from 225' away in the DEIR but that 225' categorization is totally false; these 80' poles will be seen from a much greater distance than 225' and will be visible from all aspects of the 360 degree neighborhood. Also, the DEIR is NOT believable when it says on page 36 paragraph 2 last sentence "A few single family residences on San Ramon Way to the north have direct southward views looking down on the stadium". There are at least 10 single family residences on San Ramon Way to the north plus 7 homes on Santa Yorma plus 4 homes on Santa Gabriella for a minimum of 21 homes which is hardly "a few". Again this makes this reader and others believe the DEIR shows extreme bias toward a pre-arranged conclusion and diminishes the integrity & competence of this DEIR.

Finally, review of DEIR Sect 4.1.2 Impact Analysis -Significance Thresholds on p39 ff of the DEIR study 4 Significance Thresholds at the bottom of p39 & top p40 and the DEIR concludes that #3 and #4 are "potentially significant" and #1 "Have a substantial adverse effect on a scenic vista" is categorized as "less than significant" which I have clearly shown in my analysis to be false. I would categorize #1, #3 & #4 as SIGNIFICANT and the lack of a photometric study in this DEIR would not challenge MY saying #1 #3 & #4 are indeed SIGNIFICANT.

The DEIR itself correctly states on p35 paragraph 2 of Sect 4.1.1 SETTING under Aesthetics "The City finds that views

from Novato to the surrounding scenic resources are extremely important to Novato residents. These views...are integral to the City's character & sense of place". We believe strongly that this San Marin HS stadium lights project will irrevocably violate & destroy these magnificent community "scenic resources" and views.

Thank you.

Submitted with respect by:

Michael H Joly  
Coalition to SAVE SAN MARIN

## Letter 99

**COMMENTER:** Michael H. Joly

**DATE:** March 3, 2017

### **Response 99**

This letter is substantially the same as letter 98. Please see responses 98.1 through 98.15.



Letter 100

**From:** mhjoly@aol.com [mailto:mhjoly@aol.com]

**Sent:** Friday, March 03, 2017 4:39 PM

**To:** Environmental Report

**Cc:** TOM COOPER; ghornek@sonic.net

**Subject:** Coalition to Save San Marin DEIR NOISE EXPERT LETTER DEIR COMMENTS

DUPLICATED SUBMISSION TO CORRECTED EMAIL ADDRESS

**GEOFFREY H. HORNEK**

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**March 3, 2017**

The following comments are submitted on behalf of the **Coalition to Save San Marin**

**Subject: San Marin High School Stadium Lights Project Draft Environmental Impact Report (San Marin DEIR) - Noise Analysis/Mitigations**

**To: Novato Unified School District**  
Attn: [eir@nUSD.org](mailto:eir@nUSD.org)  
[tcooper@nUSD.org](mailto:tcooper@nUSD.org)

Dear NUSD:

1 | The Coalition to Save San Marin asked me to review the San Marin DEIR noise analysis and supporting technical report by RGD Acoustics (the latter included in the DEIR as Appendix E). As a consultant in environmental air quality and acoustics, I have more than 20 years of experience in the preparation and review of environmental technical reports for a wide variety of commercial, transportation, and urban development projects in California. The following content of this letter is based on my review of the RGD report.

The RGD report begins with statements that make one fear for the worst in the analysis/findings/mitigations to come (page 2, underline added to text quote below)

*“Community Response to changes in noise levels: The potential for adverse community response tends to increase as an intrusive noise becomes more noticeable above existing background noise levels. For example, if an intrusive noise has an average level that is comparable to existing average ambient noise levels, then the intrusive sound would tend to blend in with the ambient noise. However, if the intrusive sound is significantly greater than the ambient noise then the intrusive sound would be more noticeable and potentially more annoying as it can interfere with rest, working efficiency, social interaction and general tranquility.*

*“In general, human sound perception is such that a change in sound level of 3 dB is just noticeable, a change of 5 dB clearly noticeable and a change of 10 dB is perceived as a*



1 cont'd

*doubling (or halving) of loudness (Cowen, Handbook of Environmental Acoustics, 1994)."*

The points above on audibility and relative loudness hold only for pure (single frequency) tones generated in the laboratory at relatively low intensities (loudness), not for multi-frequency, time-varying sounds produced by real-world sources in real-world background contexts. This is an important distinction because a noise from a real-world source (e.g., an air conditioner, a lawn mower, an amplified human voice heard over an outdoor public address system, etc.) has a frequency spectrum substantially different from its background context (e.g., usually motor vehicle traffic in urban areas). Noise from such sources are often audible and disturbing to a listener because the human ear can distinguish the characteristic frequency components of the noise even when its average level is not much different from (or even less than) the local background level.

In the real world, a 3 dB noise level increase could be quite clearly noticeable and have a substantial adverse effect on listener annoyance - further increases in noise level, even more so. Consider the following example: A man is relaxing in his garden when the next-door neighbor comes out with a power mower and proceeds to mow his backyard lawn. No surprise that the man could be substantially annoyed at this change of acoustic circumstances. Suppose then the neighbor's son came out a little later with 2<sup>nd</sup> mower (i.e., producing a doubling of sound intensity – by definition, a 3 dB increase). The presence of this 2<sup>nd</sup> mower and its elevation of noise levels will be clearly noticeable to the man (or, indeed, anyone with close to normal hearing) and would likely increase his annoyance. Even had the increase been caused by the addition of a smaller noise source (e.g., a leaf blower or hedge trimmer; thus, a less than 3 dB increase), it would still likely be noticeable and a possible source of increased annoyance.

The use of the terms “just noticeable” and “clearly noticeable” early in the RDG report could set a reader up to believe that science has proved that any changes in sound levels in the low- to mid-single digit range are of no concern because either it cannot be heard or is just noticeable. A quantitative analysis of environmental noise impacts, as called for by CEQA, can't start here. There must be a careful choice of the noise metrics most applicable to the disruptive effects of the noise sources under consideration and an evaluation of exposure severity in relation to accepted research findings from experiments/surveys of subjects exposed to noise from similar sources.

2

To its credit, the RDG report does substantially the right thing by choosing noise metrics that correspond to the City of Novato General Plan Safety and Noise Chapter noise/land use compatibility standards and City of Novato Municipal Code Zoning Ordinance performance standards for allowable exterior noise levels. The DEIR significance criteria for the evaluation of evening football game noise impacts on the adjacent/nearby residential neighborhood are as follows (pages 14-16, underline added to text quote below):

***“Threshold 1: A significant noise impact would occur if the combined noise from all field sources exceeds an  $L_5$  of 55 dBA or  $L_{max}$  of 75 dBA at the adjacent uses.***<sup>1</sup>

*“Discussion: ... These thresholds are based on the Novato Municipal Code which sets a noise level limit for residential areas of 60 dBA when the field would be used (between 6 AM and 10 PM). The  $L_5$  and  $L_{max}$  descriptors are used because the code states that the noise limit shall not be exceeded for an aggregate period of more than three minutes within a one-hour time period (i.e. 5% of the time or  $L_5$ ) or by more than 20 dBA at any time (i.e.  $L_{max}$ ).”*

***“Threshold 2: A significant impact would occur if the CNEL on a football game day:***

- *Increases by more than 5 dBA and the future CNEL is less than 60 dBA, or*
- *Increases by more than 3 dBA and the future CNEL is 60 dBA or greater and less than 65 dBA, or*
- *Increases by more than 1.5 dBA and the future CNEL is 65 dBA or greater*

*“For the purposes of assessing impact due to increased noise from the project, this report uses thresholds based on a FAA Draft Policy discussion screening and impact thresholds for increases in aircraft noise. This threshold is generally consistent with the Novato General Plan (SF Program 38-5).*

*“In order to evaluate the potential impact that would occur as a result of a change from day games to night games, this report considers the increase in the CNEL on a day when a Varsity football game is played at night as compared to the CNEL on a day when a Varsity football game is played during the day. Football games are used since these are generally the loudest events at the high school stadiums.”*

***“Threshold 3: A significant impact would occur if the annual average CNEL:***

- *Increases by more than 5 dBA and the future CNEL is less than 60 dBA, or*
- *Increases by more than 3 dBA and the future CNEL is 60 dBA or greater and less than 65 dBA, or*
- *Increases by more than 1.5 dBA and the future CNEL is 65 dBA or greater*

*“In order to evaluate the potential impact of noise from all field related activities during the course of a year, this report considers the increase in the annual average*

<sup>1</sup> The **decibel (dB)** is the standard measure of a sound’s loudness relative to the human threshold of perception. Decibels are said to be **A-weighted (dBA)** when corrections are made to a sound’s frequency components during a measurement to reflect the known, varying sensitivity of the human ear to different frequencies. The **Equivalent Sound Level ( $L_{eq}$ )** is a constant sound level that carries the same sound energy as the actual time-varying sound over the measurement period. **Statistical Sound Levels –  $L_{min}$ ,  $L_{90}$ ,  $L_{10}$  and  $L_{max}$**  – are the minimum sound level, the sound level exceeded 90 percent of the time, the sound level exceeded ten percent of the time, and the maximum sound level, respectively. The **Day-Night Average Sound Level ( $L_{dn}$ )** is a 24-hour average, A-weighted  $L_{eq}$  with a 10-decibel penalty added to sound levels occurring at night between 10:00 p.m. and 7:00 a.m. The **Community Noise Equivalent Sound Level (CNEL)** is an  $L_{dn}$  with an additional 5-decibel penalty added to sound levels occurring in the evening between 7:00 p.m. and 11:00 p.m.

CNEL that would result from allowing soccer, lacrosse, practices and other non-school activities on the field at night.

Based on the RDG analysis, the following noise significance findings are made (pages 16-19, underline added in the text quotes below):

*“Varsity football game noise with the project would generate Lmax noise levels that do not exceed the threshold of 75 dBA at the receivers Varsity football game noise with the project would generate L5 noise levels that exceed the threshold of 55 dBA at all of the receiver locations except ST-5 which is the farthest from the field (approximately 720 feet). This is considered a significant impact.*

*“Based on the comparison, the CNEL increase at most of the receivers would experience an increase less which is less than the threshold of 3 to 5 dBA. This is less than significant. However, the residences to the north of the school (ST-1 and ST-2) would experience an increase of up to 5.8 dBA which is greater than the threshold for a significant increase of 5 dBA. This is considered a significant impact.*

*“The annual average CNEL would increase by 0.4 dBA or less and this is less than the threshold of 3 to 5 dBA. Therefore, this is considered a less than significant noise increase.”*

So, the RDG report concludes that football/athletic activity noise from evening use of the proposed, lighted football field would **exceed the chosen CEQA significance levels under two of the four chosen criteria: it would exceed the L5 and CNEL, be slightly under (but in accord with the Lmax criterion, and be substantially under the annual average CNEL criterion.** Further, even after considering two mitigation strategies (i.e., a wall on the north field boundary and sound-limiting devices on the proposed PA system), **no effective mitigations were specified to reduce game noise impacts to a less-than-significant level.**

3

The following findings should be seriously considered by the Novato Unified School District before considering Project approval:

- The **noise impacts RDG identify are real and worthy of serious concern** when considering project approval. The RDG conclusions not drawn based on poorly defined terms such as “just noticeable,” “barely noticeable,” etc. They are based on accepted noise metrics that correlate well with measures of individual speech/sleep/tranquility disruption (i.e., L<sub>5</sub> and L<sub>max</sub>) and community annoyance (i.e., CNEL).

4

- The project noise exposure standards chosen in RDG started from consideration of standards in the City of Novato General Plan and Municipal Code that represent the highest level of acceptable noise exposure before health/welfare impacts to sensitive receptors would begin. But, as the noise monitoring data demonstrates, the residential **neighborhood surrounding the San Marin High School sports field currently experiences few evening noise events that would come close in intensity/frequency to**

4 cont'd

**what is anticipated during every football game** evening if lights are installed and regular/frequent inter-scholastic football games are permitted. These potential sources of disturbance to the local neighborhood will continue for the life of the lighted sports facility.

5

- The **noise impacts identified from evening sports at the lighted field would impact the local neighborhood exclusively**. Students and all other football fans in City/County would get the benefit of the lighted field, while only the local neighborhood residents would get all the annoyance associated with noise from evening football games (and other athletic activities permitted there).

Sincerely,

Geoffrey H. Hornek

## Letter 100

**COMMENTER:** Geoffrey H. Hornek

**DATE:** March 3, 2017

### **Response 100.1**

The commenter states an opinion that the use of the terms “just noticeable” and “clearly noticeable” in the Noise Assessment (Appendix E of the Draft EIR) are potentially misleading in relation to how noise increases are quantitatively compared to the impact discussion. These terms are used in the Fundamental Concepts section of the report for general conditions. As the commenter states, the noticeability of individual noise sources can be influenced by the characteristics of the sound (e.g. spectral, temporal and spatial qualities). Therefore, a 3 or 5 dBA increase in noise level could be more noticeable than how it is characterized in the Fundamentals Concepts section. However, the Draft EIR impact thresholds for noise increase are based on objective, published standards. Also, the report uses the CNEL descriptor which includes a penalty for noise during evening hours to account for the expectation that noise is more noticeable and intrusive during these hours. No changes to the Draft EIR are warranted based on this comment.

### **Response 100.2**

The commenter summarizes the conclusions of the Draft EIR noise analysis but does not question or challenge the analysis or conclusions. This comment is noted.

### **Response 100.3**

The commenter states an opinion that the noise impacts identified in the Draft EIR “are real and worthy of serious concern when considering project approval,” and are “based on accepted noise metrics that correlate well with measures of individual speech/sleep/tranquility disruption.” This comment concurring with the methodology and conclusions of the Draft EIR is noted.

### **Response 100.4**

The commenter again summarizes the basic methodology and conclusions of the noise analysis in the Draft EIR and states an opinion that the noise impacts identified in the Draft EIR would “continue for the life of the lighted sports facility.” This comment is consistent with the conclusions of the Draft EIR regarding noise, including the determination that noise impacts from project-related events on the field would be significant and unavoidable (see Impact N-2 in Section 4.5, *Noise*).

### **Response 100.5**

The commenter states an opinion that the noise impacts identified in the Draft EIR “would impact the local neighborhood exclusively.” This comment is consistent with the conclusions of the Draft EIR regarding noise, including the determination that noise impacts from project-related events on the field would be significant and unavoidable (see Impact N-2 in Section 4.5, *Noise*).

Letter 101

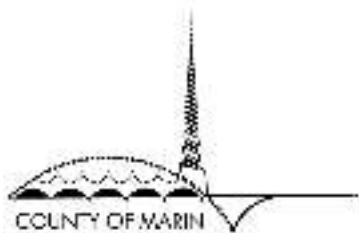
**From:** mhjoly@aol.com [mailto:mhjoly@aol.com]  
**Sent:** Friday, March 03, 2017 4:57 PM  
**To:** Environmental Report  
**Cc:** TOM COOPER  
**Subject:** San Marin stadium lights DEIR COMMENTS

Dear Trustees-

- 1 | 1)Please remember that in your January 2016 Bond Feasibility study page 9 showing YOUR Godbe Research December 2015 survey of 534 prospective Novato voters that "Providing lights at high school sports fields" ranked next to the LAST choices of voter priorities. It was 16th out of 17 choices at a 0.08 ranking versus a 0.41 for the 15th ranked item which means NOVATO sampled voters DO NOT WANT LIGHTED HIGH SCHOOL FIELDS as an action spending item! This was NUSD's own paid for survey attached
- 2 | 2)I ask that the 11/21/16 Marin County 3 page rejection by Jocelyn Drake be entered into the DEIR comments since normal civic overview (NOT exempted under 53094 which NUSD did) would likely have resulted in civic oversight rejection of this San Marin lights project as happened to Marin Catholic & a private high school in San Mateo.
- 3 | 3)Our neighborhood group feels RUSHED by your lights process despite your doing the CEQA process...as I have said: PLEASE BE RIGHT, NOT RUSHED
- 4)Thank you for the Monday 2/27 Hillsdale HS lights visit but many neighbors did not choose to go as I told Jim Hogeboom because this project is not about a technology BUY IN. As a group we are NOT opposed to San Marin High School and certainly NOT opposed to the students & athletes...WE ARE OPPOSED TO THE RADICAL TRANSFORMATION OF OUR SAN MARIN NEIGHBORHOOD BY THE POSSIBLE IMPOSITION OF THIS NIGHT TIME PROJECT.

Thank you.

Michael H. Joly  
Coalition to SAVE SAN MARIN



November 21, 2016

Mike Bentivoglio  
1620 Montgomery Street, #102  
San Francisco, CA 94111

Project Name: Marin Catholic High School Use Permit Amendment and Design Review

Assessor's Parcel: 022-010-35  
Project Address: 675 Sir Francis Drake Blvd, Kentfield  
Project ID: P1123

Dear Mr. Bentivoglio,

You have requested approval to install a field lighting system on Marin Catholic High School's outdoor football field so that the school can use the field during the evening hours for evening sports practices and games, including Friday night football games. The proposed project includes the installation of four 80-foot tall light poles with differing LED lighting fixture arrays, installed on the 10 yard line at each side of the field. Each proposed pole would feature 16 light fixtures. The two poles proposed on the south side of the field would feature one additional fixture illuminating the home bleachers. The pole proposed at the northwest side of the field would feature 2 additional fixtures at the 15-foot elevation to provide field up-lighting, and 2 additional fixtures would be installed at the 15-foot elevation to provide illumination of the bleachers. The pole proposed at the northeast side of the field would feature 3 additional fixtures at the 15-foot elevation to provide additional up-lighting.

As proposed, the field would not be available for use by the public or outside organizations during evening hours (when the field is lit); the field would only be utilized for games and practices associated with Marin Catholic's athletics programs.

The initial application was submitted on January 14, 2016. Planning staff deemed the application incomplete on February 14, 2016, citing items of incomplete application, along with merits comments related to the Design Review and Use Permit findings. The application was resubmitted on August 15, 2016, at which time additional technical information was provided. In response, we re-iterated our concerns with the merits of the project. As proposed, we believe that the project is not consistent with the mandatory Use Permit and Design Review findings because the combined effects of the project related to the projected light and glare, noise, and traffic congestion would adversely affect the character of the surrounding community.

More specifically, Use Permit finding D. states that "the granting of the Use Permit will not be detrimental to the public interest, health, safety, convenience, or welfare of the County..." Further, Use Permit finding C. states that "the design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity". In addition, Design Review finding B. states that "the project will not result in light pollution, trespass, glare, and privacy (impacts)".

The following outlines a few of our key concerns:

### **Light, Contrast, and Glare**

Marin Catholic School is located at the base of Ross Valley, which is characterized by a mix of small-scale commercial and residential development along the Sir Francis Drake corridor, and residential neighborhoods along the sides and ridgelines of the valley. Mount Tamalpais and adjacent open space areas are readily visible to the west. Presently, the valley is relatively dark during the evening hours, with the exception of Marin General Hospital, and the silhouettes of the surrounding ridgelines and mountains fade slowly as evening progresses. The proposal to install 80-foot tall light poles around the perimeter of an athletic field at the base of Ross Valley would alter the existing ambiance of the valley. While the notion of light pollution, spill light, and glare are subjective, it is apparent in reviewing the application that the addition of a field lighting system at the school would result in a level of light contrast and light pollution that is out of character with the neighborhood.

### **Noise**

The proposed project, installation of a field lighting system on an existing school athletic field, would essentially serve to extend the hours of activity on the field. The noise impact report, prepared by your consultant, used Countywide Plan policy NO-1c. as the benchmark in analyzing the noise impacts associated with night time use of the field. In conducting the field analysis, noise measurements were taken from various properties surrounding the school. The noise modeling was then predicated on those noise measurements. Per the report, there would be as much as an 11 decibel difference (with a maximum of 71 decibels) between the existing ambient noise levels and the noise levels that would be generated during a Friday night game, as measured from neighboring properties. Other types of sports games and practices are anticipated to increase decibel levels by as much as 10 decibels, as compared to the existing ambient noise levels during evening hours in the surrounding neighborhood.

Our opinion is that the nighttime use of the field should be treated as a new use rather than an existing use because the field is not usable during the evening hours without a lighting system. Accordingly, we believe that the applicable Countywide Plan noise policy is NO-1a, not NO-1.c, as is used in the noise study. Policy NO-1a indicates that, as a guideline, through CEQA and discretionary review, the County should aim to limit the maximum decibel level for new night time uses to 65 dB (60 dB for impulsive noise), as measured from the property line.

In reviewing the proposed project with respect to the anticipated noise impacts that would result from activating a presently dormant athletic field during the evening hours, it is apparent that there will be a notable change to the noise levels in the surrounding neighborhoods, where the existing ambient noise levels are relatively low during the evening hours. Furthermore, an assumption could be made that the noise impacts that would be generated as a result of the project, when measured from the school's property line in accordance with NO-1a., would exceed the recommended standards.

### **Traffic**

Your application includes a complex matrix of field practices and game times. The school currently utilizes temporary construction lighting fixtures during the evening hours; however because the temporary field lighting has not been approved, the baseline condition is the day time use of the field.



The installation of a field lighting system would result in additional PM peak hour trips during the work week. According to your traffic analysis, your proposal to host Friday night football games would result in an additional 722 pre-game PM peak hour and 754 post-game peak hour vehicle trips. Placing this many additional vehicles on the road during the Friday PM peak hours would alter traffic flows at the already impacted intersections in the vicinity of the school, causing more inconvenience to others in the neighborhood without offsetting that inconvenience with public benefits. Moreover, an increase to traffic volumes at such a magnitude could contribute to the existing challenge ambulances and other emergency vehicles face in reaching Marin General Hospital.

The traffic analysis is based on the proposed field schedule, which indicates that practices and all other games (not including Friday night football games) would generally occur outside the PM peak traffic hours. Per the traffic study, the project would result in lower volumes during the evening PM peak hours, as compared to the existing conditions, because the field schedule assumes a break in practices and games will occur.

With regard to the proposed weekday practices and games, we are concerned that while the proposed field schedule may be mitigatory in nature, it may be infeasible for the County to monitor or enforce. While the County's Traffic Division is responsible for monitoring traffic, the Community Development Agency is responsible for enforcing compliance with project approvals. Complicated schedules, such as the field practice schedule you have proposed, substantially increase the challenges associated with monitoring and enforcement. If we determine that a reliable monitoring program is too difficult to achieve successfully, then the mitigatory nature of the schedule would be rejected resulting in substantially higher traffic impacts.

In closing, we would like to reiterate that our recommendation that the project is inconsistent with the Use Permit and Design Review findings is not solely based on the impacts related to any one of the aforementioned categories, but rather the combined effects that will result from the project. We intend to prepare a summary denial for the Planning Commission's consideration at an upcoming hearing. You will have the opportunity to dispute our assertions during this hearing, but we also hope that you are willing to consider alternatives to your current project and present them to the Planning Commission to gain their insight and direction. While we cannot speak to your highest priorities or guarantee any particular outcome, we hope that you will consider alternatives that reduce the public detriments your project would have on the surrounding community. Please let us know if you would like the opportunity to formulate alternatives for the Planning Commission's review by December 15<sup>th</sup>, 2017.

Sincerely,

Jocelyn Drake  
Senior Planner

cc: Peter McDonnell, 1620 Montgomery St, #320, San Francisco, CA 94111  
Archdiocese of San Francisco, 1301 Post St, #102, San Francisco, CA 94105  
Supervisor Katie Rice  
Tom Lai, Assistant CDA Director  
Brian Crawford, CDA Director  
KPAB



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STRATEGIES

## Novato Unified School District: 2016 Bond Measure Feasibility Survey

January 2016

## Overview and Research Objectives

Novato Unified School District commissioned Godbe Research to conduct a survey of local voters with the following research objectives:

- Gauge the public's perceptions of whether the District is providing a quality education to students and effectively managing public funds;
- Assess potential voter support for a bond measure to upgrade aging schools and protect quality education in Novato with funding that cannot be taken by the State;
- Prioritize projects and programs to be funded with the proceeds;
- Test the influence of supporting and opposing arguments on potential voter support;
- Identify the rate at which voters will support the measure; and
- Identify any differences in voter support due to demographic and/or voter behavioral characteristics.

# Methodology Overview

- Data Collection Telephone and Internet Interviewing
- Universe 29,314 likely November 2016 voters in the Novato Unified School District
- Fielding Dates December 2 through December 13, 2015
- Interview Length 20 minutes
- Sample Size 534 Likely November 2016 voters
- Margin of Error  $\pm 4.20\%$  Likely November 2016 voters

The data have been weighted to reflect the actual population characteristics of likely voters in the Novato Unified School District in terms of their gender, age, and political party type.



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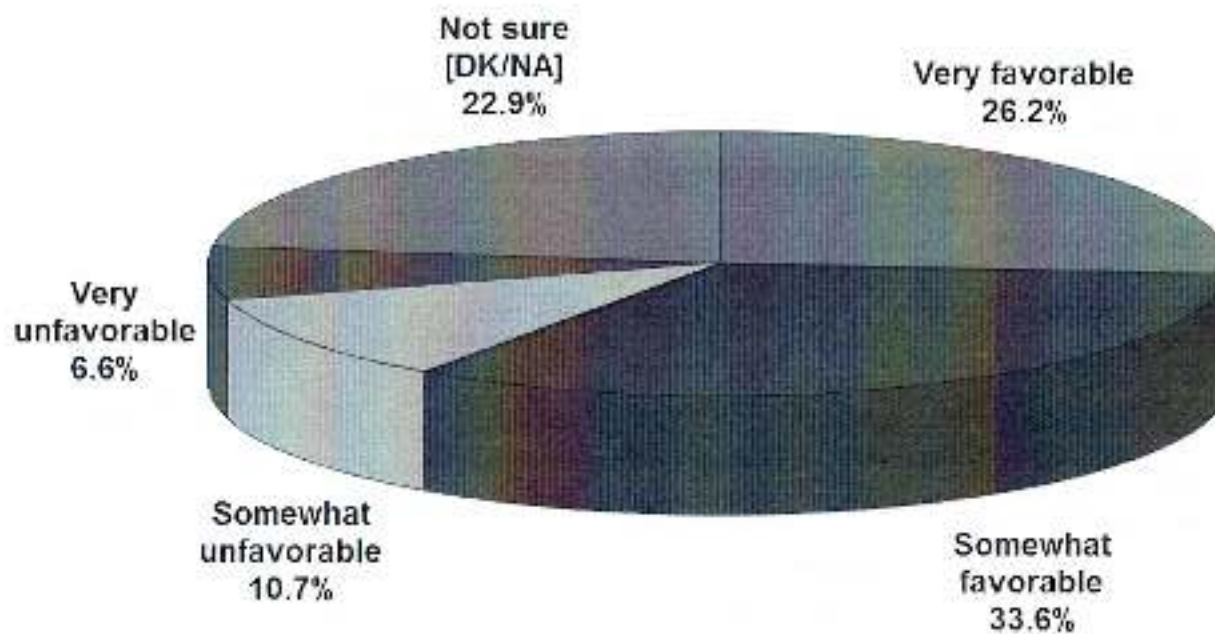
## Key Findings

# Q1. Opinion on Whether NUSD is Providing a Quality Education

November 2016 (n=534)

TBWB

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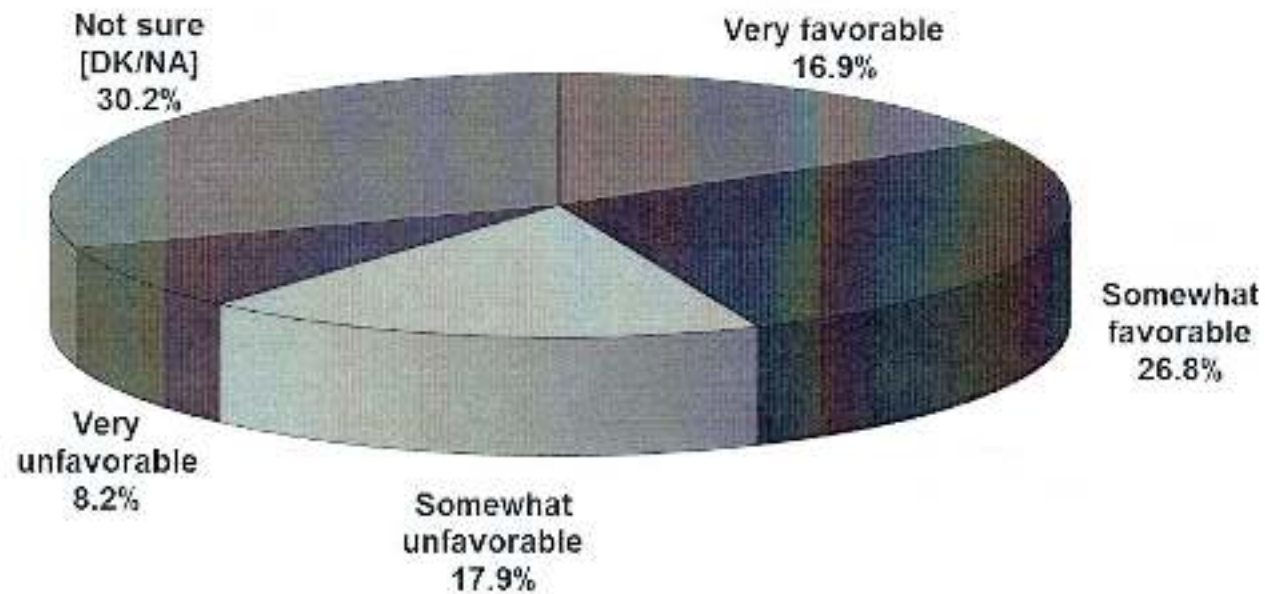
Ratio 3.5 to 1  
2015 Fav 59.8%  
2013 Fav 54.2%

# Q2. Opinion on Whether NUSD is Effectively Managing and Spending Public Funds

November 2016 (n=534)



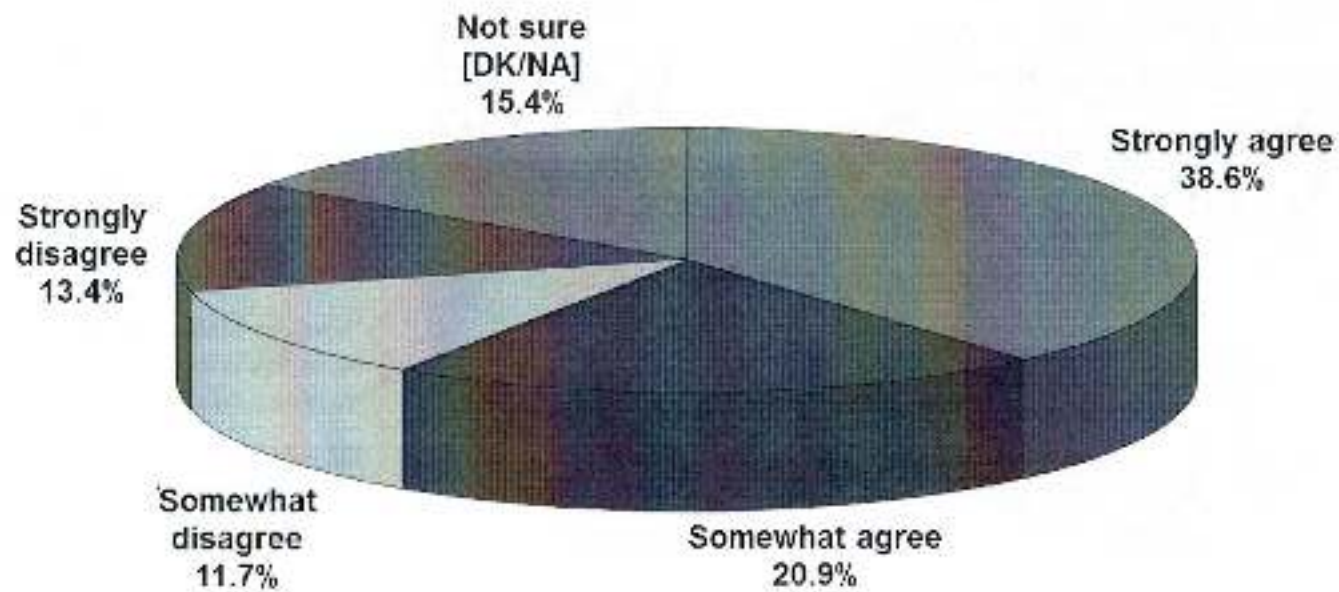
GODBE RESEARCH  
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Ratio 1.7 to 1  
2015 Fav 43.7%  
2013 Fav 40.9%

# Q3. Agreement With Statement on Whether NUSD Needs Additional Funding

November 2016 (n=534)

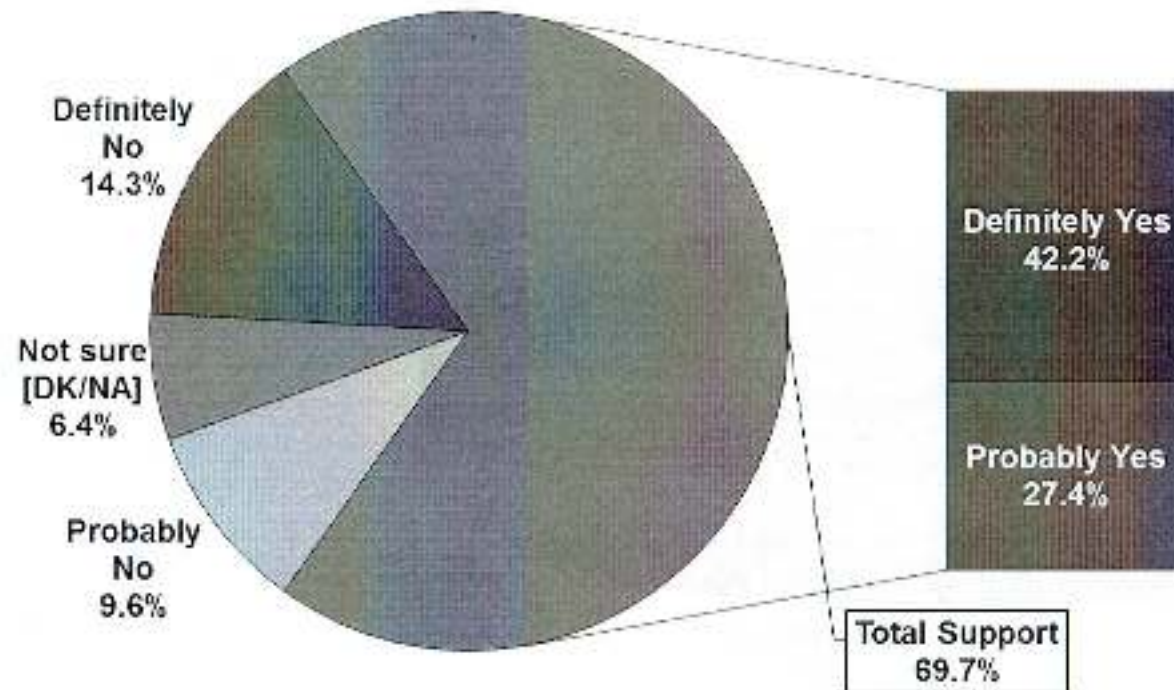


2015 Agree 59.5%  
2013 Agree 55.2%



# Q4. Uninformed Support for Parcel Tax

November 2014 (n=534)



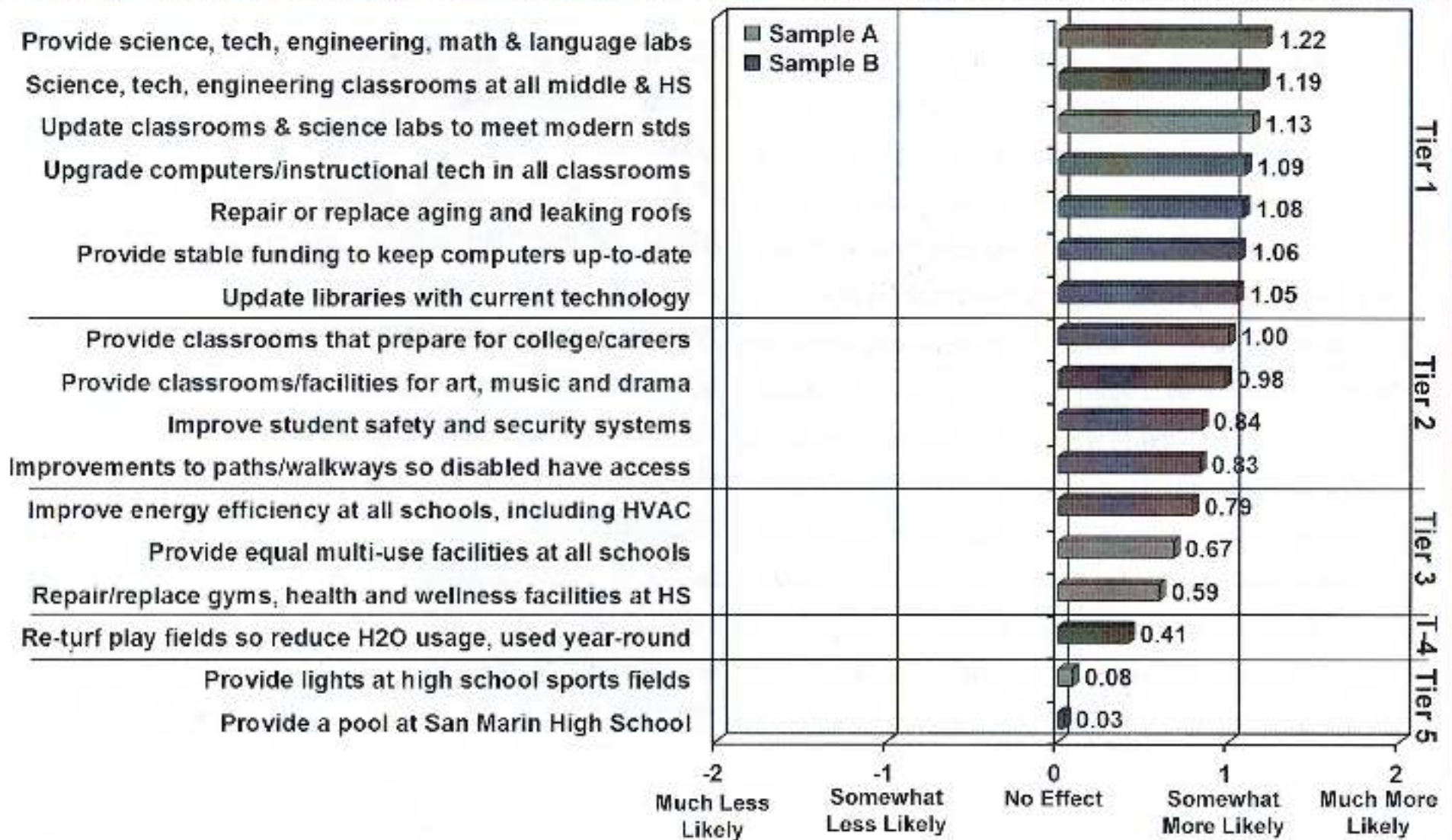
To upgrade aging schools and protect quality education in Novato with funding that cannot be taken by the State, shall the Novato Unified School District:

- Provide science, technology, engineering, math and language labs and equipment to prepare students for college and careers; and
- Update classrooms, science labs and libraries with current technology to meet modern academic standards;

by issuing \$212 million dollars in bonds at legal rates, with independent citizens' oversight, no money for administrators, and all funds staying local?

# Q5. Features of the Measure

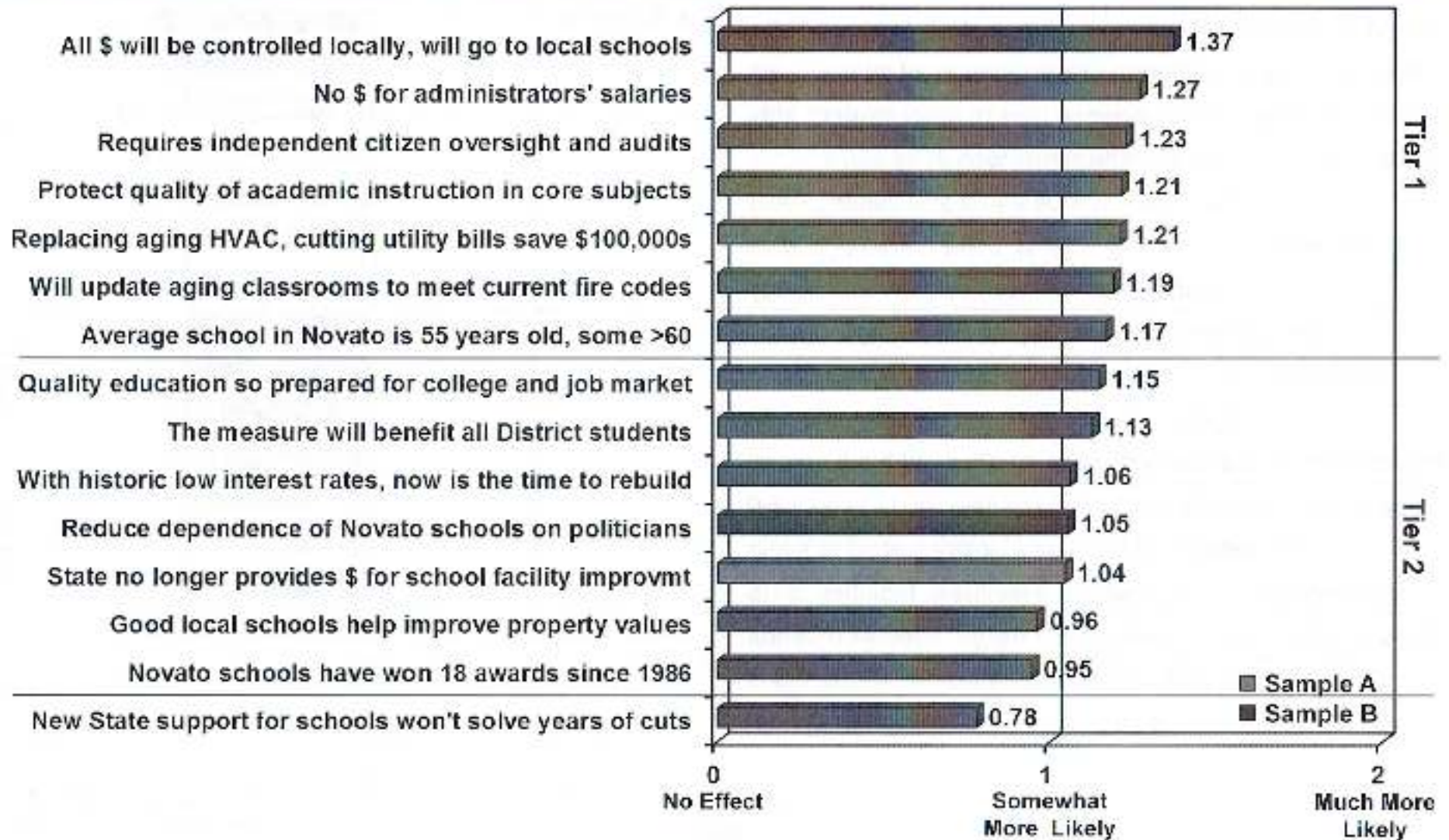
November 2016 (n=534)



Note: The above rating questions have been abbreviated for charting purposes, and responses were recoded to calculate mean scores: "Much More Likely" = +2, "Somewhat More Likely" = +1, "No Effect" = 0, "Somewhat Less Likely" = -1, and "Much Less Likely" = -2.

# Q6. Influence of Supporting Statements

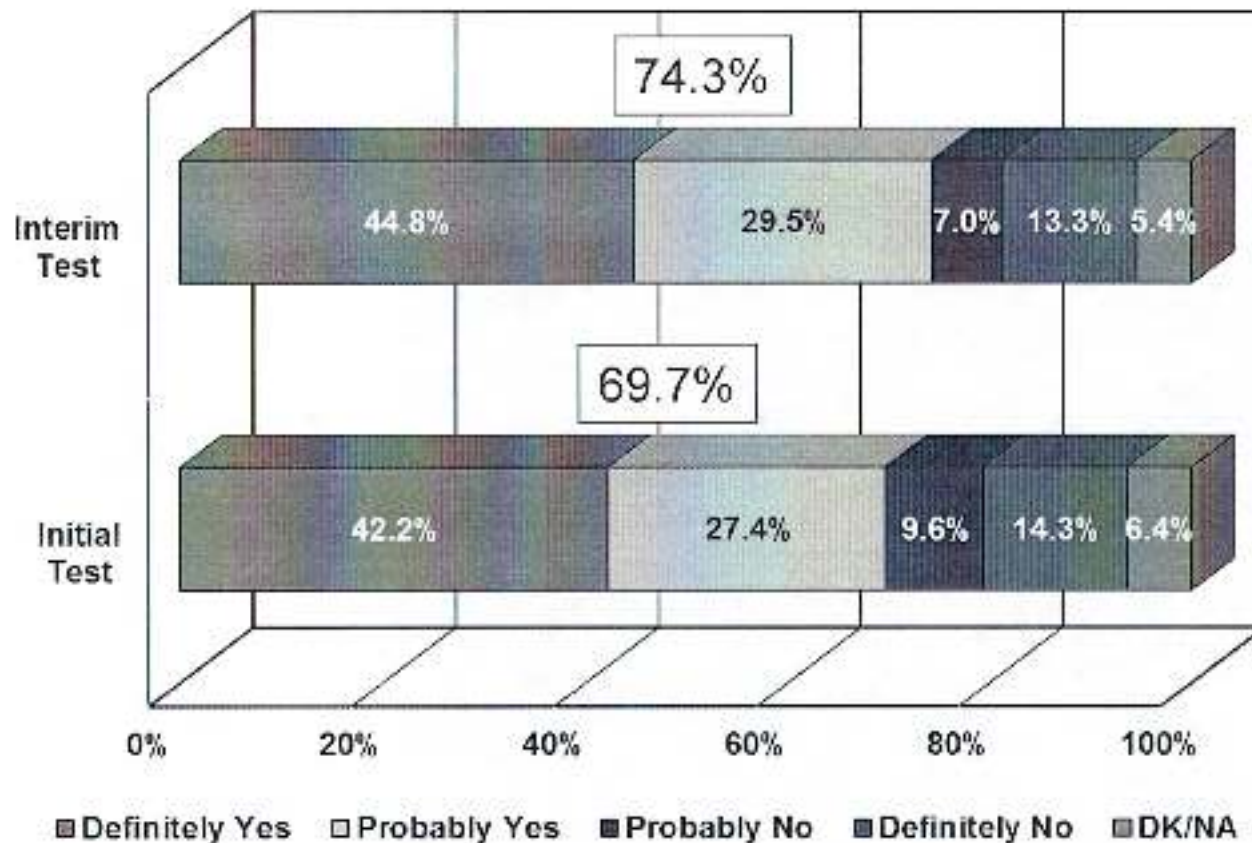
November 2016 (n=534)



Note: The above rating questions have been abbreviated for charting purposes, and responses were recoded to calculate mean scores: "Much More Likely" = +2, "Somewhat More Likely" = +1, and "No Effect" = 0.

# Q7. Interim Support

November 2016 (n=534)



To upgrade aging schools and protect quality education in Novato with funding that cannot be taken by the State, shall the Novato Unified School District:

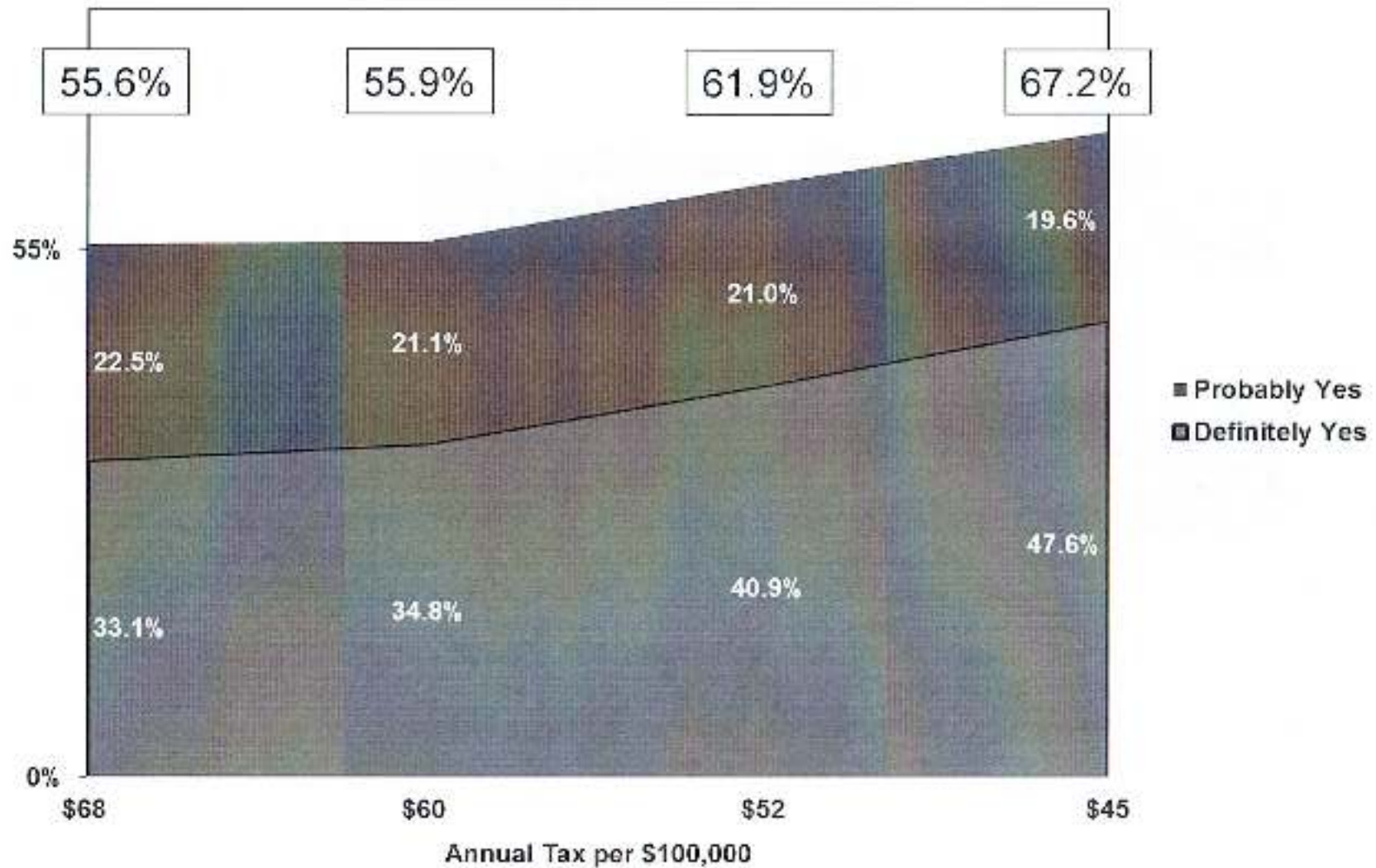
- Provide science, technology, engineering, math and language labs and equipment to prepare students for college and careers; and

- Update classrooms, science labs and libraries with current technology to meet modern academic standards;

by issuing \$212 million dollars in bonds at legal rates, with independent citizens' oversight, no money for administrators, and all funds staying local?

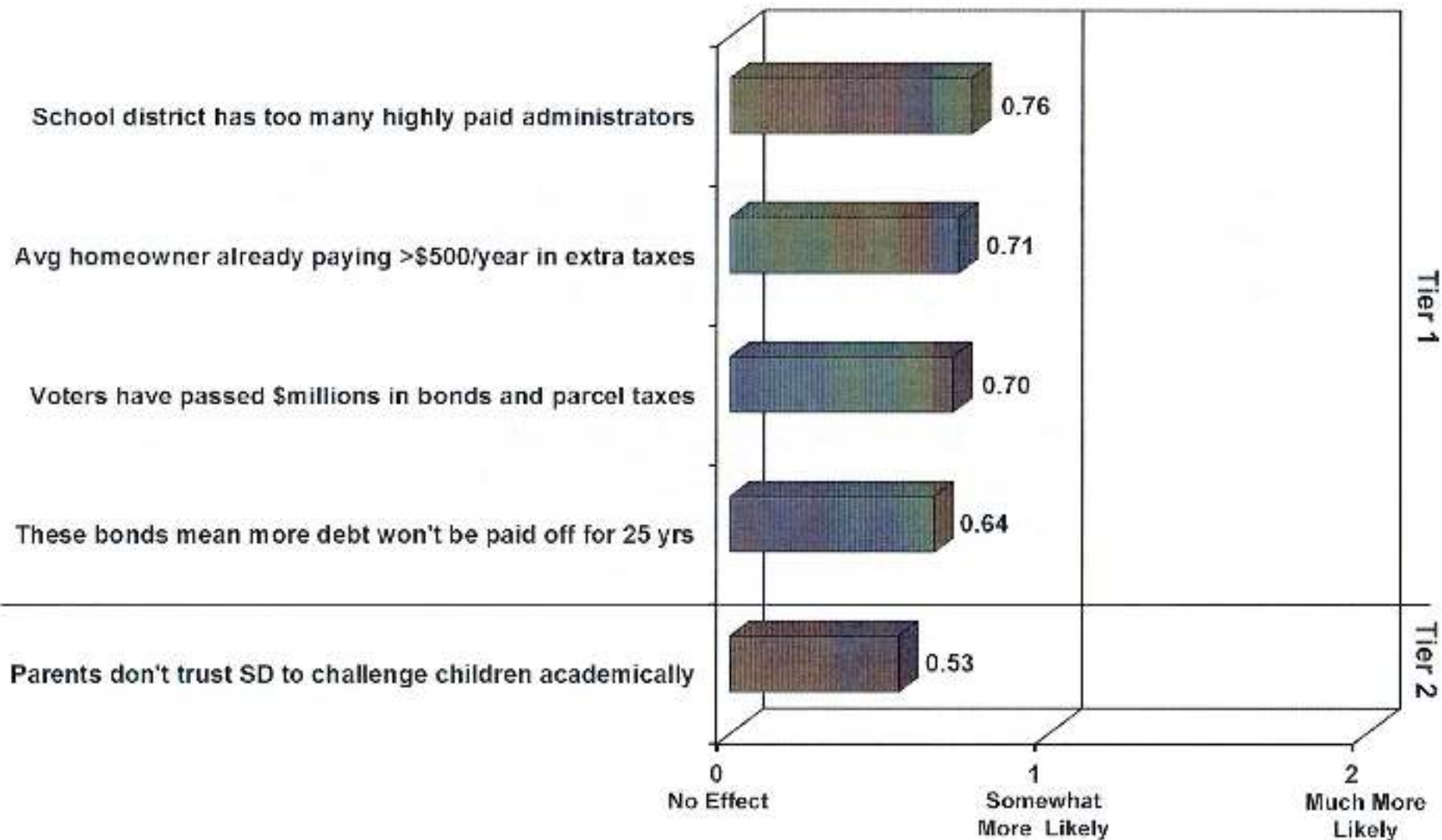
# Q8. Support for Different Rates

November 2016 (n=534)



# Q9. Potential Opposition Statements

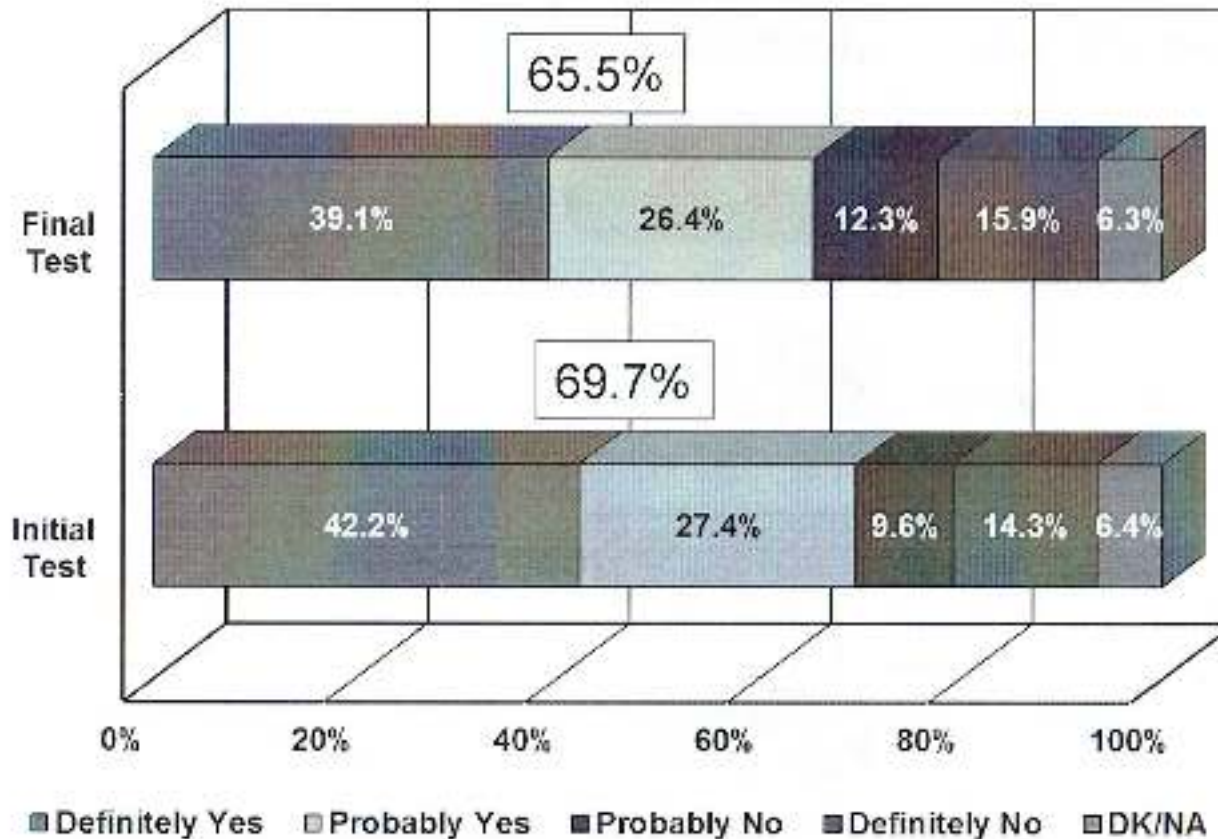
November 2016 (n=534)



Note: The above rating questions have been abbreviated for charting purposes, and responses were recorded to calculate mean scores: "Much More Likely" = +2, "Somewhat More Likely" = +1, and "No Effect" = 0.

# Q10. Informed Support

November 2016 (n=534)



To upgrade aging schools and protect quality education in Novato with funding that cannot be taken by the State, shall the Novato Unified School District:

- Provide science, technology, engineering, math and language labs and equipment to prepare students for college and careers; and

- Update classrooms, science labs and libraries with current technology to meet modern academic standards;

by issuing \$212 million dollars in bonds at legal rates, with independent citizens' oversight, no money for administrators, and all funds staying local?

## Summary & Recommendations

- The survey revealed a very solid base of voter support for a bond measure.
  - Initial support for the measure was 69.7%.
  - Interim support for the measure was 74.3% after the features and positives.
  - Informed support for the measure was 65.5% after the negatives.
  - It is important to note that while there are numeric variations, which would be expected, they are not statistically different.
- Top-tier features of the measure (listed below) suggest that some of the items in the ballot question could be reordered to increase support.
  - Provide science, technology, engineering, math and language labs and equipment to prepare students for college and careers
  - Provide science, technology, engineering and math classrooms at all middle and high schools
  - Update classrooms and science labs to meet modern academic standards
  - Upgrade computers and instructional technology in all classrooms and labs
  - Repair or replace aging and leaking roofs
  - Provide stable funding to keep computers and instructional technology up-to-date
  - Update libraries with current technology
  - Provide classrooms that help prepare students for college and careers



- Top-tier positives are:
  - All money raised by this measure will be controlled locally, will go to our local schools and cannot be taken away by the State
  - None of the money raised by the measure will be used for administrators' salaries
  - The measure requires independent citizen oversight and audits to ensure the money is spent as promised
  - The measure will protect the quality of academic instruction in core subjects like math, science, reading, and writing
  - Replacing aging heating and air conditioning systems, and cutting utility bills by completing other bond-funded projects will save hundreds of thousands of dollars a year that can be used for core academic classroom programs
  - The measure will update aging classrooms and educational facilities to meet current fire, seismic and safety codes
  - The average school in Novato is 55 years old and some are more than 60 years old and need upgrades in order to accommodate 21st century teaching and prepare students for the world ahead
- Given the survey findings, the 55 percent majority required for approval, TBWB and Godbe Research recommend that the Novato Unified School District continue the process to prepare for a November 2016 bond measure election.



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[www.godberesearch.com](http://www.godberesearch.com)

California and Corporate Offices  
1575 Old Bayshore Highway, Suite 102  
Burlingame, CA 94010

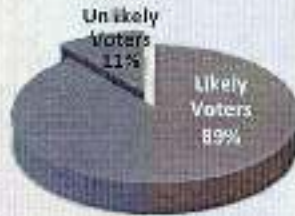
Nevada Office

69 Damonte Ranch Parkway, Suite B309  
Reno, NV 89521

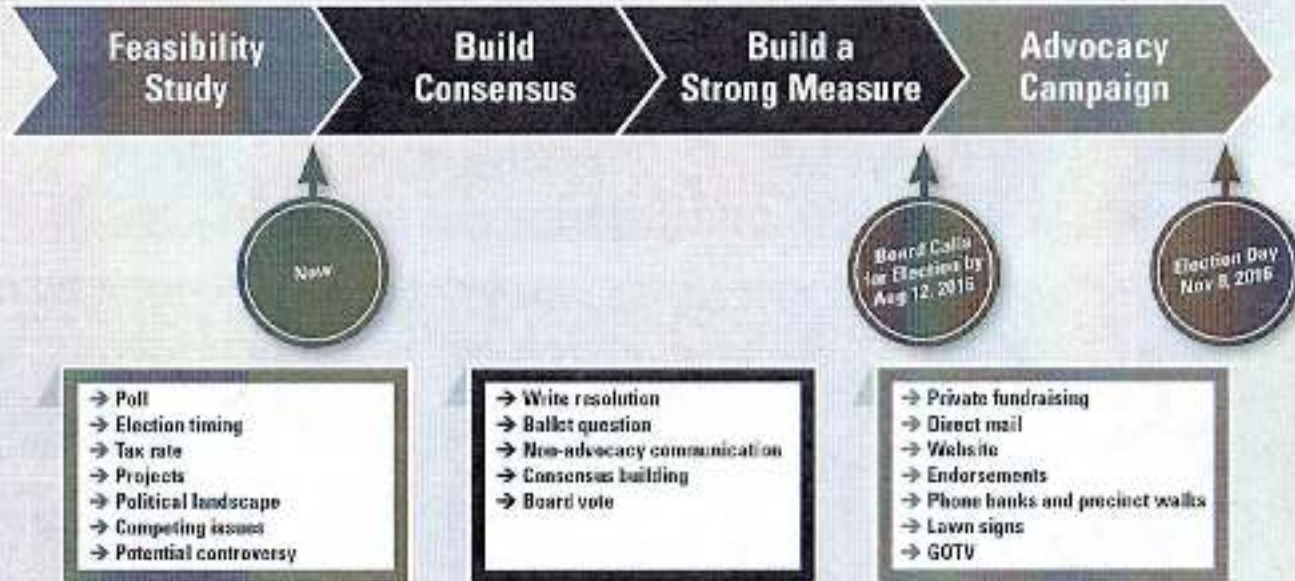
Pacific Northwest Office

601 108th Avenue NE, Suite 1900  
Bellevue, WA 98004

# Potential November 2016 Bond Timeline



NUSD Registered Voters: 32,766  
 Expected Voter Turnout: 29,314 (89%)  
 Votes Needed to Win: 16,123 (55%)



## Letter 101

**COMMENTER:** Michael H. Joly

**DATE:** March 3, 2017

### **Response 101.1**

This commenter states an opinion, citing NUSD survey results which are summarized in an attachment to this letter, that the community feels that the proposed project is a low priority for NUSD. This opinion is noted, but does not question or challenge the content, analysis or conclusions of the Draft EIR and therefore does not require a specific response here.

### **Response 101.2**

This commenter refers to a letter, attached to this letter, from the County of Marin to the applicant for a field lighting system at Marin Catholic High School. The letter concludes that County staff intends to recommend denial of the project. This comment is noted; however, the letter does not pertain to the proposed project but rather a different project at a different site with different levels of environmental impact. The comment does not question or challenge the content, analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

### **Response 101.3**

This commenter requests that the CEQA process be “right,” and not rushed. This comment is noted. It should also be noted that NUSD provided a 73-day public review for the Draft EIR, which is 28 days longer than the 45-day period required in the CEQA Guidelines.

The commenter also states opposition to the proposed project, without reference to the Draft EIR. This comment is noted.

Letter 102

**From:** Mwgraf@aol.com [mailto:Mwgraf@aol.com]

**Sent:** Friday, March 03, 2017 4:48 PM

**To:** Environmental Report

**Cc:** mhjoly@aol.com

**Subject:** Comments on Behalf of Coalition to SAVE SAN MARIN on SMHS Stadium DEIR

To Whom it May Concern:

I am writing on behalf of the Coalition to SAVE SAN MARIN regarding the Novato Unified School District's proposed Stadium Lights Project and Draft Environmental Impact Report..

Please contact me if you have any trouble accessing the attached PDF document.

Michael Graf  
Law Offices  
227 Behrens St.  
El Cerrito CA 94530  
tel: (510) 525-1208  
[mwgraf@aol.com](mailto:mwgraf@aol.com)

**Michael W. Graf  
Law Offices**

227 Behrens St.,  
El Cerrito CA 94530

Tel/Fax: 510-525-1208  
mwgraf@aol.com

March 3, 2017

**Via Email**

Yancy Hawkins  
Assistant Superintendent of Business and Operations  
Novato Unified School District  
1015 7th Street  
Novato, California 94945  
EIR@nUSD.org

**Re: Comments on Behalf of Coalition to SAVE SAN MARIN on San Marin High School Stadium Lights Project & Draft Environmental Impact Report**

To Whom it May Concern:

1 I am writing on behalf of the Coalition to SAVE SAN MARIN, concerned citizens living in the vicinity of the San Marin High School regarding the Novato Unified School District's ("District") proposed Stadium Lights Project and Draft Environmental Impact Report ("DEIR")

The DEIR does not describe the project or the environmental setting adequately. The DEIR wrongly finds that the proposed project to install nighttime lighting at San Marin High will have insignificant impacts on visual resources, traffic and parking. The DEIR does acknowledge noise impacts will be significant, but suggests wrongly that these impacts will likely be mitigable. Finally, the DEIR's alternatives analysis is also flawed, since it does not consider the options of lower level lighting or relying on the local community college as a place where local high schools may achieve their vision of Friday Night Lights without significant disturbance to local communities.

**I. BACKGROUND**

**A. Proposed Project**

The proposed Project is permanent stadium lighting consisting of two sets of poles. The first set of eight poles would support lighting fixtures for illuminating the field during sports competitions, practices, and other events. These poles would be 80 feet tall and arranged as four poles spaced evenly along each long side of the athletic field. The second set of poles would support lighting fixtures for illuminating the field during post-event egress, clean-up, and during

sports team practices. These poles would be up to approximately 30 feet tall and would be installed at up to 18 locations throughout the athletic field site.

In addition, the Project proposes an upgraded sound system consisting of speakers mounted on up to 18 poles, each approximately 30 feet tall and located behind the bleachers on either side of the athletic field.

The new stadium lighting and sound system would allow for the expansion of previous games, practices and events occurring during daylight hours into the evening and nighttime, generally ending no later than 9:30 PM. The Project at this time does not propose that stadium lights would be used for community or non-school activities.

The proposed project objectives are stated as:

1. Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.
2. Allow for games at times when students, parents, and community members can more easily attend the events, thereby increasing school spirit and revenue from ticket purchases.
3. Provide nighttime opportunities for students to gather to cheer on their team.
4. Improve athlete safety by providing lighting during evening practices and sports events.
5. Improve safety by minimizing incompatible uses from sharing the field
6. Improve the public address system.

**B. DEIR**

The DEIR analyzes the environmental impacts of the proposed project on aesthetics, air quality, cultural resources, greenhouse gas emissions, noise, transportation and traffic. For these resource categories, the DEIR finds impacts to be insignificant, except for “[n]oise from crowds and the proposed PA system at athletic events on the field,” which would generate noise exceeding the threshold of 55 dBA at the adjacent residences during varsity football games, an impact the DEIR identifies as significant and unavoidable

The DEIR further provides a discussion of alternatives. The DEIR considers 3 alternatives: 1) No Project; 2) Stadium Lighting at Novato High School; and 3) Portable Lighting Systems. Alternative 2 would involve the installation of new lighting at the Novato High School stadium instead of San Marin High School. This stadium would host nighttime events for both Novato and San Marin high schools. Under Alternative 3, stadium lighting for night games at San Marin High School would be provided by portable lighting systems that are powered by

1 cont'd

diesel generators. The portable lighting systems would only be used for nighttime football, soccer, track, and lacrosse games. Practices would continue to meet during daytime hours and would not use the portable lighting system.

The DEIR states that “[n]one of the alternatives would eliminate the unavoidably significant noise impact associated with nighttime football games. Also, all of the development alternatives would introduce additional or more severe impacts compared to the proposed project for certain resource areas. For example, Alternative 2 would result in increased impacts to transportation and traffic, and Alternative 3 would result in increased impacts to air quality and greenhouse gas emissions. Among the considered alternatives to the proposed project, the Novato High School Stadium Lighting alternative (Alternative 2) is the environmentally superior alternative. Although the No Project Alternative would be the environmentally superior alternative, CEQA requires that the environmentally superior alternative be chosen from among the development alternatives (CEQA Guidelines §15126.6(e)(2)).”

The DEIR also rejects as infeasible other alternatives that would host nighttime events and practices off-site. The DEIR states that “[a]ll of the off-site alternatives would require student athletes, coaches, and support staff to be transported to and from the site for games and practices,” which the DEIR states “would result in additional traffic, traffic noise, and mobile air pollution and greenhouse gas (GHG) emissions compared to the proposed project.”

## **II. REQUIREMENTS OF CEQA**

CEQA’s fundamental policy is that all public agencies “shall regulate such activities so that major consideration is given to preventing environmental damage.” *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 390; Pub. Res. Code § 21000(g.)

### **A. Significant Impacts under CEQA.**

CEQA defines a "significant effect" as a "substantial, or potentially substantial, adverse change." Pub. Res. Code § 21068. This means that an activity has a significant effect if it "has the potential to degrade the quality of the environment." *Azusa Land Reclamation Company, Inc. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal. App. 4th 1165, 1192. CEQA requires a mandatory finding of significance for a project with "possible environmental effects which are individually limited but cumulatively considerable." *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App.3d 692, 720-721.

### **B. Importance of EIR as an Informational Document.**

CEQA applies to discretionary activities undertaken by a public agency. Pub. Res. Code § 21080. If an initial study demonstrates that the project will not have a significant effect on the environment, the agency makes a "negative declaration" to that effect. Pub. Res. Code §



21080(c.) If the "Initial Study" determines that the project *may* have a significant effect, an Environmental Impact Report ("EIR") is required. Pub. Res. Code § 21151.

The “primary means” by which CEQA’s goals are achieved is the preparation of an EIR. *Id.* at 392; Pub. Res. Code §§21080(d), 21100; 14 Cal. Code Regs. § 15080. CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 Cal. Code Regs. § 15002(a)(1). Thus, the EIR has been described as “an environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.” *Laurel Heights, supra*, 47 Cal.3d at 392. An EIR is intended to serve as “an environmental full disclosure statement.” *Rural Land Owners Assn. v. City Council of Lodi* (1983) 143 Cal. App.3d 1013, 1020. EIRs demonstrate to an apprehensive citizenry that the agency has analyzed and considered the ecological implications of its action. *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 86. “The EIR process protects not only the environment but also informed self-government.” *Laurel Heights*, 47 Cal.3d at 392.

### **C. Requirement to Adopt Feasible Mitigation to Avoid or Substantially Lessen Significant Project Impacts.**

CEQA requires the EIR to identify and adopt feasible, mitigation measures or project alternatives which may substantially lessen or avoid the project’s significant adverse impacts. *See Laurel Heights, supra*, 47 Cal.3d at 400-403; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564; Pub. Res. Code §§ 21002, 21002.1. This analysis of feasible mitigation measures and a reasonable range of alternatives is crucial to CEQA’s substantive mandate that significant environmental damage be substantially lessened or avoided where feasible. Pub. Res. Code §§ 21002, 21081; 14 Cal. Code Regs. §§ 15002(a)(2) and (3). *Laurel Heights, supra*, 47 Cal.3d at 392, 404-405. CEQA requires government agencies to disclose to the public the reasons why they have approved a particular project resulting in significant environmental effects. 14 Cal. Code Regs. § 15002(a)(4).

### **D. Standard of Review for CEQA Decisions in Court.**

The standard of review of an agency determination under CEQA is ... whether the agency abused its discretion. Abuse of discretion is shown if (1) the agency has not proceeded in a manner required by law, or (2) the determination is not supported by substantial evidence.” *County of Amador v El Dorado County Water Agency* (1999) 76 Cal. App. 4th 931, 945-947; Code Civ. Proc. § 1094.5(b). A failure to include adequate information in the publically circulated environmental review documents constitutes a failure to proceed in the manner required by law, and is therefore reviewed without deference to the agency’s determination. *Vineyard Area Citizens, supra*, 40 Cal.4th at 435; *City of Marina v. Board of Trustees* (2006) 39 Cal. 4th 341, 355-356; *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal. App. 4th 1383, 1391-1392.

**E. Aesthetic Impacts Considered Under CEQA.**

Case law demonstrates that visual impacts may be significant. For example, in *See Pocket Protectors v. City of Sacramento* (2004) 124 Cal. App.4th 903, the court held:

Thus, courts have recognized that aesthetic issues "are properly studied in an EIR to assess the impacts of a project." (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 492; see *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist., supra*, 116 Cal.App.4th 396, 401; *National Parks & Conservation Assn. v. County of Riverside* (1999) 71 Cal.App.4th 1341, 1360.)

As on other CEQA topics, the opinions of area residents, if based on direct observation, may be relevant as to aesthetic impact and may constitute substantial evidence in support of a fair argument; no special expertise is required on this topic. (*Ocean View Estates, supra*, 116 Cal.App.4th at p. 402.) We need not repeat here the extensive evidence offered by The Pocket Protectors and other area residents, including that of professional architect and planner Roger McCardle, based on their personal observations, as to the potential aesthetic impacts of the proposed project. ....These observations--which pertain even to the revised project approved by the City Council, not merely to its initial version as Regis suggests--suffice to raise the potential of a significant aesthetic impact from the proposed project.

124 Cal. App.4th at 937.

In *Ocean View Estates Homeowners Assn, Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 402-403, the court found that the visibility of a reservoir to hikers on trails, as well as from private residences, supported a fair argument requiring the preparation of an EIR:

The District argues that private views are not environmentally significant under CEQA. ...The District cites nothing in CEQA that relieves it from considering the impact of the project on private views. To say there is no common law right to a private view, is not to say that the District is relieved from considering the impact of its project on such views.

That a project affects only a few private views may be a factor in determining whether the impact is significant. But here there is more involved than private views. Although the surface of the reservoir cannot be seen from the public trails, the record contains photographic evidence from which a fair argument can be made that the cover will be visible from public trails. Because the pitched cover at its highest point will be 15 feet from the surface, it appears that at least a side view of the cover will be visible above the dam face. As we view the District's proposed landscaping plans, there will be no landscaping on the dam face to screen the side view of the cover....

[W]e are not considering a matter as objective as whether the project will obstruct views.

1 cont'd

Here we are concerned with the overall aesthetic impact of an aluminum cover. Consideration of the overall aesthetic impact of the cover by its very nature is subjective. Opinions that the cover will not be aesthetically pleasing is not the special purview of experts. Personal observations on these nontechnical issues can constitute substantial evidence. (*See Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal. App. 3d 872, 882 [residents' complaints about noise can constitute substantial evidence].)...

The District did adopt landscape screening, but there is substantial evidence that the cover will be visible from some private and public view areas, despite the screening. The evidence here goes beyond a few people expressing concern about the aesthetics of the project. There is substantial evidence to support a fair argument that the project may have a significant adverse aesthetic impact.

Here, the evidence submitted by local residents regarding the visual impacts from the Project must be considered substantial evidence of significant impacts, thereby requiring the adoption of feasible mitigation to avoid such impacts.

**III. COMMENTS ON DEIR**

**A. Comments on DEIR’s Analysis of Light Impacts.**

The DEIR states significant aesthetic impacts due to light pollution will be avoided.

For 'light impacts' (illumination) the DEIR assumes that light trespass would be significant if illuminance produced by the project would exceed two foot-candles, as measured on the vertical and horizontal planes at the property lines nearest to residences.

For glare impacts, DEIR states that “a light intensity of 500 candelas or less at school property lines facing residences would result in no discomfort glare” but then, rather than apply that standard, relies instead on a standard twenty times higher of “10,000 candelas as a threshold of significance.”

For both these impacts, the DEIR proposes that the District will conduct a future photometric study that will ensure that the future light system will not exceed two thresholds of significance, 2 foot-candles for light impacts and 10,000 candelas for glare impacts.

2 As set forth below, the DEIR fails to account for the significant impacts of light pollution in a number of different respects.

**1. Failure to Adequately Describe Environmental Setting.**

CEQA requires that the EIR contain a full description of the environmental setting in

2 cont'd

which the project will occur. 14 Cal. Code Reg. § 15125; *San Joaquin Raptor v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 722-723. See also *Friends of the Eel v. Sonoma County Water Agency* (2003) 108 Cal. App. 4th 859, 874 (“The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.” (Guidelines, § 15125, subd. (c).) We interpret this Guideline broadly in order to ‘afford the fullest possible protection to the environment.’ In so doing, we ensure that the EIR’s analysis of significant effects, which is generated from this description of the environmental context, is as accurate as possible.”) (citations omitted.)

Here, the DEIR fails to provide an adequate description of the environmental setting in three key respects. First, the DEIR characterizes the area as having an ambient light level corresponding to E3, which is moderate light intensity. However, the DEIR contains no evidence or analysis for this conclusion. Instead the DEIR relies on rote characterization of the area as ‘suburban’ which it then assumes corresponds to the E3 light levels. Nothing in the DEIR describes or presents any information on the nighttime brightness of the relevant project area. Indeed, the photos of the project area contained in the DEIR are all daytime shots.

As discussed in the letter from lighting expert Marc Papineau:

What I personally observed from my visit to Novato were limited artificial light sources in the neighborhood,—mainly street lights,—and a very dark backdrop formed by undeveloped hillsides and ridges. The developed land is suburban but the visual quality of the area has a rural feel owing to the hillsides, street design and landscaping, and land uses such as the riding stables. The segment of Novato Boulevard adjoining SMHS is very dark as are the riding stables. The neighborhood is a considerable distance west of commercial areas such as Grant Avenue or the old Downtown District.

The ambient light setting (CIE brightness zone) of a neighborhood can be determined only by observing nighttime conditions. The true ambient light setting of the SMHS neighborhood is low brightness, with spaced street lights but without lighted signs or business district lights. The adjacent open space preserves and riding stables are unlighted. Therefore, the true CIE light zone of the neighborhood adjoining SMHS is best classified as Zone E2.

See Papineau Comments, p. 2. Papineau concludes by noting that “[i]f the DEIR had presented nighttime photographs the darkness of the hillsides and ridges, the absence of artificial lighting and scarcity of lights in the neighborhood would have been obvious.”

3

Second, the DEIR fails to acknowledge the extremely low light levels of open space areas that surround much of the project area, which Papineau describes as “either Zone E1 or Zone E2 depending on location (see Figure C-5).” Papineau notes that the project site is located at the interface between residential neighbors and undeveloped open space and that “[u]ndeveloped

3 cont'd

ridges form a natural backdrop to the northwest, west and southwest,” and that the two preserves to the north and southwest of the project are “unlighted, natural, oak-studded hillsides which form a dark evening backdrop to their surroundings.”

None of these areas are described in the DEIR in relation to ambient light levels. As discussed below, this omission results in the DEIR failing to provide any information about how the lighted stadium project will affect nighttime views of these areas.

4

Third, the DEIR fails to provide adequate environmental setting information regarding the relative proximity of residences to the light fixtures proposed to be constructed. Many of these residences are located or oriented in such a way vis a vis the project location that light impacts from the project may vary considerably from residence to residence.

## 2. Failure to Adequately Describe Project

5

Under CEQA, the DEIR must contain an adequate project description. *See County of Inyo v. City of Los Angeles* (1977) 71 Cal. App.3d 185, 192-193.

Here, with respect to lights, the DEIR fails to provide adequate project description in two respects. First, the DEIR provides inadequate information about the location and orientation of the eight 80 foot tall light poles, along with the sixteen 30 foot light poles proposed to be constructed for the project. Without that specific information, however, it is impossible for the public to evaluate the feasibility of avoiding light impacts. The DEIR does present computer drawings of the poles, but these are presented in isolation without reference to the surrounding area. As such, they provide inadequate information about the lighting impacts of the project.

Second, the DEIR does not provide any information about how the lights will be oriented in order to avoid significant light impacts, except to observe that this will be analyzed in the future through a deferred ‘photometric study.’ As such, the public lacks sufficient information as to how significant impacts will be avoided to neighboring residences and views of the currently existing nighttime darkness that mostly surrounds the existing project site.

## 3. Failure to Adequately Assess Project Impacts Due to Light Pollution.

6

In a number of respects the DEIR fails to assess the impacts of the proposed Project due to light pollution caused by the installation of 24 lighted pole structures, eight of which are proposed to be 80 feet tall.

First, with respect to light impacts due to ‘glare’ the DEIR presents a confusing array of facts which provide no guidance or analysis from which local residents could hope to understand the level of impacts that will occur from the Project. For example, the DEIR does not explain how it may assume that a 10,000 candela threshold for glare impacts may be considered a threshold of significance where the DEIR at the same time acknowledges that any glare above

500 *candelas* will be noticeable and potentially create ‘discomfort glare.’

7 Further, the DEIR’s analysis wrongly limits its presentation to impacts due to the amount of *discomfort glare* that residents near the stadium site would experience, but nowhere defines or characterizes this impact, as opposed to ‘glare’ that may not cause ‘discomfort,’ but does cause annoyance, intrusion on the scope of normal vision and other impacts that are not calculated. The DEIR further states that its 10,000 candela limits apply “to each light source in directions where views of bright light sources are likely to be troublesome to residents but not where momentary or short-term viewing is involved.” This presentation lacks any coherence. Is the DEIR saying that glaring light sources will not be significant because they will only be viewed on a short term basis? If so, what ‘short term’ basis is the DEIR referring to? Having glaring lights until 10 pm flowing onto a resident’s property on a Friday evening may be temporary but there is no basis for concluding that such impact is not significant from the point of view of the affected residents.

This type of incoherent analysis does not meet minimum CEQA standards, *see Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.App.4th 412, 435; *Kings County Farm Bureau v. City of Hanford, supra*, 221 Cal.App.3d at 733 (EIR must "ensure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug"), or those applicable to administrative decision making in general. *See Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515 (agency commits legal error where its findings fail to "bridge the analytic gap between the raw evidence and ultimate decision or order.")

8 Second, the DEIR’s entire analysis based on threshold’s of significance derived from an E3 ambient light condition is, as discussed above, off base. Here, the relevant environmental setting is mostly dark, with only a few lights on in the evening in the area. Thus the standards of 2 foot candles for illumination and 10,000 candelas for glare are inappropriate as thresholds of significance for this low lighted area. As discussed by Marc Papineau:

In Zone E2, which is the appropriate classification of the existing setting ...precurfew thresholds are very different from those discussed in the DEIR. Correct guidance levels during pre-curfew hours based on Zone E2 ambient setting are listed as follow:

- For illumination, 3 lux (0.3 foot candle), in the vertical plane;
- For glare, luminous intensity of 7,500 candela from any individual luminaire;
- For sky glow, less than 2.5% upward directed light...

*See Papineau Comments, p. 3.*

As discussed, the DEIR’s erroneous legal standards are based on the DEIR’s failure to properly assess the actual ambient nighttime light setting in the project area, resulting in a significant underestimation of project impacts. Here, the DEIR’s use of the wrong standard to measure whether light impacts are significant constitutes prejudicial error and an abuse of

discretion. *See e.g., No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 88 (use of an erroneous legal standard is a failure to proceed in the manner required by law and abuse of discretion by agency.)

9 | Third, the DEIR contains an inadequate discussion of the impacts of regular field lighting on nighttime skies. As discussed by Papineau:

The DEIR lacks a meaningful evaluation of sky glow or glare on specific nighttime views from vantage points in the viewshed of Little Mountain and Mount Burdell. The viewshed is substantial, and these hillsides and ridges can be viewed from numerous locations in Novato. Figure C-1 shows one example of the viewshed of Little Mountain and Mount Burdell from vantage points located along a particular segment of Novato Boulevard east of San Marin High School. Instead, the evaluation (DEIR, pp. 40-41) moves from discussion of inappropriate thresholds on page 40 to a discussion on page 41 of the visual impacts of the light poles themselves—not of the potentially intrusive spillover light, glare or sky glow of the luminaires.

*See Papineau Comments, p. 8.* This omission is significant and, similar to the improper threshold issue discussed above, is derived from the DEIR’s failure to recognize the low to nonexistent light setting of the area surrounding the project site. As noted by Papineau:

The DEIR, as written, by only asserting the night skies over the U.S. Highway 101 corridor are subject to substantial existing light pollution, presents no scientific basis for characterizing the nighttime skies of neighborhood as light-polluted. In view of the existing darkness of the unlighted ridges and hillsides which form the scenic backdrop to the northwest, west and southwest of SMHS, existing nighttime views of the dark hills and ridges could be very sensitive to sky glow over the stadium. Sky glow results not only from upward directed light from luminaires but also from reflected light that is reflected from the illuminated field surface, concrete surfaces, aluminum bleachers and buildings, and scattered light that is scattered from particles in the air. The amount of reflected and upward-scattered light can vary depending on weather conditions with more reflection from wet surfaces and more upward-scattered light from aerosols or fog. This is not evaluated in the DEIR. Based on my visit to the SMHS neighborhood on February 11, 2017, and also the field trip to Hillsdale High School on February 27, I believe that the combination of light from upward-directed luminaires, light scattered from aerosols and particles, light reflected from the surfaces, as wells as light from proposed pathway lighting could create sky glow over the SMHS stadium that would impact nighttime views.

*See Papineau Comments, p. 9.*

10 | Fourth, the DEIR fails to provide an adequate analysis of the glare impacts from lighting poles to the differently situated residences existing around the Project site. Many of these

10 cont'd

residences will be subjected to glare at levels that cannot be predicted based on a simplistic formula of candelas measured at the edge of the Project boundaries:

Based on my visit to the SMHS neighborhood on February 11, 2017, and also the field trip to Hillsdale High School on February 27, I am concerned that glare from some SMHS off campus vantage points, which are lower or higher in elevation relative to the elevation of the playing field, may be susceptible to glare at 5,000-10,000 cd. For locations west of the Hillsdale High School stadium, which are elevated relative to the playing field and track, upward-directed luminaires seem to have a substantial glare effect. I believe that elevation above the playing field places certain elevated viewing locations closer to the aiming lines of upward-directed luminaires. As confirmed during the tour, the upward directed lights are not controlled on-off during games but are kept continuously “on”—which is contrary to the statement in the DEIR prepared for SMHS. The extent of potential glare effects to neighbors of SMHS,—especially in some of the houses located along Alder Lane, Santa Gabriella Way, San Ramon Drive, and San Marin Drive,—is a concern. In view of the geometric relations described herein, there are existing residents near SMHS who reside at locations which are ripe for potential glare in the range of 5,000- 10,000 cd.

*See* Papineau Comments, p. 8.

11

Fifth, the DEIR does not undertake the required photometric analysis to identify the feasible light levels that may be feasibly accomplished based on a fully described Project, including light system. Instead, the DEIR defers this analysis until after the Project has been approved. *See e.g.*, DEIR, pp. 43-44 (“The District shall retain a qualified lighting consultant to prepare a photometric study in accordance with industry standards that estimates the vertical and horizontal foot-candles generated by the proposed stadium lighting on the football field and at the boundaries of the stadium site. The District shall coordinate with the lighting consultant to ensure that final design of the lighting system does not allow illuminance to exceed two horizontal or vertical foot-candles at any specific point on the site boundaries (i.e., at the perimeter of the stadium). In order to meet this standard for light trespass, the District may adjust the positioning of light fixtures alongside the football field, their shielding or intensity, or other design features. Final stadium lighting plans shall show light fixtures that generate no greater than two foot-candles at the site boundaries.”); *id.* at p. 44 (same language for glare issue).

Under CEQA, an EIR may only defer the formulation of mitigation measures where it provides sufficient performance standards for future mitigation to meet and explains how such standards can be feasibly accomplished given existing technology. *See e.g.* CEQA Guidelines, § 15126.4, subd. (a)(1)(B) (“Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.”) *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 236 (“Impermissible deferral of mitigation measures occurs when an EIR puts off analysis or orders a report without



11 cont'd

either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR.”)

Here, the deferred mitigation violates these requirements. As discussed above, the ‘performance standards’ identified will not avoid significant impacts due to light and glare because they are based on an assumed ambient light level of E3 which does not represent the actual low light nighttime conditions in the area. Further, the DEIR provides no discussion of how these performance standards – either corresponding to the E2 or E3 existing light settings, may be feasibly accomplished. Instead, the DEIR simply assumes that these levels can and will be met without any further discussion. As noted by Papineau:

The DEIR indicates in mitigation measures MM-AES-3 and MM-AES-4, on pages 43-44, that numerical thresholds will be applied as performance standards in the lighting design. Evaluation is not presented in the DEIR which addresses the feasibility of meeting *either correct CIE Zone 2 guidance levels or the incorrect guidance levels set forth in the DEIR.*

See Papineau Comments, p. 3.

12

Finally, the DEIR provides no assessment of the cumulative impacts of all light fixtures on the existing low light setting in this open space and residential neighborhood. Here, the Project proposes 24 light poles, all emitting various amounts and directions of light, thereby transforming the entire area from a dark sky, low ambient light environment to one of bright lights and glare, a virtual 180 degree change from the existing environment. The proposition that this monumental aesthetic impact is insignificant strains all credulity:

Based on my visit to the SMHS neighborhood and review of the DEIR, as discussed further below, it is my opinion that the analysis presented in the DEIR fails to account for the substantial addition of light and glare that will occur in this relatively unlighted area, and that this change could potentially be significant in that it could essentially change the entire aesthetic environment of the local area within viewshed of the lighted field, including not only the views available from the residences adjoining or near SMHS but also the public views available from other more distant vantage points.

See Papineau Comments, p. 2.

**B. Comments on DEIR’s Noise Impact Analysis.**

13

To assess whether noise impacts were significant, the DEIR applies three criteria adopted from the CEQA guidelines: 1) consistency with local laws; 2) substantial permanent increase in sound levels; and 3) substantial temporary or periodic impacts.

Here, the Novato general plan has average 24 hour noise level requirements for siting residential development of 60dba; between 60-75 dba requires noise reduction materials for

building. Above 75dba is considered unacceptable. The Novato code ordinance also has "Allowable Exterior Noise Levels) - Table 24, DEIR, p. 101, which list maximum noise levels of 45dba or 10 pm to 6 am and 60 dba for 6 am to 10 pm. These levels are be reduced by 5 dba if the sound in question includes impulsive sounds such as whistles or crowd noise.

The DEIR presents long term measurements taken over a 4 day period from Thursday to Monday with an untended recorder at three locations. The DEIR also presents short term measurements at during two football games occurring on Saturday afternoons and on the following Mondays. The time periods for these measurements were 2 and 3 hours.

To measure short term, periodic noise impacts, the DEIR adopts Threshold 1, which is a noise impact will be significant if it exceeds an L5 of 55 dba, or an L max of 75 dba. The L5 is measure by the highest dba exceeded at least 3 minutes or more within an hour period of time. The max is a one time measurement.

To measure longer term impacts, the adopted Thresholds 2 and 3, which are:

Threshold 2: Increase based on 24 hour average CNEL. This is based on a sliding scale considering the increase in the CNEL (1.5, 3 or 5dbh) in comparison with the resulting CNEL for the location)

Threshold 3: Increase based on annual average CNEL. This is based on the same sliding scale discussed above, except now based on the annual CNEL rather than daily.)

The results of these measurements show that operational noise will increase and cause significant impacts as follows:

- varsity football game noise would generate L5 noise levels that exceed the threshold of 55 dBA at all of the receiver locations except ST-5 which is the 720 feet from the field.
- average daily CNEL would exceed the thresholds at two locations.

The DEIR results further show that max noise levels would not exceed the standard of 75dba chosen as a significance threshold. Instead, the highest threshold measured is 73 dba (*See* Table 28, DEIR, p. 108)

The DEIR also finds that the annual CNEL would not have a significant increase, even including measurements of practices and other sports etc. The DEIR also finds that construction and traffic impacts will not have significant noise impacts.

To address the significant noise impacts identified, the DEIR identifies as possible mitigation a measure to work with the PA system so it does not exceed the L5 55dba threshold of significance. However, the DEIR notes that it cannot guarantee such a standards will be feasible

13 cont'd | to accomplish, (the DEIR notes that previous measurements of the PA system were up to 74dba on Saturday afternoon games), nor does the PA system mitigation do anything about other noises generated by the Project, including crowd noise.

We question the DEIR's analysis here relying solely on noise comparisons between afternoons with and without games, when in fact the real comparison is to quieter Friday nights where there is no 'event' – the current situation – versus when there is an event – the proposed Project. Here, the current noise setting is very low, yet will be completely transformed by the advent of Friday night football games.

14 | We also question the use of 'daily' dba limits as absolute thresholds for whether an impact is significant in that the use of such thresholds does not account for the particular increase in noise during the time of activity in question, in this case from a relatively quiet Friday evening to a noisy one. The DEIR nowhere presents information on the actual dba increase for the time period of the event between existing and projected future conditions. As a result the DEIR does not accurately present the true noise increase that may be expected to occur at a time when local residents are having dinner, hosting visitors or trying to go to sleep.

### C. Comments on DEIR's Analysis of Traffic and Parking Impacts.

The DEIR's traffic impact analysis is flawed for a number of reasons.

15 | The DEIR does not adequately describe the environmental setting. First, the DEIR presents traffic intersection information but does not present existing setting information on the most relevant and affected intersection at San Marin Drive at San Carlos Way. Thus the DEIR's analysis of traffic impacts is incomplete, especially given the likelihood that this area will be backed up on Friday evenings due to crowd's combining later Friday commuters.

16 | Second, the DEIR does not provide traffic counts for the area that correspond to the time of year when school is in session and high school football games are occurring. Instead, the DEIR relies on traffic counts in June, after school is out, compared to the fall when local traffic may be expected to be heavier.

17 | Finally, the DEIR does not provide adequate information regarding the existing availability of parking in the area, including how the Project proposes to handle the increased number of visitors expected for Friday night games.

18 | The DEIR also does not accurately describe the project in that it underestimates the trip generation that will occur. Here, the closest data, for Marin Catholic High School stadium, shows a trip generation of 0.45 trips per event attendee. However, in this case, the DEIR assumes a crowd attendance that does not account for the increased number of visitors expected due to the shift in events to nighttime. (See DEIR project purposes to "[a]llow for games at times when students, parents, and community members can *more easily attend* the events, thereby

18 cont'd

*increasing school spirit and revenue from ticket purchases.”) (emphases added).*

As a result, the trip generation ratio is lowered to an effective rate of 0.18 per seat, which is only 40% of the local data from Marin Catholic, thereby resulting in a significant underestimation of potential increased traffic. Indeed, even if the DEIR’s trip generation ratio of .31 per seat were used, the project hourly trips at a sellout game would be 735 trips, as compared to the 442 trip figure used in the DEIR. *See* Comments of Robert Harrison.

The result of these inaccurate descriptions is that traffic impacts for the Friday night event component of the Project are underestimated, thereby falsely conveying the impression that traffic impacts will be insignificant when in fact there is no basis for that conclusion. *See e.g., San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal. App. 3d 61, 74; CEQA Guideline § 15144. (agency is required to use its best efforts to find out and disclose all it reasonably can.") *See also* Pub. Res. Code § 21160.

19

Further, the DEIR’s failure to address the potential impacts of inadequate parking means that further traffic and parking impacts not addressed in the DEIR may occur. Here, the traffic added when drivers cannot find convenient parking and must instead drive around looking for parking is a CEQA traffic issue and must be evaluated. In many cases, the level of traffic impacts generated on local back streets due to this type of 'trolling' for parking space can be significant. Further, visitor parking displacement of local residents’ ability to park near their homes must also be addressed under CEQA. *See Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal. App. 4th 1013. Given the DEIR provides no information on this topic, it is inadequate to address this significant impact.

#### **D. Comments on DEIR’s Alternatives Analysis.**

20

Under CEQA, a lead agency is required to consider a reasonable range of alternatives to the project, particularly to examine whether there are alternatives that would potentially avoid the significant impacts of the proposed project. *See* Pub. Res. Code §§ 21002, 21002.1(b)); *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437, 1456; 14 Cal Code Regs. § 15126.6 b (“[D]iscussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”)

A central tenant of CEQA is that an EIR identify alternatives to the project that may reduce or avoid the project's significant adverse impacts, thus accomplishing CEQA's basic statutory goals. *See Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 400-403; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564. Public Resources Code § 21002 states that “it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant

20 cont'd | environmental effects of such projects.” Only in the event “specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects,” *id.*, through the City’s adoption of a Statement of Overriding Considerations. *Id.*, § 21081.

Here, the DEIR fails to meet this basic CEQA objective, instead dismissing offsite alternatives that would avoid significant community impacts due to excessive lights, noise and traffic. The DEIR states that none of the offsite alternatives are feasible in that “[a]ll of the off-site alternatives would require student athletes, coaches, and support staff to be transported to and from the site for games and practices,” which the DEIR states “would result in additional traffic, traffic noise, and mobile air pollution and greenhouse gas (GHG) emissions compared to the proposed project.” However, this is not a reason for rejection of offsite alternatives, particularly where such additional impacts are themselves negligible or insignificant. Without any standards to measure by, the DEIR cannot conclude that other alternatives are infeasible. *See e.g., Ecology Center v. Austin*, 430 F.3d 1057, 1067-1068 (9th Cir. 2005) (“Because the EIS does not disclose what this threshold is, much less explain how the threshold was determined, we cannot evaluate the Service’s decision.”)

21 | Instead, the DEIR identifies only two action alternatives, the use of portable lights and use of Novato High School. For these alternatives, the DEIR states that “[n]one of the alternatives would eliminate the unavoidably significant noise impact associated with nighttime football games.” The DEIR also states that these alternatives “would introduce additional or more severe impacts compared to the proposed project” such as increased “transportation and traffic” for the Novato High School option or increased impacts to air quality and greenhouse gas emissions for portable lighting. The DEIR then goes on incongruously to identify the Novato High School option as the “environmentally superior alternative.”

Similar to its dismissal of offsite project alternatives, the DEIR’s dismissal of these alternatives fails to meet CEQA standard, which requires an agency to adopt alternatives that can avoid or substantially lessen the significant impacts of a project, as described above. Here, there is no evidence in the record that the use of portable lights would have significant impacts on air quality or greenhouse gas emissions, either in their own right or compared to the substantial use of electricity required to power the 24 light fixtures envisioned by the project. Nor is there any evidence that the use of Novato High School would cause significant transportation impacts, though it would clearly avoid the significant impacts caused by the proposed Project.

Perhaps most egregiously, the DEIR never considers as part of its alternatives analysis the feasible option of using the local


22 | Here in failing to consider any offsite alternative that would avoid the Project’s significant impacts – such as, for example, the use of the local Indian Valley College fields – which are presently lighted - as a location for Friday Night Lights football while at the same time simply relying on practice fields presently being constructed at San Marin High to handle whatever

22 cont'd | additional field needs there may be for practices so as to avoid having to hold practices in the evening. This alternative would avoid *all* significant impacts that will be caused by the Project, if feasible, and yet was never considered as part of the DEIR's analysis. This omission violates CEQA. *See e.g., Federation of Hillside & Canyon Associations v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1264 (discussion should focus on "alternatives that could substantially reduce or avoid one or more of the significant environmental effects while still serving the project's fundamental objectives.")

#### IV. CONCLUSION

23 | We request that the District withdraw this DEIR and recirculate a new one that 1) correctly and adequately describes the environmental setting and actual scope of the proposed Project; 2) accurately identifies the foreseeable significant impacts of the Project on the local community; and 3) considers an action alternative capable of avoiding such impacts.

Yours Truly,

A handwritten signature in blue ink that reads "Michael Graf". The signature is written in a cursive style and is placed on a light-colored rectangular background.

Michael Graf  
Coalition to SAVE SAN MARIN

## Letter 102

**COMMENTER:** Michael Graf

**DATE:** March 3, 2017

### **Response 102.1**

The commenter summarizes the contents of the letter. The specific comments summarized here are presented and responded to in the following responses.

The commenter also summarizes the proposed project and the general conclusions of the Draft EIR, followed by a discussion of CEQA requirements and case law. These comments do not challenge or question the analysis or conclusions of the Draft EIR, and therefore do not require a specific response.

### **Response 102.2**

The commenter states an opinion that the environmental setting in regards to aesthetics and lighting in the Draft EIR is inadequate. Specifically, the commenter opines that the appropriate lighting zone for the project setting should be E2 rather than E3, and that the Draft EIR does not describe the night lighting setting. The commenter refers to similar comments made by another commenter, Marc Papineau (Letter 6). Please see responses 6.2 through 6.5, and Master Response A — Lighting and Aesthetics.

### **Response 102.3**

The commenter states an opinion that the Draft EIR “fails to acknowledge the extremely low light levels of open space areas that surround much of the project area” and refers to similar comments made by another commenter, Marc Papineau (Letter 6). Please see responses 6.2 through 6.5, and Master Response A — Lighting and Aesthetics.

### **Response 102.4**

The commenter states an opinion that the Draft EIR “fails to provide adequate environmental setting information regarding the relative proximity of residences to the light fixtures proposed to be constructed,” and that “many of these residences are located or oriented in such a way vis a vis the project location that light impacts from the project may vary considerably from residence to residence.”

It is acknowledged that light impacts may vary in the neighborhood. This fact does not affect the conclusions of the Draft EIR, which is not required to include a separate impact analysis for each residence. In addition, proximity of residences to the project site is discussed in a number of places throughout the Draft EIR, including in Section 2.3, *Existing Site Characteristics*, and in Section 4.1, *Aesthetics*, under Setting, which state that “The nearest residences are located approximately 120 feet north and northeast of the stadium track.” The Draft EIR characterizes the impacts to the residences with the most direct views of the site, including “residences on San Ramon Way have a direct southward line of sight toward the stadium,” and therefore provides a conservative assessment.

Please see also Master Response A — Lighting and Aesthetics.

### **Response 102.5**

The commenter states an opinion that the Draft EIR does not include adequate information about the proposed location of the light poles or how the lights would be oriented. On the contrary, the Draft EIR

clearly states in Section 2, *Project Description*, under subsection 2.4.1.1, *Lighting*, that the poles would be “installed at eight locations, arranged as four poles spaced evenly along each long side of the athletic field. The second set of poles would support lighting fixtures for illuminating the field during post-event egress, clean-up, and potentially during sports team practices...at up to 18 locations throughout the athletic field site to provide adequate lighting for safe egress.” The area in which the lights would be placed is shown in Figure 3 in Section 2, *Project Description*. Subsection 2.4.1.1, *Lighting*, also discusses the orientation of the lights (downward, to illuminate the field, except for the upward facing luminaires used only during games). As also stated under Impact AES-3 in Section 4.1, *Aesthetics*, “the stadium lighting would be focused on the athletic field and would minimize light trespass.”

Please see also Master Response A — Lighting and Aesthetics.

### **Response 102.6**

The commenter asks why, if the Draft EIR states that that a light intensity of 500 candelas or less at school property lines facing residences would result in no discomfort glare, the Draft EIR uses 10,000 candelas as the glare threshold of significance. As described in Section 4.1.2 of the Draft EIR, *Impact Analysis*, the threshold of 10,000 candelas for glare impacts was based on the International Commission on Illumination’s glare threshold for lighting zone E3, which is the lighting zone identified in the Draft EIR for the proposed project. Please see Response 6.9 and Master Response A – Lighting and Aesthetics.

### **Response 102.7**

The commenter states an opinion that the analysis and conclusions of the Draft EIR regarding glare impacts are “incoherent” because glare other than discomfort glare is not analyzed and because “momentary or short term viewing” is not adequately defined and analyzed. The level of light intensity (glare) at which a viewer experiences discomfort is subjective and can vary from viewer to viewer. In order to analyze potential glare impacts objectively, the Draft EIR uses a numerical threshold of 10,000 candelas as recommended by the International Commission on Illumination. The discussion of “momentary or short-term viewing” in the Draft EIR is presented to distinguish between participants and spectators on the field versus neighboring residents, who are considered sensitive receptors for the analysis of potential glare impacts. No changes to the Draft EIR are warranted.

### **Response 102.8**

The commenter states an opinion that the Draft EIR should have used the E2 lighting zone for the project site for the environmental setting and impact analysis. Please see Master Response A — Lighting and Aesthetics for a response to this comment.

### **Response 102.9**

The commenter refers to and cites another commenter’s comments. These are generally the same as comments 6.7, 6.8 and 6.27. Please see responses 6.7, 6.8 and 6.27.

The commenter also quotes the author of Letter 6 as stating an opinion that the project could create sky glow over the SMHS stadium that would impact nighttime views. Sky glow is discussed under Impact AES-5 in Section 4.1 of the Draft EIR, *Aesthetics*. Although some sky glow would occur, impacts were found to be less than significant. Please see Master Response A — Lighting and Aesthetics for additional discussion of this topic.

### **Response 102.10**



The commenter states an opinion that some off-campus viewing locations may be susceptible to glare at 5,000-10,000 candelas. The commenter also states concern that the proposed upward-facing lights could have a significant impact on viewpoints at higher elevations. The commenter does not provide modeling or other quantitative analysis that shows the light intensity (glare) levels for neighboring residences at San Marin High School. Please note that Mitigation Measure AES-4 would restrict the system design so that glare does not exceed 10,000 candelas at residential property lines facing the stadium. After publication of the Draft EIR, Musco Sports Lighting, LLC prepared photometric studies for the proposed project that modeled discomfort glare around the project site. As shown in the preliminary modeling, it is anticipated that the discomfort glare produced during operation of the proposed project would be below the 10,000-candela threshold at residential property lines facing the stadium. The preliminary photometric modeling described above accounted for both downward-facing and upward-facing luminaires. Please also see Master Response A – Lighting and Aesthetics.

### **Response 102.11**

The commenter states an opinion that Mitigation Measures AES-3 and AES-4 improperly defer mitigation because the Draft EIR uses lighting zone E3 for the project site instead of lighting zone E2. Lighting zone E3 is appropriate for the analysis, as discussed in Master Response A — Lighting and Aesthetics.

### **Response 102.12**

The commenter states an opinion that the Draft EIR “provides no assessment of the cumulative impacts of all light fixtures on the existing low light setting in this open space and residential neighborhood.” The commenter does not state what cumulative projects are pending, approved or proposed that could meaningfully affect the aesthetic impact analysis and that were not included in the Draft EIR; therefore, a specific response is not possible. The Draft EIR analyzes impacts related to the lighting included in the proposed project. Please see also Master Response A — Lighting and Aesthetics. The commenter also refers to and cites another commenter’s comments, but the quoted comment in this comment does not appear at the cited location (please see Page 2 of Letter 6).

### **Response 102.13**

The commenter summarizes some information from the Draft EIR related to the noise impact analysis, and goes on to opine that comparisons used in the impact analysis should have been between Friday nights without an event and Friday nights with an event, rather than comparing afternoon scenarios. In order to evaluate the potential impact that would occur as a result of a change from day games to night games, the noise analysis considers the increase in the CNEL on a day when a varsity football game is played at night as compared to the CNEL on a day when a varsity football game is played during the day. Football games are used since these are generally the loudest events at the high school stadium. Please see also Master Response B — Noise.

### **Response 102.14**

The commenter questions the use of “daily dba limits” as absolute thresholds for determining noise impacts since it does not account for the increase in noise during the time of activity in question.

The Draft EIR uses a 24-hour average noise level (CNEL) to evaluate the increase in noise due to the project. The CNEL includes a 5 dBA adjustment to measured noise levels during the evening (7 pm – 10 pm) when football and other activities would occur on the field with the project. The evening adjustment is intended to account for people’s increased sensitivity to noise at those times. Therefore, the Draft EIR analysis of noise impact includes consideration of increased noise during evening hours.

The commenter states that “the DEIR nowhere presents information on the actual dba increase for the time period of the event between existing and future conditions.” Although this comparison is not explicitly provided in the Draft EIR, the information on noise levels from both existing and future conditions is available in several tables and figures. For example, at Location ST-1, existing Saturday varsity football games generated an L<sub>5</sub> noise level of 68 and 70 dBA (Draft EIR Table 21) during the two games that were measured. At the homes near ST-1, the existing ambient L<sub>5</sub> noise level is 54 dBA during the daytime on Saturday when no games are played<sup>2</sup>. This means that the noise from the football game is at least 14 dBA greater than the Saturday ambient noise level. With the project and the expected increases in attendance, the L<sub>5</sub> noise level of a varsity football game on a Friday night would be 71 dBA (Draft EIR Table 28). The ambient L<sub>5</sub> noise decreases to 49 dBA on Friday evenings when games would occur with the project (Draft EIR Figure 10). This means that the noise from the football games would be 22 dBA above the existing ambient noise level during the times when the games would be played with the project. The significance conclusion that noise related to athletic events and other large events (such as graduation) associated with the proposed project would be significant and unavoidable remains valid and no changes to the Draft EIR are warranted.

Please see also Master Response B — Noise.

**Response 102.15**

The commenter states an opinion that the Draft EIR should have included setting information for the intersection at San Marin Drive and San Carlos Way, and opines that this intersection would be backed up on Friday evenings as a result of the proposed project. Please see Response 7.1 and Master Response C — Traffic.

**Response 102.16**

The commenter states an opinion that the Draft EIR should have provided traffic counts for the area that correspond to the time of year when school is in session and high school football games are occurring. Please see responses 1.4, 7.2 and Master Response C — Traffic.

**Response 102.17**

The commenter states an opinion that the Draft EIR does not adequately address potential parking impacts. Please see Master Response C — Traffic.

**Response 102.18**

The commenter states an opinion that the Draft EIR underestimates trip generation from the proposed project. Please see Response 7.3 and Master Response C — Traffic.

**Response 102.19**

The commenter states an opinion that impacts related to event attendees driving around looking for parking would be potentially significant and required analysis in the Draft EIR. Please see Response 7.7 and Master Response C — Traffic.

**Response 102.20**

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<sup>2</sup> Existing ambient levels for Saturday estimated using Saturday measurements between 5-7PM (DEIR Figure 10)

The commenter states information about analysis of alternatives under CEQA, and goes on to opine that alternatives were improperly rejected as infeasible. The commenter also appears to cite case law related to the National Environmental Policy Act, rather than CEQA, to support this opinion.

Pursuant to CEQA Guidelines Section 15126.6, the lead agency has discretion over what alternatives to evaluate and their feasibility, within reason. As noted by the commenter, the Draft EIR in Section 6, *Alternatives*, discusses the reasons for NUSD's rejection of specific alternatives. Please see also Master Response E — Alternatives.

**Response 102.21**

The commenter states an opinion that the Draft EIR dismisses the “action” alternatives. The Draft EIR does not dismiss these alternatives; rather, it analyzes them in comparison with the project as required by CEQA. The Draft EIR does not recommend or “adopt” alternatives (or, for that matter, the proposed project itself).

The commenter also opines that there is no evidence in the record that the use of portable lights would have significant impacts on air quality or greenhouse gas emissions. The commenter is correct. The Draft EIR states correctly that emissions would be greater under this alternative, but does not conclude that they would be significant. Similarly, the commenter states that there is no evidence that that the Novato High School alternative would cause significant transportation impacts. Again, the commenter is correct. The Draft EIR states correctly that traffic impacts would be greater under this alternative, but does not conclude that they would be significant.

This comment also includes an incomplete sentence from which a comment cannot be identified, and thus for which a response is not possible.

Please see also Master Response E — Alternatives.

**Response 102.22**

The commenter states an opinion that omission of use of the Indian Valley College fields in the Draft EIR “violates CEQA.” Please see Master Response E — Alternatives.

**Response 102.23**

The commenter requests that NUSD revise and recirculate the Draft EIR, and implies that the Draft EIR did not describe the project and setting or project impacts accurately and must include an action alternative capable of avoiding such impacts. This request is noted; however, recirculation of the Draft EIR is not required pursuant to CEQA, based on these responses to comments.

**From:** Geoff Hornek [mailto:ghornek@sonic.net]  
**Sent:** Friday, March 03, 2017 4:26 PM  
**To:** "eir@nUSD.org"@c.mail.sonic.net; TOM COOPER  
**Cc:** mhjoly@aol.com; Mwgraf@aol.com  
**Subject:** San Marin High School Stadium Lights Project DEIR

Ms. Sawyer:

Dear NUSD:

I am submitting the attached comment letter on behalf of the Coalition to SAVE SAN MARIN neighborhood group .

Thanks,

Geoff Hornek

**GEOFFREY H. HORNEK**

Environmental Air Quality and Acoustical Consulting

1032 Irving Street, #768

San Francisco, CA 94122

(414) 241-0236

[ghornek@sonic.net](mailto:ghornek@sonic.net)

## **GEOFFREY H. HORNEK**

Environmental Air Quality and Acoustical Consulting  
1032 Irving Street, #768  
San Francisco, CA 94122  
(414) 241-0236  
ghornek@sonic.net

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**March 3, 2017**

The following comments are submitted on behalf of the **Coalition to Save San Marin**

**Subject: San Marin High School Stadium Lights Project Draft Environmental Impact Report (San Marin DEIR) - Noise Analysis/Mitigations**

**To: Novato Unified School District**  
Attn: [eir@nUSD.org](mailto:eir@nUSD.org)  
[tcooper@nUSD.org](mailto:tcooper@nUSD.org)

Dear NUSD:

The Coalition to Save San Marin asked me to review the San Marin DEIR noise analysis and supporting technical report by RGD Acoustics (the latter included in the DEIR as Appendix E). As a consultant in environmental air quality and acoustics, I have more than 20 years of experience in the preparation and review of environmental technical reports for a wide variety of commercial, transportation, and urban development projects in California. The following content of this letter is based on my review of the RGD report.

The RGD report begins with statements that make one fear for the worst in the analysis/findings/mitigations to come (page 2, underline added to text quote below)

*“Community Response to changes in noise levels: The potential for adverse community response tends to increase as an intrusive noise becomes more noticeable above existing background noise levels. For example, if an intrusive noise has an average level that is comparable to existing average ambient noise levels, then the intrusive sound would tend to blend in with the ambient noise. However, if the intrusive sound is significantly greater than the ambient noise then the intrusive sound would be more noticeable and potentially more annoying as it can interfere with rest, working efficiency, social interaction and general tranquility.*

*“In general, human sound perception is such that a change in sound level of 3 dB is just noticeable, a change of 5 dB clearly noticeable and a change of 10 dB is perceived as a*

*doubling (or halving) of loudness (Cowen, Handbook of Environmental Acoustics, 1994).”*

The points above on audibility and relative loudness hold only for pure (single frequency) tones generated in the laboratory at relatively low intensities (loudness), not for multi-frequency, time-varying sounds produced by real-world sources in real-world background contexts. This is an important distinction because a noise from a real-world source (e.g., an air conditioner, a lawn mower, an amplified human voice heard over an outdoor public address system, etc.) has a frequency spectrum substantially different from its background context (e.g., usually motor vehicle traffic in urban areas). Noise from such sources are often audible and disturbing to a listener because the human ear can distinguish the characteristic frequency components of the noise even when its average level is not much different from (or even less than) the local background level.

In the real world, a 3 dB noise level increase could be quite clearly noticeable and have a substantial adverse effect on listener annoyance - further increases in noise level, even more so. Consider the following example: A man is relaxing in his garden when the next-door neighbor comes out with a power mower and proceeds to mow his backyard lawn. No surprise that the man could be substantially annoyed at this change of acoustic circumstances. Suppose then the neighbor’s son came out a little later with 2<sup>nd</sup> mower (i.e., producing a doubling of sound intensity – by definition, a 3 dB increase). The presence of this 2<sup>nd</sup> mower and its elevation of noise levels will be clearly noticeable to the man (or, indeed, anyone with close to normal hearing) and would likely increase his annoyance. Even had the increase been caused by the addition of a smaller noise source (e.g., a leaf blower or hedge trimmer; thus, a less than 3 dB increase), it would still likely be noticeable and a possible source of increased annoyance.

The use of the terms “just noticeable” and “clearly noticeable” early in the RDG report could set a reader up to believe that science has proved that any changes in sound levels in the low- to mid-single digit range are of no concern because either it cannot be heard or is just noticeable. A quantitative analysis of environmental noise impacts, as called for by CEQA, can’t start here. There must be a careful choice of the noise metrics most applicable to the disruptive effects of the noise sources under consideration and an evaluation of exposure severity in relation to accepted research findings from experiments/surveys of subjects exposed to noise from similar sources.

To its credit, the RDG report does substantially the right thing by choosing noise metrics that correspond to the City of Novato General Plan Safety and Noise Chapter noise/land use compatibility standards and City of Novato Municipal Code Zoning Ordinance performance standards for allowable exterior noise levels. The DEIR significance criteria for the evaluation of evening football game noise impacts on the adjacent/nearby residential neighborhood are as follows (pages 14-16, underline added to text quote below):

***“Threshold 1: A significant noise impact would occur if the combined noise from all field sources exceeds an  $L_5$  of 55 dBA or  $L_{max}$  of 75 dBA at the adjacent uses.***<sup>1</sup>

*“Discussion: ... These thresholds are based on the Novato Municipal Code which sets a noise level limit for residential areas of 60 dBA when the field would be used (between 6 AM and 10 PM). The  $L_5$  and  $L_{max}$  descriptors are used because the code states that the noise limit shall not be exceeded for an aggregate period of more than three minutes within a one-hour time period (i.e. 5% of the time or  $L_5$ ) or by more than 20 dBA at any time (i.e.  $L_{max}$ ).”*

***“Threshold 2: A significant impact would occur if the CNEL on a football game day:***

- *Increases by more than 5 dBA and the future CNEL is less than 60 dBA, or*
- *Increases by more than 3 dBA and the future CNEL is 60 dBA or greater and less than 65 dBA, or*
- *Increases by more than 1.5 dBA and the future CNEL is 65 dBA or greater*

*“For the purposes of assessing impact due to increased noise from the project, this report uses thresholds based on a FAA Draft Policy discussion screening and impact thresholds for increases in aircraft noise. This threshold is generally consistent with the Novato General Plan (SF Program 38-5).*

*“In order to evaluate the potential impact that would occur as a result of a change from day games to night games, this report considers the increase in the CNEL on a day when a Varsity football game is played at night as compared to the CNEL on a day when a Varsity football game is played during the day. Football games are used since these are generally the loudest events at the high school stadiums.”*

***“Threshold 3: A significant impact would occur if the annual average CNEL:***

- *Increases by more than 5 dBA and the future CNEL is less than 60 dBA, or*
- *Increases by more than 3 dBA and the future CNEL is 60 dBA or greater and less than 65 dBA, or*
- *Increases by more than 1.5 dBA and the future CNEL is 65 dBA or greater*

*“In order to evaluate the potential impact of noise from all field related activities during the course of a year, this report considers the increase in the annual average*

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<sup>1</sup> The **decibel (dB)** is the standard measure of a sound’s loudness relative to the human threshold of perception. Decibels are said to be **A-weighted (dBA)** when corrections are made to a sound’s frequency components during a measurement to reflect the known, varying sensitivity of the human ear to different frequencies. The **Equivalent Sound Level ( $L_{eq}$ )** is a constant sound level that carries the same sound energy as the actual time-varying sound over the measurement period. **Statistical Sound Levels –  $L_{min}$ ,  $L_{90}$ ,  $L_{10}$  and  $L_{max}$**  – are the minimum sound level, the sound level exceeded 90 percent of the time, the sound level exceeded ten percent of the time, and the maximum sound level, respectively. The **Day-Night Average Sound Level ( $L_{dn}$ )** is a 24-hour average, A-weighted  $L_{eq}$  with a 10-decibel penalty added to sound levels occurring at night between 10:00 p.m. and 7:00 a.m. The **Community Noise Equivalent Sound Level (CNEL)** is an  $L_{dn}$  with an additional 5-decibel penalty added to sound levels occurring in the evening between 7:00 p.m. and 11:00 p.m.

CNEL that would result from allowing soccer, lacrosse, practices and other non-school activities on the field at night.”

Based on the RDG analysis, the following noise significance findings are made (pages 16-19, underline added in the text quotes below):

*“Varsity football game noise with the project would generate Lmax noise levels that do not exceed the threshold of 75 dBA at the receivers Varsity football game noise with the project would generate L5 noise levels that exceed the threshold of 55 dBA at all of the receiver locations except ST-5 which is the farthest from the field (approximately 720 feet). This is considered a significant impact.”*

*“Based on the comparison, the CNEL increase at most of the receivers would experience an increase less which is less than the threshold of 3 to 5 dBA. This is less than significant. However, the residences to the north of the school (ST-1 and ST-2) would experience an increase of up to 5.8 dBA which is greater than the threshold for a significant increase of 5 dBA. This is considered a significant impact.”*

*“The annual average CNEL would increase by 0.4 dBA or less and this is less than the threshold of 3 to 5 dBA. Therefore, this is considered a less than significant noise increase.”*

So, the RDG report concludes that football/athletic activity noise from evening use of the proposed, lighted football field would **exceed the chosen CEQA significance levels under two of the four chosen criteria: it would exceed the L5 and CNEL, be slightly under (but in accord with the Lmax criterion, and be substantially under the annual average CNEL criterion.** Further, even after considering two mitigation strategies (i.e., a wall on the north field boundary and sound-limiting devices on the proposed PA system), **no effective mitigations were specified to reduce game noise impacts to a less-than-significant level.**

The following findings should be seriously considered by the Novato Unified School District before considering Project approval:

- The **noise impacts RDG identify are real and worthy of serious concern** when considering project approval. The RDG conclusions not drawn based on poorly defined terms such as “just noticeable,” “barely noticeable,” etc. They are based on accepted noise metrics that correlate well with measures of individual speech/sleep/tranquility disruption (i.e., L<sub>5</sub> and L<sub>max</sub>) and community annoyance (i.e., CNEL).
- The project noise exposure standards chosen in RDG started from consideration of standards in the City of Novato General Plan and Municipal Code that represent the highest level of acceptable noise exposure before health/welfare impacts to sensitive receptors would begin. But, as the noise monitoring data demonstrates, the residential **neighborhood surrounding the San Marin High School sports field currently experiences few evening noise events that would come close in intensity/frequency to**



**what is anticipated during every football game** evening if lights are installed and regular/frequent inter-scholastic football games are permitted. These potential sources of disturbance to the local neighborhood will continue for the life of the lighted sports facility.

- The **noise impacts identified from evening sports at the lighted field would impact the local neighborhood exclusively**. Students and all other football fans in City/County would get the benefit of the lighted field, while only the local neighborhood residents would get all the annoyance associated with noise from evening football games (and other athletic activities permitted there).

Sincerely,

Geoffrey H. Hornek

## Letter 103

**COMMENTER:** Geoffrey H. Hornek

**DATE:** March 3, 2017

### **Response 103**

This letter is substantially the same as Letter 100. Please see the responses to Letter 100.

Letter 104

**From:** Mark Andrews [mailto:markandrews01@gmail.com]  
**Sent:** Sunday, February 05, 2017 8:56 PM  
**To:** Environmental Report  
**Cc:** Laura Katis  
**Subject:** San Marin High School Stadium Lights

Dear Mr. Hawkins: I am writing concerning the proposed San Marin HS stadium lights project.

I live with my family at 1 Harding Drive in Novato and am a neighbor to Novato High School. My house is about 250 feet from the Novato High football field. While I don't know the specifics about the San Marin location and the project's potential effects on its neighbors, I do know that such a project at Novato High would have a major detrimental effect to my neighborhood. Currently I can hear the stadium PA system *very loud and clear* at my house as well as lots of crowd noise. And that's OK -- during the day, at least. After dark, that would be a completely different story. The neighborhood is otherwise very quiet after dark, and I happen to have two young children that go to bed fairly early, as young kids should. I know from when my son was a baby, the daytime games were loud enough to keep him awake from his nap. If these games were to happen at night, our quality of life would suffer tremendously.

So my concerns are this: First, if the San Marin site is similarly situated in a residential neighborhood like Novato High, I can tell you those residents are going to be facing substantial nighttime noise issues. Second, I am concerned about the plan to bus Novato High students to San Marin High for Novato High night games. My concern is that this will inevitably lead to Novato High students/coaches/parents getting tired of playing "home" games at San Marin and will lead to a Novato High stadium light project due to that pressure.

Thanks for your consideration. Please consider the substantial nighttime noise pollution impact to residential neighborhoods before moving forward with any stadium light projects.

Regards,  
Mark Andrews  
1 Harding Dr  
Novato, CA 94947  
(415) 830-1578

## Letter 104

**COMMENTER:** Mark Andrews

**DATE:** February 5, 2017

### **Response 104**

The commenter states concerns about noise from the proposed project, but does not provide comments on the Draft EIR. These comments are noted. On football game days, as discussed in Section 4.5, *Noise*, of the Draft EIR, noise levels associated with activities on the field would exceed both the hourly L<sub>5</sub> threshold and the daily CNEL threshold and would result in a significant and unavoidable impact. See also Master Response B – Noise.

The commenter also states an opinion that the proposed project could lead to a Novato High stadium light project. This comment is noted; however, the Draft EIR does not analyze a lighting project at Novato High School as such a project is not proposed.

**From:** Mark Andrews [mailto:markandrews01@gmail.com]  
**Sent:** Friday, March 03, 2017 10:40 AM  
**To:** Environmental Report  
**Subject:** Citizen comment on San Marin High School Stadium Lights

To the NUSD Board of Trustees:

I am writing concerning the proposed San Marin HS stadium lights project.

I live with my family (including kids in NUSD schools) at 1 Harding Drive in Novato and am a neighbor to Novato High School. My house is less than 100 yards from the Novato High football field. While I don't know the specifics about the San Marin location and the project's potential effects on its neighbors, I do know that such a project at Novato High would have a major detrimental effect to my neighborhood. Currently I can hear the stadium PA system very loud and clear at my house as well as lots of crowd noise. And that's OK -- during the day, at least.

After dark, that would be a completely different story. The neighborhood is otherwise very quiet after dark, and I happen to have two young children that go to bed fairly early, as young kids should. I know from when my son was a baby, the daytime games were loud enough to keep him awake from his nap. If these games were to happen at night, our quality of life would suffer tremendously.

So my concerns are these: First, if the San Marin site is similarly situated in a residential neighborhood like Novato High, I can tell you those residents are going to be facing substantial nighttime noise issues. Second, I am concerned about the plan to bus Novato High students to San Marin High for Novato High night games. My concern is that this will inevitably lead to Novato High students/coaches/parents getting tired of playing "home" games at San Marin and will lead to a Novato High stadium light project due to that pressure.

Thanks for your consideration. Please consider the substantial nighttime noise pollution impact to residential neighborhoods before moving forward with any stadium light projects.

Regards,  
Mark S. Andrews  
1 Harding Dr  
Novato  
(415) 830-1578

## Letter 105

**COMMENTER:** Mark Andrews

**DATE:** March 3, 2017

### **Response 105**

This letter is substantially the same as Letter 104. Please see response 104.

**From:** janbil33@gmail.com [mailto:janbil33@gmail.com]  
**Sent:** Friday, March 03, 2017 5:25 PM  
**To:** Environmental Report  
**Subject:** Renting the field?

We live on San Carlos Way and initially supported the installation of lights at San Marin High School. This was because we believed that the purpose was to enable football games on Friday or Saturday nights. But, now we are hearing that the revamped stadium will be rented out, resulting in the lights being on most days of the week. This is not what we thought was going to occur. That would result in a dynamic change in the evening environment in our neighborhood. If the school board is considering using that field for, as an example, soccer games, we submit that most of the park facilities, we have been acquainted with, that have evening soccer are huge park and rec facilities. The lighted field is set back from homes. The field at San Marin High School does not meet such criteria. If what we hear about the lighted field several nights a week is true, we ask the school board to decline approval for such a project.

Thank you.

Bill Bradfield

## Letter 106

**COMMENTER:** Bill Bradfield

**DATE:** March 3, 2017

### **Response 106**

The commenter states concerns about the proposed frequency of night-lighted events and about non-San Marin High School use of the athletic field. Please see Response 19.5.



Letter 107

**From:** Mark Brand [mailto:bakerdad@gmail.com]

**Sent:** Friday, March 03, 2017 9:59 AM

**To:** JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

**Subject:** Stadium Lights

Recently I attended the board meeting at which the draft EIR for stadium lights at San Marin High School was presented. It seemed that there were two schools of response. "Don't ruin our neighborhood" and "It's for the kids".

Having raised kids in this neighborhood, who attended San Marin High School, I definitely support improved facilities for their education and recreation. However, I'm also very concerned about the impact that lighting, noise and increased use will have on the surrounding neighbors.

I would ask you to come to the San Marin campus some clear, quiet evening and appreciate the beauty and peace of the area. Enjoy the star studded sky and quiet darkness. Now imagine 1500 people cheering on a team. Imagine lights as bright as day. Imagine 1500 people parking in a lot with maybe 100 parking spaces.

Imagine coming home from a long day of work and trying to find a parking space for yourself. Imagine trying to watch TV with 1500 people shouting across the street or a block away. Imagine trying to enjoy a barbecue or glass of wine on the patio with the noise, lights and traffic surrounding you.

Please consider an alternative to lighting the stadium at San Marin. The idea of using IVC as an alternative was dismissed too casually. It is a much better option.

The impact to the community should be ameliorated prior to any further movement towards installing lighting at San Marin HS

Mark Brand  
314 Conifer Pl  
Novato, CA 94945

## Letter 107

**COMMENTER:** Mark Brand

**DATE:** March 3, 2017

### **Response 107**

The commenter states concerns about potential project impacts related to lighting, noise and increased use on the surrounding neighbors. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR. The commenter also expresses support for the IVC alternative and states an opinion that it was dismissed “too casually” in the Draft EIR. Please see Master Response E – Alternatives.

Letter 108

**From:** Flo Burrows [mailto:florettaburrows@live.com]  
**Sent:** Thursday, March 02, 2017 10:03 PM  
**To:** Environmental Report  
**Subject:** San Marin H.S. Light Project #2016082068

We would not like the lights and the loud speakers especially at night!  
We have lived in our community for many years enjoying its peaceful  
tranquility. We can hear the games during the day and that is enough!!!

Bill and Floretta Burrows  
27 San Miguel Way  
Novato, CA 94945

## Letter 108

**COMMENTER:** Bill and Floretta Burrows

**DATE:** March 2, 2017

### **Response 108**

The commenter states opposition to the project, but does not question or challenge the analysis or conclusions of the Draft EIR. These comments are noted.

Letter 109

**From:** Barbara Byers [mailto:barb52byers@gmail.com]  
**Sent:** Wednesday, March 01, 2017 9:12 AM  
**To:** Environmental Report  
**Subject:** San Marin Stadium Lights

As a resident of the San Marin neighborhood, I would like to express my support for the proposed stadium lights at San Marin High School.

I believe that having the lights at the San Marin field will give additional opportunities for our San Marin students to participate in school activities. Having lights will provide students a safe place to gather to support their teams and to socialize with friends on a weekend evening.

Additionally, there is a need for lighted stadium to provide a place for sports teams to practice during the late Fall and Winter. Some students now need to leave class early in order to be able to attend practices before dark. A lighted field will allow time for all the teams to practice without sacrificing instructional time for any students.

As I feel strongly that the stadium lights should only be used for San Marin and NUSD events, I appreciate the sentence in the Executive Summary which states "The stadium lights would not be used for community or non-school activities."

Thank you for the time that you devote to the students of Novato.

## Letter 109

**COMMENTER:** Barbara Byers

**DATE:** March 1, 2017

### **Response 109**

The commenter states support for the project, but does not question or challenge the analysis or conclusions of the Draft EIR. These comments are noted.

Letter 110

**From:** miriam campos [mailto:meccomail@gmail.com]  
**Sent:** Wednesday, January 25, 2017 7:22 PM  
**To:** Environmental Report  
**Subject:** San Marin lights

One topic that was mentioned during the meeting on 1/24/17, but not addressed, was the fact that there used to be much fewer sporting events in the past. I am probably wrong, but I think the coach said there used to be 15 different sports, and now there are 40.

Maybe the answer to the problem is not more fields but less sports. Instead of listening to and parroting the cries that kids need organized activities, NUSD should be listening to the those that say that kids need free play, less stress and more family time. NUSD could be a "game-changer" in helping parents be better parents by advocating family time instead of field time.

Maybe San Marin needs to assess which sports are better for their students? Which is better for San Marin: track and field or lacrosse? Soccer or football? And focus on what meets the needs of their students, or their schedules.

Maybe this is a good time to re-evaluate what is important, and downsize. You cannot do everything, even if the lights go in. So why not start thinking about how to live within your field "budget" now.

Thank you for listening,

Miriam Campos

## Letter 110

**COMMENTER:** Miriam Campos

**DATE:** January 25, 2017

### **Response 110**

The commenter suggests that NUSD students play fewer sports and instead encourages “free play, less stress and more family time,” but does not question or challenge the analysis or conclusions of the Draft EIR. These comments are noted.



**From:** Russell Dodge [mailto:russelldodge@icloud.com]  
**Sent:** Thursday, March 02, 2017 2:26 PM  
**To:** Environmental Report  
**Subject:** ISSUES AND ERRORS IN EIR

Please explain the Project Description below. It claims there will be no significant change in frequency of events. If that is the case then clearly there is no significant change in the need for additional field access. Either this statement is completely wrong or the claim that more practice time is needed is not true. Is this a careless mistake, or was the argument for more practice time just a way to get a lighted field that is not needed.

Please explain why there is a statement that the stadium lights would not be used for community or non-school activities. There is nothing in the proposal that would prevent the use of the fields for non-school events. Even if the current board and the administration promised not to allow such use, a future board and/or administration could cancel that promise at any time. Why was a hollow promise included in the draft EIR. This point has been brought up multiple times and neither the board or administration has addressed it in any way. Why not? Was this an attempt to deceive the local community or just a stupid mistake.

**PROJECT DESCRIPTION (PAGE 1)**

“While the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not significantly change from existing usage. The stadium lights would not be used for community or non-school activities.”

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## Letter 111

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 111**

The commenter states an opinion that since no substantial change in the frequency of events at the athletic field is proposed, there is no “significant change in the need for additional field access.” The commenter is correct; the primary change would be the timing of events, rather than “additional field access.” As stated in the sentence from the Draft EIR referenced by the commenter, while the timing of some events would shift to evening and nighttime hours, the overall frequency of events per school year would not significantly change from existing usage.

The commenter also states an opinion that the athletic field would be used for non-San Marin High School events. Please see Response 19.5 and Master Response A – Lighting and Aesthetics.

**From:** Russell Dodge [mailto:russelldodge@icloud.com]  
**Sent:** Thursday, March 02, 2017 3:10 PM  
**To:** Environmental Report  
**Subject:** Issues and errors in draft EIR

1 Three alternatives to the proposed project were chosen for detailed analysis as follows:

- Alternative 1: No Project
- Alternative 2: Stadium Lighting at Novato High School
- Alternative 3: Portable Lighting Systems

*These three alternatives were clearly carefully crafted in order achieve a result determined in advance. These alternatives do not meet the **minimum requirement for alternatives.***

An EIR must describe and analyze a range of reasonable alternatives to the project that:

1. are potentially feasible,
2. would “feasibly attain most of the basic objectives of the project,” and
3. would avoid or substantially lessen any of the project’s significant effects. (CEQA Guidelines §15126.6, subd. (a).)

These project alternatives are so defective they clearly do not meet reasonable standards as required.

2 There is no question, nor has there ever been a question that Novato Hight School (alternative 2) is less suited to lights than San Marin High School. The administration at Novato has declined to pursue lights because of the clear negative impact on the local community. There was never a possibility that this alternative would avoid or substantially lessen any of the projects significant effects. This was a fraudulent alternative.

3 Alternative 1, no project, was not even evaluated as a no project alternative. It looked at alternate sites that were more clearly unsuitable as Novato High School (alternative 2). Further, the no project alternative was not evaluated at all as a no project alternative. A no project alternative should offer an alternative that did not involve lights. No attempt was made to meet any of the project goals without using lights.

4 A no project alternative will meet all but part of one of the 6 project goals:

1. Provide nighttime opportunities for students to gather to cheer on their team

Using San Andreas (which would need work) would allow substantially more practice time (goal 1)

Allow weekend scheduling of more games which would mean access without lost work time for parents or class time for students (goal 2)

Goal 4 becomes a moot point

4 | Improve athletic safety (goal 5)

cont'd | Improve the sound system (goal 6), which is completely unconnected to the issue of lights.

The third project alternative was also a fraudulent alternative. Portable lights would have been inferior for the purpose and more damaging to both the environment and to the aesthetics of the surrounding community. This was also clear at the time the alternative was listed.

Russell Dodge

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## Letter 112

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 112.1**

The commenter summarizes the alternatives studied in the Draft EIR and states an opinion that the alternatives “do not meet the minimum requirement for alternatives.” Please see Master Response E – Alternatives.

### **Response 112.2**

The commenter also opines that Alternative 2, Stadium Lighting at Novato High School, is “fraudulent” because it would not avoid or substantially reduce impacts compared to the proposed project. The commenter is correct that, upon study in the Draft EIR, Alternative 2 was found to have similar or slightly greater impacts than the proposed project. However, this alternative was among the few options identified by NUSD that would achieve some project objectives and be generally feasible. Please see also Master Response E – Alternatives.

### **Response 112.3**

The commenter states an opinion that Alternative 1, the No Project alternative, looked at alternate sites and did not attempt to meet any of the project goals without using lights. The No Project alternative did not evaluate alternate sites but rather analyzed the potential environmental impacts and achievement of project objectives without implementing the proposed project. A number of alternate sites are evaluated in Section 6.2 of the Draft EIR, *Alternatives Considered but Rejected as Infeasible*. These rejected alternatives are unrelated to the No Project alternative. As described in CEQA Guidelines Section 15126.6(e), “the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.” There is no requirement for the No Project alternative to attempt to meet the objectives of the proposed project. No changes to the Draft EIR are warranted.

### **Response 112.4**

The commenter states an opinion that use of the San Andreas site would achieve most of the project objectives. The San Andreas site was evaluated in Section 6.2 of the Draft EIR, *Alternatives Considered but Rejected as Infeasible*. The analysis found that the environmental impacts associated with development of a stadium at this site would be similar to or greater than those of the proposed project. The analysis also found that development of this site would be cost-prohibitive and therefore would be infeasible. No changes to the Draft EIR are warranted. Please also see Master Response E – Alternatives.

**From:** Russell Dodge [mailto:russelldodge@icloud.com]  
**Sent:** Thursday, March 02, 2017 5:49 PM  
**To:** Environmental Report  
**Subject:** EIR ISSUES AND ERRORS

Letter 113

RE:

**Table 1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts (p 4)**

**impact AES-1** The addition of lights and light poles at the stadium would incrementally alter views of and through the stadium site. However, because light poles would not substantially obstruct views of scenic resources, impacts to scenic vistas would be less than significant.

*This statement clearly demonstrates that there was no consideration of the multiple lights attached to each pole. Nor was there consideration of the fact that the project involves 44 total poles (8 for 80 foot tall stadium lights, 18 for egress, and 18 for speakers), a virtual forest of poles.*

*The light clusters from these lights will be clearly visible from many of the homes on San Ramon Way. Though they are 80 feet up above the field they will be directly in our line of site and will definitely obstruct our views of scenic resources.*

You need to completely reevaluate the view considering anyone who will be impacted, not just people who are standing on the school grounds. I think you also should explain how you could fail to see that these lights would be in the line of sight from so many homes. Please also consider that they will be visible in the daytime even if not turned on, and will be visible every night they are in use. That would be 6 nights a week for about 7 months.

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## Letter 113

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### Response 113

The commenter states an opinion that the Draft EIR does not acknowledge that the proposed light poles would be visible from a number of private residences and would have multiple light fixtures on them. The commenter also states an opinion that impacts related to all of the proposed poles were not discussed in the Draft EIR. Please see Figure 4 in Section 2, *Project Description*, which clearly shows the proposed pole design and fixture arrays, which form the basis for the impact analysis. Section 4.1, *Aesthetics*, of the Draft EIR includes a discussion of potential view impacts from residences and public viewpoints under impacts AES-1 through AES-5. Please see also Master Response A – Lighting and Aesthetics.

As shown below, additional text has been added to Impact AES-1 and Impact AES-2 to clarify the number and height of all project-related poles. This clarifying information does not change the significance conclusions in Section 4.1.2 of the Draft EIR, *Impact Analysis*. The approximately 30-foot egress lighting and speaker poles would be partially screened by existing trees adjacent to the project site and would be similar to existing on-site poles, such as the existing speaker poles behind the bleachers on the east side of the stadium, and similar to or shorter and narrower than existing street lights on San Marin Drive. Impacts to scenic vistas and the existing visual character or quality of the site would remain less than significant.

**Impact AES-1 THE ADDITION OF LIGHTS AND LIGHT POLES AT THE STADIUM WOULD INCREMENTALLY ALTER VIEWS OF AND THROUGH THE STADIUM SITE. HOWEVER, BECAUSE LIGHT POLES WOULD NOT SUBSTANTIALLY OBSTRUCT VIEWS OF SCENIC RESOURCES, IMPACTS TO SCENIC VISTAS WOULD BE LESS THAN SIGNIFICANT.**

The project would introduce eight light poles up to 80 feet tall to the stadium site, incrementally altering existing views of and through the site. In addition, up to 36 poles (18 egress lighting poles and 18 public address system poles), each up to approximately 30 feet tall would be installed throughout the project site to provide lighting for safe egress and clean-up and to provide focused, distributed sound during athletic events. These structures would not substantially affect views from scenic roadways. While the segment of U.S. 101 to the north of SR 37 in Novato is eligible for State designation as a scenic highway, this highway is located approximately 2.3 miles east of the project site; distance, existing trees and vegetation, and intervening hillsides would obscure the proposed light and speaker poles from U.S. 101. However, the light and speaker poles would affect views of scenic resources from local residences and parks. As shown in Photo 4, residences on the east side of San Marin Drive have views across the stadium to the northwest of hillsides and ridgelines in the Mt. Burdell Open Space area. Existing deciduous and evergreen trees in the median of San Marin Drive partially obstruct these views. In addition, equestrians south of Novato Boulevard at Morning Star Farm in O’Hair Park have similar northward views of hillside, atop the one-to-two-story buildings at San Marin High School. New light and speaker poles would be partially visible in the foreground of views toward scenic hillsides and ridgelines. However, the narrow light and speaker poles would only occupy a sliver of the overall views through the stadium site. In addition, the approximately 30-foot tall egress lighting and speaker poles would be similar to existing poles on-site, such as the existing speaker poles behind the bleachers on the east side of the stadium, and similar to or shorter and narrower than existing street lights on San Marin Drive (see Figure

5, Photo 2). The egress lighting and speaker poles would be partially screened by existing trees adjacent to the project site and would not substantially affect views of the surrounding hillsides and ridgelines (see Figure 6, Photo 4). The poles would have minimal impact to the overall viewshed from surrounding properties and would not substantially obstruct views of any identified scenic resources. Consequently, impacts to scenic vistas would be less than significant.

**Impact AES-2 THE PROPOSED LIGHT POLES WOULD INCREMENTALLY ALTER DAYTIME AESTHETIC CONDITIONS AT THE STADIUM SITE. HOWEVER, LIGHT POLES WOULD NOT CONFLICT WITH THE VISUAL CHARACTER OF THE STADIUM’S VICINITY AND WOULD HAVE A NEGLIGIBLE EFFECT ON OVERALL VISUAL QUALITY. IMPACTS ON VISUAL CHARACTER AND QUALITY WOULD BE LESS THAN SIGNIFICANT.**

The project would introduce eight light poles up to 80 feet tall to the stadium site, incrementally altering existing daytime visual character in the vicinity. In addition, up to 36 poles (18 egress lighting poles and 18 public address system poles), each up to approximately 30 feet tall would be installed throughout the project site to provide lighting for safe egress and clean-up and to provide focused, distributed sound during athletic events. As discussed in Impact AES-1, the new light and speaker poles would be partially visible from residences on the east side of San Marin Drive and from recreational users at O’Hair Park. In addition, Photo 1 shows that several residences on San Ramon Way have a direct southward line of sight toward the stadium. The light and speaker poles would be fully visible to these residences from a distance of at least 225 feet. In addition, Photo 3 shows that people using the Dwarf Oak Trail in the Mt. Burdell Open Space area would have direct southward views of the light and speaker poles from a distance of approximately 1,100 feet (0.2 miles). Although the new light and speaker poles would be partially or fully visible to neighboring residences and recreational users of open space areas, they would be narrow and would only occupy a sliver of the overall views through the stadium site. In addition, the approximately 30-foot tall egress lighting and speaker poles would be similar to existing poles on-site, such as the existing speaker poles behind the bleachers on the east side of the stadium, and similar to or shorter and narrower than existing street lights on San Marin Drive (see Figure 5, Photo 2). The egress lighting and speaker poles would be partially screened by existing trees adjacent to the project site and would not substantially affect views through the stadium site (see Figure 6, Photo 4). The light and speaker poles would be visually compatible with existing elevated structures at the stadium, including a flag pole at the southwest end of the field, yellow goal posts at each end, and bleachers and mounted speakers alongside the field. The mass, materials, architectural style, and surface treatments of the poles also would be typical of elements commonly seen at sports stadiums. Nighttime aesthetics impacts from light and glare are analyzed separately in Impacts AES-3 and AES-4. Therefore, impacts to daytime visual character and quality would be less than significant.

The commenter also states that the proposed lights would be visible at night from surrounding properties. The commenter is correct. Please see the discussions under Impacts AES-2 and AES-3 in Section 4.1, *Aesthetics*, of the Draft EIR where these topics are addressed at length.



Letter 114

**From:** Russell Dodge [mailto:[russelldodge@icloud.com](mailto:russelldodge@icloud.com)]  
**Sent:** Thursday, March 02, 2017 5:55 PM  
**To:** Environmental Report  
**Subject:** EIR Issues and errors

**Impact AES-2** The proposed light poles would incrementally alter daytime aesthetic conditions at the stadium site. However, light poles would not conflict with the visual character of the stadium's vicinity and would have a negligible effect on overall visual quality. Impacts on visual character and quality would be less than significant.

Once again, you are only considering the light poles, not the lights themselves. These will be highly visible to anyone living in the immediate area. Please explain how the poles and lights will not have any impact on overall visual quality and character when these lights will be over 300% taller than any of the poles or houses on San Marin. What possible standard could you be using for that statement.

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## Letter 114

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 114**

The commenter states an opinion that the analysis in the Draft EIR only considers the light poles, not the lights themselves, and that they would be visible to the surrounding area. Please see Response 113. The commenter also asks about the Draft EIR conclusions regarding aesthetic impacts, citing the height of the proposed poles. Please see Master Response A – Lighting and Aesthetics for a discussion of this topic.

Letter 115

**From:** Russell Dodge [mailto:russelldodge@icloud.com]  
**Sent:** Thursday, March 02, 2017 10:24 PM  
**To:** Environmental Report  
**Subject:** EIR errors and omissions

Please consider

Impact AES-3 and impact AES-4

- 1 | *These two sections describe lighting problems as significant but mitigable. A photometric study is promised. It is unclear how they know it will be mitigable without the study. What happens if the lights go in but the problems are not mitigable. Are there no existing installs of lights that can be studied? If not, would it not be best to not proceed until a proper study can be done.*
- 2 | *Further, since these lights will tower above all surrounding homes they will be visible to a substantial number of homes. How many homes are known to be problems?*

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## Letter 115

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 115.1**

The commenter asks how the Draft EIR can conclude that Impacts AES-3 and AES-4 related to lighting can be mitigable without a photometric study already prepared. The conclusion is logical because the mitigation measures require that the lights be designed to achieve the specified standards based on the study, or may not be used. Please see also Master Response A – Lighting and Aesthetics for further discussion of this topic.

### **Response 115.2**

The commenter states an opinion that the proposed lights would be visible from a substantial number of residences, and asks how many would have views of the project. View locations of the project site are discussed in the Draft EIR in Section 1, *Aesthetics*. As noted there, the site would be visible from a number of nearby residences and other offsite locations. A precise count of residences with partial or full views of the project site was not conducted and was not necessary for the analysis or conclusions. Please see also Master Response A – Lighting and Aesthetics.

**From:** Russell Dodge [mailto:[russelldodge@icloud.com](mailto:russelldodge@icloud.com)]  
**Sent:** Thursday, March 02, 2017 10:33 PM  
**To:** Environmental Report  
**Subject:** Errors and omission in draft EIR

**Table 2 NOP Comments and EIR Response (p11)**

*The question of safety of LED lights is not answered. Several studies suggest prolonged exposure to LED lights can be harmful. Answers in this response only relate to glare, etc. The answers do not deny that there are studies that show LED lights can be harmful.*

*Further, there is no discussion of risk from breakage of LED lights. If a light is dropped and broken and the contents spill onto the field there will be a significant problem cleaning up the toxic materials dispersed. Cleaning artificial turf is difficult under any circumstances, but with toxic materials the problem will be even more substantial.*

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## Letter 116

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 116.1**

The commenter states concerns regarding health effects of LED lights but does not present information or evidence in this regard. Please see Master Response A – Lighting and Aesthetics for further discussion of this topic.

The commenter also expresses concerns regarding breakage of LED lights. This comment is noted, however the commenter does not provide information or analysis showing that such breakage is common, that toxic materials would be released in substantial quantities in the event of a break, or that significant environmental impacts would result. Modern lighting systems are designed to avoid such “falling” of lights from fixtures. Impacts related to hazards and hazardous materials would be less than significant as discussed in the Initial Study (Appendix A of the Draft EIR).

**From:** Russell Dodge [mailto:[russelldodge@icloud.com](mailto:russelldodge@icloud.com)]  
**Sent:** Thursday, March 02, 2017 10:54 PM  
**To:** Environmental Report  
**Subject:** Biological Resources

Letter 117

***Biological Resources as discussed in Exhibit A***

*The information in Exhibit A is clearly based on guesswork and not based on even a brief attempt to study the area. There are many nesting birds near the school, in trees in the street median on San Marin Drive, and on property adjacent to the school. The report admits to the presence of bats but “guesses” that they are not bats that would be impacted. A proper study of birds would require a much longer term of observation than has been available and should be done by a certified expert.*

*Was a study not done because there was concern for fear that something would be found to prevent the lights being installed? Was a study not done because a proper study would need to be done over a longer time than would be compatible with the desire to have lights in by next school year?*

*Every school board member and the school superintendent are each now in possession of a letter from the Audubon Society that a long term study should have been done. A copy is attached in case you do not have the letter.*

*Please explain when and how you are going to prepare a proper Biological Resources section for the DEIR. Please explain why you did not prepare on when you were clearly required to do so.*

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January 27, 2017

Leslie Benjamin, Director – Communications & Community Engagement Novato Unified  
School District  
1015 7<sup>th</sup> Street  
Novato CA 94945

Re: San Marin High School Stadium Lights Project Dear Ms. Benjamin,

The Marin Audubon Society appreciates the opportunity to comment on the proposed application for the installation of athletic field lights, as well as an upgraded public address system, at the San Marin High School campus in Novato. The purpose of the project is described as expanding the hours of use for the existing ball field to include non-daylight (night time) use. We have reviewed both the Initial Study and the Draft EIR prepared for the project and have the following comments and concerns pertaining to the project's potential impacts to wildlife and habitat, especially as it affects avian species.

Of most concern upon our reading is the lack of a Biological Resources section in the DEIR. The apparent reason for this omission derives from the conclusions arrived at in the Initial Study. The claim that "no biological habitats that would support any species identified as candidate, sensitive, or species status species would be affected" appears to be made without the benefit of any wildlife surveys or vegetation inventories. Photographs included in the DEIR clearly depict a number of native oak and bay trees on the upper north slope of the project site. A site visit by Marin Audubon confirmed the presence of dozens of mature oak species, California bay, and evergreens in the immediate vicinity (approximately 500') of the ball field. Additionally, the contiguous San Marin High School campus is itself interspersed with numerous mature oaks. Lastly, the campus is bordered to the west by a thickly wooded riparian stream, which, while perhaps over 1/4 mile from the ball field, very likely provides nesting and roosting opportunities for raptors such as hawks and owls. So, while the Initial Study claims that "no native wildlife nursery sites have been identified", the question remains as to what report or data support these

1

conclusions. Are they the product of a biological study? If so, it should be cited and included in the document so that the reader can make an informed decision. Surveys should be conducted of these upland habitats to determine their use by songbirds, raptors and woodpeckers. Marin Audubon would also urge that consideration be made for all native species and not just those of special status. After all, protected species do not become that way on their own; they are often the product of weak protections that go unaddressed. We therefore disagree that "further analysis is not warranted".

The Initial Study does not describe the presence (or absence) of the most likely species to be adversely impacted; owls and bats. Night lighting, increased noise and disturbance from humans would certainly stand to impact species that are active at night. There is again no inventory or survey for these species at various times of the year to establish their numbers.

The impact of night lighting on wildlife has been studied rather extensively. To its credit, the Initial Study acknowledges that migratory birds rely on celestial navigation for their annual migrations. However, the Study downplays the potential impacts by describing the surrounding area as "an urban area" and one in which there is little foraging opportunity for migratory birds. This characterization of the area is inaccurate. The vicinity of the project is at the very edges of a suburban housing area where it transitions to oak woodlands, a riparian stream, and upland grasslands owned by the Marin County Open Space District. The Study goes on to claim that



“current night lighting conditions for the area show bright light sources already present in the urban area of Novato with even brighter light sources present in the greater Bay Area located along Highway 101 and Interstate 580/80 ....Alameda Naval Complex, downtown San Francisco...downtown Oakland.” This analysis is apparently made from views taken from the International Space Station and suggests that night lighting is already impacted by virtue of being in the Bay Area. Just because night lights exist, and there are actually few in the vicinity of the project, does not mean that more should be installed. Some of the most egregious instances of migratory bird impacts of night lighting, in fact, have occurred in highly urban areas. A cumulative impact analysis of the impact of migratory birds should be included.

Rather than depict this site as “urban,” it is more accurately described as being suburban and on the edge of rural West Marin. Be that as it may, even if one were to agree that this is an urban setting with rampant light pollution already in effect, there would be all the more reason to consider this project for its cumulative impacts.

Lastly, the DEIR does not analyze the potential impacts of increased noise from night time sporting events on wildlife. Discussions are only based on noise as it pertains to nearby residents. Because there is no inclusion of a Biological Resource section, there is no way to assess the impacts that all these night time activities might have on foraging, nesting and roosting owls and bats.

2

In conclusion, Marin Audubon urges that a thorough analysis of potential environmental impacts stemming from this project be provided in the DEIR. This would have been more likely had the Initial Study recognized the need for the inclusion of a Biological Resource section.

Thank you for considering our comments and recommendations in your deliberations.

Phil Peterson  
Co-chair Conservation Committee Marin Audubon Society

Barbara Salzman  
Co-chair Conservation Committee Marin Audubon Society

## Letter 117

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 117**

The commenter states concerns regarding potential impacts to birds and bats, and opines that a more thorough study of these potential impacts should have been performed for the EIR. Impacts related to biological resources are discussed under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the Draft EIR) and impacts were determined to be less than significant. The commenter does not provide data or analysis regarding potential impacts to bird and bat species, therefore a specific response is not possible. However, these topics are discussed at length in the responses to Letter 5; please refer to those responses.

The commenter also attached a letter from the Marin Audubon Society; this letter is the same as Letter 5. Please see responses to Letter 5.

Letter 118

**From:** Russell Dodge [mailto:[russelldodge@icloud.com](mailto:russelldodge@icloud.com)]  
**Sent:** Thursday, March 02, 2017 11:29 PM  
**To:** Environmental Report  
**Subject:** Errors and Omission in Draft EIR

There is no place in the DEIR where any attempt is made to understand the impact of upward facing lights. These lights are to be used during kickoffs and punts.

The implication in the DEIR is that the impact is too trivial to measure. However, every half starts with a kickoff and runback. Every touchdown or field goal will generate a kickoff. If a team has the ball and does not score it is quite likely they will punt.

Every even requiring upward facing lights will start with the lights being turned on. Once they are on the teams must line up, must attempt to kick the ball, will usually have a return of the ball, then the lights will be turned off. In a high scoring game there will be lots of kickoffs. In a low scoring game there will be lots of punts.

Before taking the position that these lights are inconsequential the least you can do is make an honest estimate of the total time the lights will be on during an average game. Only then can you know if the impact would be significant.

Russell Dodge  
[russelldodge@icloud.com](mailto:russelldodge@icloud.com)  
Cell: 415.246.8746  
[russelldodge@icloud.com](mailto:russelldodge@icloud.com)

## Letter 118

**COMMENTER:** Russell Dodge

**DATE:** March 2, 2017

### **Response 118**

The commenter states an opinion that the Draft EIR does not address the impacts of the proposed upward-facing lights, and requests an estimate of the total time the lights will be on during an average game. Upward-facing lights are discussed in Section 4.1, *Aesthetics*, of the Draft EIR under Impacts AES-4 and AES-5. Impacts would be less than significant with mitigation incorporated. Please see also Master Response A – Lighting and Aesthetics for further discussion of this topic.

## Letter 119

From: Kathy Giannini [mailto:kgiannini@comcast.net]

Sent: Friday, March 03, 2017 4:59 PM

To: JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

Subject: EIR for San Marin Lights

- 1 | Dear Trustees,  
My husband and I have lived in San Marin, a 5 minute walk from the high school, for 26 years. Both our kids attend San Marin and enjoyed both academics and sports there. We enjoy the area for it's beauty and peaceful neighborhood setting. On Sundays we hear the PA system for the football games, which we tolerate, but it does impact our time spent in the backyard. The thought of increased traffic, bright lights into our bedroom window and backyard, and the PA system 6 nights a week for 10 months is very alarming. This will have a dire impact on our lifestyle.
- 2 | We are already paying more taxes with the passage of Measure G. If money is needed for improved classrooms, technology, labs, heating and air, deteriorating roofs and buildings, and security systems to enhance safety, that should be the priority, not lighted stadiums. Novato High School has the same desire for a lighted stadium, so it makes better sense to have a community-based one-lighted-stadium that all students can utilize in an area, such as IVC which is isolated from a suburban area like San Marin.
- 3 | In regards to the EIR, alternative solutions were dismissed without making more of an effort to explore some of those conclusions. The traffic measurements reflect summer traffic when the traffic is much lighter than during the school year. The biological study is missing from the report, and the location of the stadium is improperly classified as Urban instead of Suburban.
- 4 | I strongly urge you to reconsider the location of the lighted stadium due to the severe negative impact it will have on the residents in surrounding San Marin Neighborhood. We deserve to continue to enjoy our homes in our peaceful neighborhood, which is why we chose to live here.

Thank you for your consideration.

Sincerely,

Kathy Giannini

257 San Felipe Way

## Letter 119

**COMMENTER:** Kathy Giannini

**DATE:** March 3, 2017

### **Response 119.1**

The commenter states concern about increased traffic, light trespass, and noise from the PA system associated with the proposed project. These comments are noted but do not challenge or question the analysis or conclusions of the Draft EIR. Please see Master Response A – Lighting and Aesthetics, Master Response B – Noise, and Master Response C – Traffic for discussion of these topics.

### **Response 119.2**

The commenter questions the project’s merits and the use of funds for the project. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR. Please see also Master Response G – Project Cost. The comment also states an opinion that if lighting is to be installed at a stadium, it should be done at a shared off-site location, such as the College of Marin IVC campus. Please see Master Response E – Alternatives.

### **Response 119.3**

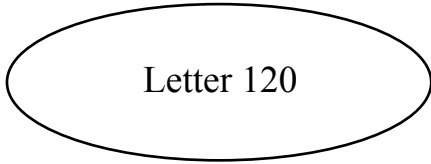
The commenter opines that project alternatives were dismissed in the Draft EIR and were not adequately explored. The Draft EIR does not dismiss alternatives; rather, it analyzes them in comparison with the project as required by CEQA. Please see also Master Response E – Alternatives. The commenter states that the traffic measurements were taken during the summer, which they opine does not reflect traffic during the school year. Please see Response 1.4. The commenter states an opinion that a biological study is missing from the Draft EIR. Impacts related to biological resources are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies less than significant impacts (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please see also the responses to Letter 5.

The commenter opines that the stadium is improperly classified as urban rather than suburban. The project neighborhood is best described as suburban. However, there are times when the word “urban” or “urbanized” is used in environmental analysis as a general synonym for “developed,” distinguishing, for example, between a “greenfield” site and one that, like the project site, is within a developed neighborhood. The use of “urban” or “suburban” in this particular context generally has no effect on impact determinations or “bias.” Please see also Response 5.3 and Response 80.2.

### **Response 119.4**

The commenter states opposition to the proposed project and requests that the District consider an alternative location for the proposed project. The commenter's stated opposition to the proposed project is noted. These comments do not pertain specifically to the analysis or conclusions of the Draft EIR. Please also see Master Response E – Alternatives.

**From:** Michael Giannini [mailto:mikegiannini@comcast.net]  
**Sent:** Friday, March 03, 2017 4:57 PM  
**To:** Environmental Report  
**Subject:** EIR



- 1 | Dear Staff,  
Please consider the following comments in making you decision on whether to accept the EIR at your next meeting. The overall document seems to be incomplete in several areas.
- 2 | Their seems to be little if any consideration for the homes near, but not adjacent to the school. I have attached a photo that illustrates the view from our bedroom window. The lights will rise above the tree line at or near the height of the tall palm tree.
- 3 | There is no provision for in the EIR that speaks to the impact on local wildlife.
- 4 | The noise impact will be far greater than we currently experience. Even if the field is just used for weeknight practice sessions, we will see a substantial increase in the amount of noise from the field.
- 5 | I am in favor of a field that supports both high schools in a location that does not impact local residents.
- 6 | I welcome you to come and visit our home so that you can see for yourself how this will affect our family.  
Thank you for your consideration.

Mike Giannini





## Letter 120

**COMMENTER:** Michael Giannini

**DATE:** March 3, 2017

### **Response 120.1**

The commenter opines that the Draft EIR is incomplete in several areas, but does not provide specific information on which to base a specific response. The commenter's more specific comments on the Draft EIR are addressed in the following responses.

### **Response 120.2**

The commenter states an opinion that potential aesthetic impacts on homes near but not adjacent to the proposed project were not properly considered in the Draft EIR. View locations of the project site are discussed in the Draft EIR in Section 4.1, *Aesthetics*. As noted there, the site would be visible from a number of nearby residences and other offsite locations. A precise count of residences with partial or full views of the project site was not conducted and was not necessary for the analysis or conclusions. It is acknowledged that light impacts may vary in the neighborhood. This fact does not affect the conclusions of the Draft EIR, which is not required to include a separate impact analysis for each residence. Section 4.1.1 of the Draft EIR, *Setting*, under the heading *Existing Visual Character of the Project Site*, characterizes the impacts to the residences with the most direct views of the site, including "residences on San Ramon Way have a direct southward line of sight toward the stadium," and therefore provides a conservative assessment. Please see also Master Response A – Lighting and Aesthetics.

### **Response 120.3**

The commenter opines that the Draft EIR does not address impacts to wildlife. Impacts related to wildlife are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies less than significant impacts (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please see also the responses to Letter 5.

### **Response 120.4**

The commenter states an opinion that the proposed project would result in a substantial increase in noise levels compared to existing conditions. This comment is consistent with the conclusions of the Draft EIR regarding noise, including the determination that impacts related to noise during athletic events at the stadium would be significant and unavoidable (see Impact N-2 in Section 4.5 of the Draft EIR, *Noise*).

Please also see Master Response B — Noise.

### **Response 120.5**

The commenter states support for an alternative project location that would support "both high schools" (presumably San Marin High School and Novato High School) and that would not impact local residents.

The commenter's support for an off-site alternative is noted. Please also see Master Response E – Alternatives.

**Response 120.6**

The commenter invites the District to visit their home to view potential impacts of the proposed project. The commenter's invitation is noted but it is not a comment on the Draft EIR nor does it address a specific environmental impact.

**From:** [segibson@comcast.net](mailto:segibson@comcast.net) [mailto:[segibson@comcast.net](mailto:segibson@comcast.net)]

**Sent:** Wednesday, March 1, 2017 5:30 PM

**To:** LESLIE BENJAMIN <[LBENJAMIN@nUSD.org](mailto:LBENJAMIN@nUSD.org)>

**Cc:** TOM COOPER <[TCOOPER@nUSD.org](mailto:TCOOPER@nUSD.org)>; DEBBIE BUTLER <[DBUTLER@nUSD.org](mailto:DBUTLER@nUSD.org)>; MARIA LUISA AGUILA <[MAGUILA@nUSD.org](mailto:MAGUILA@nUSD.org)>; DEREK KNELL <[DKNELL@nUSD.org](mailto:DKNELL@nUSD.org)>; GREGORY MACK <[gmack@nUSD.org](mailto:gmack@nUSD.org)>; ROSS MILLERICK <[RMILLERICK@nUSD.org](mailto:RMILLERICK@nUSD.org)>; SHELLY SCOTT <[SSCOTT@nUSD.org](mailto:SSCOTT@nUSD.org)>; [jholzwarth@oskr.com](mailto:jholzwarth@oskr.com); [lscheibel@comcast.net](mailto:lscheibel@comcast.net); [klevin1011@comcast.net](mailto:klevin1011@comcast.net); [scinmarin@gmail.com](mailto:scinmarin@gmail.com); [plaperriere@me.com](mailto:plaperriere@me.com); [russelldodge@icloud.com](mailto:russelldodge@icloud.com); [mhjoly@aol.com](mailto:mhjoly@aol.com); [normanzee@mac.com](mailto:normanzee@mac.com); Gibson, Allison <[alligib93@gmail.com](mailto:alligib93@gmail.com)>; Kao, Danny <[dannydkao@gmail.com](mailto:dannydkao@gmail.com)>; Sutton-Beattie, Eric <[sutton-beattie@comcast.net](mailto:sutton-beattie@comcast.net)>

**Subject:** DEIR SMHS Lights Comment

Dear Ms. Benjamin,

I have attached a comment to the SMHS DEIR (in .pdf format) for inclusion with the DEIR comments. As a statutory impact element, SMHS's compliance with Federal law was omitted from the DEIR, I regret that I am therefore unable to refer to a specific element for comment within the DEIR.

I will be forwarding you additional comments over the next 48 hours and will attempt to itemize my comments by DEIR Element Number wherever possible.

Regards,

***Steven E. Gibson, MS, JD***  
***Captain, U.S. Navy (retired)***  
***2 Santa Gabriella Ct.***  
***Novato, CA 94945-1121 (USA)***  
***415-246-3536 (mobile)***  
***415-892-0895 (landline)***  
***[segibson@comcast.net](mailto:segibson@comcast.net) (e-mail)***

[Note: attachment not included with email]

## Letter 121

**COMMENTER:** Steven Gibson

**DATE:** March 1, 2017

### **Response 121**

The commenter states an opinion that the Draft EIR does not address compliance with federal law. While the commenter does not identify a specific federal law that must be addressed within the scope of CEQA, it should be noted that the Draft EIR addresses compliance with federal law where applicable. For example, please see Section 4.2.1 of the Draft EIR, *Setting*, under the heading *Federal*, which addresses compliance with the Clean Air Act, or Section 4.3.1 of the Draft EIR, *Setting*, under the heading *Federal Regulations*, which addresses compliance with the National Historic Preservation Act.

The commenter also references an attached comment but no attachments were included with this comment letter.

Letter 122

**From:** segibson@comcast.net [mailto:segibson@comcast.net]

**Sent:** Wednesday, March 01, 2017 10:00 PM

**To:** LESLIE BENJAMIN

**Cc:** TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT; jholzwarth@oskr.com; lscheibel@comcast.net; klevin1011@comcast.net; scinmarin@gmail.com; plaperriere@me.com; russelldodge@icloud.com; mhjoly@aol.com; normanzee@mac.com; Gibson, Allison; Sutton-Beattie, Eric; Environmental Report

**Subject:** Re: DEIR Bats DEIR Comment

Dear Ms. Benjamin,

I have attached a comment to the SMHS DEIR (in .pdf format) regarding Special Studies Species Bats for inclusion with the DEIR comments. As a statutory impact element, SMHS's compliance with Federal and State Law was omitted from the DEIR, I regret that I am therefore unable to refer to a specific element for comment within the DEIR.

I will be forwarding you additional comments over the next 48 hours and will attempt to itemize my comments by DEIR Element Number wherever possible.

Regards,

***Steven E. Gibson, MS, JD***  
***Captain, U.S. Navy (retired)***  
***2 Santa Gabriella Ct.***  
***Novato, CA 94945-1121 (USA)***  
***415-246-3536 (mobile)***  
***415-892-0895 (landline)***  
***[segibson@comcast.net](mailto:segibson@comcast.net) (e-mail)***

Comment on San Marin Lights Draft Environmental Impact Report

4. Environmental Impact Analysis. Omitted, no Element Number yet assigned

- 2 | No indication of the SMHS Lights Project nocturnal impact on Northern Marin County's Bat population in the SMHS Field Light DEIR, including lighting, noise, and human activity on Marin County's Bat population was evaluated in the DEIR.
- 3 | As NUSD knows, or should know, and the which DEIR has intentionally, negligently, or erroneously omitted, Marin County has 13 Species of bats, seven of which are currently in either a Federal and/or a California Special Studies Species Study, and are even now being evaluated for Endangered or Protected Species Status pursuant to the Endangered Species Act. Virtually all Bats are nocturnal, emerging from their roosts in the half-light after sunset (kickoff time) and returning to their roosts after feeding on aerial insects, normally two to three hours later (approximately between the 3<sup>rd</sup> and 4<sup>th</sup> football Quarters). Problematic is that bat foraging is co-concurrent with the SMHS six night per week proposed evening field lighting schedule. There are a number of recognized bat colonies and roosts under decks, patios, and eaves of many San Marin neighborhood homes, rock outcroppings, abandoned agricultural improvements, and California Black Oaks on the hills and riparian woodlands immediately adjacent to, surrounding, and across Novato Blvd, from SMHS.
- 4 | The DEIR made no attempt to evaluate this Class 1, Significant and Unavoidable, Environmental Impact caused by the proposed field lights, with its concomitant increased field noise, increased vehicular traffic and pedestrian access on local bat populations.
- 5 | As previously disclosed, at least seven of the local bat species are Special Studies Species, and it is more likely than not that one or more of the Special Studies Bat Species, soon or in the near future might be declared Protected or even Endangered by the proposed field SMHS Field light Project. Should Federal and/or State protection be deemed necessary, the SMHS lights project has a high probability of Federal and/or State Intervention, and might be ordered to desist. Should the project knowingly proceeded to completion, termination of all field light operations and Federal/State fines might be ordered.
- 6 | The DEIR failed to obtain either U.S. Fish and Wildlife or California Department of Fish and Game clearances Special Species Studies status guidance regarding the impact the SMHS Light Project on these seven Special Species Study bat populations at or in close proximity to SMHS. Compliance with the Endangered Species Act was not addressed in the DEIR as required by both the Federal and California Governments (EPA/CEQA).

## Letter 122

**COMMENTER:** Steven Gibson

**DATE:** March 1, 2017

### **Response 122.1**

The commenter states an opinion that the Draft EIR does not address compliance with federal law. Please see Response 121.

The commenter also references an attached comment regarding “Special Studies Species Bats,” which is addressed below.

### **Response 122.2**

The commenter opines that the Draft EIR does not address potential impacts on Northern Marin County’s bat population, including lighting, noise, and human activity. Impacts related to biological resources are discussed under Item IV, Biological Resources, of the Revised Draft Initial Study (Appendix A of the EIR) and impacts were determined to be less than significant. The commenter does not provide data or analysis regarding potential impacts to bat species to suggest any other conclusion is warranted. Therefore, a specific response is not possible. However, these topics are discussed at length in the responses to Letter 5; please refer to those responses.

### **Response 122.3**

The commenter suggests that the Draft EIR “intentionally, negligently, or erroneously” omitted that Marin County has 13 Species of bats, seven of which are being evaluated for Endangered or Protected Species Status pursuant to the Endangered Species Act. The commenter further discusses bat behavior in relation to the proposed project and project site.

While it is possible that 13 species of bats may occur in the area of the project site, the commenter does not present evidence of these bat colonies or substantiate the claim that the proposed project would have a significant impact on local bat populations such that they would no longer be self-sustaining. Seven bat species that could potentially occur around the project site are considered California species of special concern (CSSC) either due to lacking information or because of suspected decline of the species in its range in California. These species (global and state ranking and CDFW special status included in parenthesis) include: the pallid bat (G5 S3; Class II), Townsend’s big-eared bat (G3G4 S2; Class I), western red bat (G5 S3; Class II), fringed myotis (G4 S3; Class II), long-legged myotis (G5 S3; Class II), western mastiff bat (G5T4 S3S4; Class II), and big free-tailed bat (G5 S3; Class II). Two additional species are placed on the Watch List (WL) because of restricted distribution and the need for additional field efforts to establish population trends. These two species include: the silver-haired bat (G5 S3S4) and the hoary bat (G5 S4). The CDFW lists the primary reasons for bat decline as closures, human disturbance, and direct extermination through “pest control” measures at colony roosting sites (Bolster 1998). Additionally, unsustainable management practices of public and private forest lands for cavity-dwelling species, and farming practices such as removal of riparian forests and use of insecticides are noted as causes of bat declines. No evidence currently exists that would suggest the installation of the stadium lights would have a significant impact on bat populations. Studies that have shown effects on species biology as a result of artificial light are generally related to long periods of lighting, for example streets and other city lights that are on all night (Rowse et al. 2016). The few hours on nights that stadium lights would be on may have some effect on bat foraging behavior, but not to the level of a negative impact on the population. On the contrary, evidence exists that while not natural behavior, bat foraging around lights

may have a positive effect by increasing foraging efficiency, especially for insectivorous species that hunt in open spaces above canopy or along vegetation edges (Rowse et al. 2016 and references therein). Many *Myotis* species have been found to simply avoid lit areas, seemingly preferring to forage in darkness. The open space to the north of the project site and along the riparian corridor associated with Novato Creek provides ample dark foraging opportunities.

The commenter provides no evidence to suggest that any other conclusion from that proposed by the Initial Study is warranted; therefore, a more specific response is not possible. However, these topics are discussed at length in the responses to Letter 5 and under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the EIR); please refer to those responses.

The following references were added to the Revised Draft Initial Study (Appendix A of the Draft EIR) to support the citations in the above revised text:

Bolster, B. C., editor. 1998. Terrestrial Mammal Species of Special Concern in California. Draft Final Report prepared by P. V. Brylski, P. W. Collins, E. D. Pierson, W. E. Rainey and T. E. Kucera. Report submitted to California Department of Fish and Game Wildlife Management Division, Nongame Bird and Mammal Conservation Program for Contract No. FG3146WM.

Rowse, E. G., D. Lewanzik, E. L. Stone, S. Harris, G. Jones. 2016. Dark Matters: The Effects of Artificial Lighting on Bats. Pp 187-213. In: Bats in the Anthropocene: Conservation of Bats in a Changing World. C. C. Voigt and T. Kingston (eds). SpringerOpen.

#### **Response 122.4**

The commenter states an opinion that the Draft EIR did not analyze a significant and unavoidable impact to local bat populations resulting from project-related noise, traffic and pedestrian access. Under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the Final EIR), potential impacts to bats as a result of noise, traffic, and pedestrian access are discussed and determined to be “less than significant” under CEQA. Any increased activity as a result of installation and operation of the stadium lights would not be expected to impact bat population to the level of not being able to remain self-sustaining. Bats have been shown to be resilient to urbanization and urban activities and in some cases have been found to be more diverse and abundant in association with urban landscapes (Jung and Threlfall 2016). See also Response 122.3.

The following references were added to the Revised Draft Initial Study (Appendix A of the Draft EIR) to support the citations in the above revised text:

Jung, K. and C. G. Threlfall. 2016. Urbanization and Its Effects on Bats – A Global Meta-Analysis. Pp 13-33. In: Bats in the Anthropocene: Conservation of Bats in a Changing World. C. C. Voigt and T. Kingston (eds). SpringerOpen.

#### **Response 122.5**

The commenter states an opinion that bat species may be declared protected or endangered in the future, which could affect the construction or operation of the proposed project. The disposition of the listing status of the bat species that have the potential to occur in the vicinity of the project site cannot be predicted, and CEQA discourages speculation. Currently no listed species of bats have the potential to occur on the project site (CDFW 2016). The commenter does not provide evidence indicating that project activities may result in exceeding the pertinent threshold of a reduction in a population such that it can no longer be self-sustaining. Therefore, the conclusion in the Initial Study of “less than significant” is still warranted. See also Responses 122.3 and 122.4.



**Response 122.6**

The commenter states that “the DEIR failed to obtain either U.S. Fish and Wildlife or California Department of Fish and Game clearances Special Species Studies status guidance regarding the impact the SMHS Light Project on these seven Special Species Study bat populations at or in close proximity to SMHS.” The commenter opines that compliance with the Endangered Species Act was not addressed in the Draft EIR “as required by both the Federal and California Governments (EPA/CEQA).” No bat species listed under the federal or California Endangered Species Acts have the potential to be present on the project site (CDFW 2016). The commenter fails to substantiate the claim that compliance with U.S. Fish and Wildlife Service or California Department of Fish and Wildlife regulation is lacking. No changes to the EIR are warranted based on these comments.

**From:** segibson@comcast.net [mailto:segibson@comcast.net]  
**Sent:** Wednesday, March 01, 2017 10:10 PM  
**To:** Environmental Report; YANCY HAWKINS  
**Subject:** Fwd: DEIR SMHS Lights Comment

1 | Yancy,  
Suggested I forward to you.  
Thanks,  
Steven

---

**From:** [segibson@comcast.net](mailto:segibson@comcast.net)  
**To:** [LBENJAMIN@nUSD.org](mailto:LBENJAMIN@nUSD.org)  
**Cc:** [tcooper@nUSD.org](mailto:tcooper@nUSD.org), [dbutler@nUSD.org](mailto:dbutler@nUSD.org), [maguila@nUSD.org](mailto:maguila@nUSD.org), [dknell@nUSD.org](mailto:dknell@nUSD.org),  
[gmack@nUSD.org](mailto:gmack@nUSD.org), [rmillerick@nUSD.org](mailto:rmillerick@nUSD.org), [sscott@nUSD.org](mailto:sscott@nUSD.org), [jholzwarth@oskr.com](mailto:jholzwarth@oskr.com),  
[lscheibel@comcast.net](mailto:lscheibel@comcast.net), [klevin1011@comcast.net](mailto:klevin1011@comcast.net), [scinmarin@gmail.com](mailto:scinmarin@gmail.com),  
[plaperriere@me.com](mailto:plaperriere@me.com), [russelldodge@icloud.com](mailto:russelldodge@icloud.com), [mhjoly@aol.com](mailto:mhjoly@aol.com),  
[normanzee@mac.com](mailto:normanzee@mac.com), "Allison Gibson" <[alligib93@gmail.com](mailto:alligib93@gmail.com)>, "Danny Kao"  
<[dannydkao@gmail.com](mailto:dannydkao@gmail.com)>, "Eric Sutton-Beattie" <[sutton-beattie@comcast.net](mailto:sutton-beattie@comcast.net)>  
**Sent:** Wednesday, March 1, 2017 5:30:24 PM  
**Subject:** DEIR SMHS Lights Comment

2 | Dear Ms. Benjamin,  
  
I have attached a comment to the SMHS DEIR (in .pdf format) for inclusion with the DEIR comments. As a statutory impact element, SMHS's compliance with Federal law was omitted from the DEIR, I regret that I am therefore unable to refer to a specific element for comment within the DEIR.  
  
I will be forwarding you additional comments over the next 48 hours and will attempt to itemize my comments by DEIR Element Number wherever possible.

Regards,

***Steven E. Gibson, MS, JD***  
***Captain, U.S. Navy (retired)***  
***2 Santa Gabriella Ct.***  
***Novato, CA 94945-1121 (USA)***  
***415-246-3536 (mobile)***  
***415-892-0895 (landline)***  
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### Comment on San Marin Lights Draft Environmental Impact Report

#### 4. Environmental Impact Analysis. Omitted, no Element Number yet assigned

Mandatory Compliance with Title IX disclosure was either intentionally, negligently or erroneously omitted from DEIR. Compliance with Title IX is a Class 1 Significant Impact event. By definition, **Class I, Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures.** Such an impact requires a Statement of Overriding Considerations to be issued should be approved.

The Draft Environmental Impact Report (DEIR) totally omits a discussion of San Marin High School's (SMHS) Compliance with Title IX's mandatory requirements that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. SMHS receives federal funding either directly or indirectly. Compliance with Title IX was not addressed in the DEIR as required by both the Federal and California Governments (EPA/CEQA).

Missing from the DEIR is the Title IX Federally mandated requirement for San Marin High School to have a Title IX Compliance Coordinator, no exceptions, nor is there any evidence that a mandatory formal Title IX complaint procedure been implemented at SMHS. This should have been addressed in the DEIR. *Please note, that any person, regardless of whether they have been harmed by failure of the educational institution to comply with the law, may file a Title IX complaint with the United States Department of Education Office for Civil Rights (OCR) which is obligated to investigate such a complaint within a specified time period. The person filing the complaint must be able to request that his or her identity be kept confidential. Individuals who have been harmed by failure of the institution to comply have an individual right to sue under the law, and almost 95% of such lawsuits having to do with [Title IX]athletic program violations have been successful.*

80 to 90 percent of all educational institutions are not in currently compliance with Title IX as it applies to athletics. SMHS is no exception as SMHS has 434 boys participating in California Interscholastic Federation (CIF)/National Federation of High Schools (NFHS) approved sports (109 in boys football alone), while only 255 girls participate CIF/NFHS approved Sports. SMHS has 23 male coaches and only 13 female. The DEIR failed to address actual sports positions allocated to boys and girls CIF traveling team rosters, and in failing to do so could not even discuss Title IX issues. Cheer, cited in SMHS Title IX like Modern Dance, is not recognized as a CIF/NFHS approved sport and can't count toward Title IX parity analysis.

If out of Compliance with Title IX, the United States Department of Education Office for Civil Rights (OCR) may finds temporarily, and only upon application, that SMHS may be granted conditional compliance upon submitting a plan remedying identified problems. There is no indication in the DEIR that SMHS has so applied as required by Federal Law.

Title IX compliance is assessed via a total program comparison. In other words, the entire men's and women's programs are to be compared, not just one men's team to the women's team in the

same sport. This broad comparative provision was intended to emphasize that Title IX does not require the creation of mirror image programs. Males and females can participate in different sports according to their respective interests and abilities. Thus, broad variations in the type and number of sports opportunities offered to each gender are permitted.

With regard to Title IX's participation requirements, a school can meet the standard via three independent tests. The first test is a mathematical safe harbor. If the school offers athletic participation opportunities (number of individual athlete participation slots, not numbers of teams) proportional to the numbers of males and females in the general student body, the school meets the participation standard. If the school does not meet this mathematical test, it may be deemed in compliance if it can (1) demonstrate consistent expansion of opportunities for the underrepresented gender over time or (2) show that the athletic program fully met the interests and abilities of the underrepresented gender. The courts have ruled that "boys are more interested in sports than girls" is not an acceptable defense to lack of equitable participation opportunities. Under Title IX there are no sport exclusions or exceptions, so football is included under the law. Individual participation opportunities (numbers of athletes participating rather than number of sports) in all men's sports and all women's sports are counted in determining whether a school meets the Title IX participation standard. The basic philosophical underpinning of Title IX is that there cannot be an economic justification for discrimination. The school cannot maintain that there are revenue production or other considerations that mandate that male athletes receive better treatment or participation opportunities than female athletes. A good analogy would be that a school cannot say that it cannot afford to provide wheelchair access for students with physical disabilities as required under the Americans With Disabilities Act because the football team needs the money in order to maintain its current level of revenue production. Similarly, a school cannot say that it cannot afford to provide participation opportunities for an underrepresented gender.

It is also important to recognize that Title IX does not require the reduction of opportunities for male athletes in order to increase opportunities for female athletes. Schools that choose this manner of compliance are not meeting the spirit of discrimination laws, which is to bring members of the disadvantaged group up to the participation or benefit levels of the advantaged group rather than to bring male athletes down to the current level of poor treatment or no opportunity to play experienced by female athletes. If athletic budgets do not increase and schools desire to maintain current levels of participation for male athletes and increase participation levels of female athletes, the solution is to give all teams a smaller portion of the budget pie.

Typically, athletic departments have refused to "tighten the belt" of popular men's sports like football, and have cut men's non-revenue producing sports instead and blamed it on Title IX. Three points should be made in this regard: (1) it is dysfunctional to "pit the victims against the victims" — men's non-revenue sports against women's sports, both of which have been traditionally underfunded, (2) over 80% of all high school football programs lose money, and (3) nothing negative would happen to men's revenue-producing sports if their budgets were decreased across the board with all schools and all teams lowering expenditures simultaneously so the playing field is kept level.

3  
contd

Statewide boys football participation has diminished more than 8% in the past decade and only boys wrestling and swimming, traditional boys Title IX artificial sacrificial lamb sports, have diminished. All other major sports have had increasing numbers of boy and girls participants. The DEIR fails to address why Boys Football, a traditional high school sports culture, is the only major high school sport in decline.

The DEIR needs to address why massive expenditures of funds to install stadium lights is justified where the major user high school sport is in Statewide demographic decline.

In Summary, Title IX of the Education Amendments Act of 1972 is a short and simple federal law:

*“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.”*

*While there are considerable misconceptions and inaccuracies surrounding the discussion of Title IX as it applies to athletic programs, it is important to understand the basic premise of the law: Title IX is an important federal civil rights act that guarantees that our daughters and sons are treated in a like manner with regard to all educational programs and activities, including sports (Encyclopedia of Women’s Sports, August, 1998).*

## Letter 123

**COMMENTER:** Steven Gibson

**DATE:** March 1, 2017

### **Response 123.1**

The commenter forwards an earlier comment letter. The letter forwarded is the same as Letter 121. Please see Response 121.

### **Response 123.2**

The commenter states an opinion that the Draft EIR does not address compliance with federal law. Please see Response 121.1. The commenter also references an attached comment, which is addressed below.

### **Response 123.3**

The commenter provides an overview of the history and requirements of federal Title IX regulations. The commenter also provides opinions about the status of local sports participation and San Marin High School's compliance with Title IX regulations. Although these comments do not challenge the analysis or conclusions of the Draft EIR, they are noted and will be forwarded to the District's decision makers for their consideration.

**From:** segibson@comcast.net [mailto:segibson@comcast.net]  
**Sent:** Thursday, March 02, 2017 9:49 PM  
**To:** LESLIE BENJAMIN  
**Cc:** DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT; jholzwarth@oskr.com; lscheibel@comcast.net; klevin1011@comcast.net; Environmental Report; mhjoly@aol.com; TOM COOPER  
**Subject:** DEIR SMHS Element 4.5 Accoustic Comments

1 | Dear Ms. Benjamin,

I have attached a comment to the SMHS DEIR (in .pdf format) regarding SMHS DEIR Element 4.5 Accoustic for inclusion with the DEIR comments.

Regards,

***Steven E. Gibson, MS, JD***  
***Captain, U.S. Navy (retired)***  
***2 Santa Gabriella Ct.***  
***Novato, CA 94945-1121 (USA)***  
***415-246-3536 (mobile)***  
***415-892-0895 (landline)***  
***[segibson@comcast.net](mailto:segibson@comcast.net) (e-mail)***

Comment on San Marin Lights Draft Environmental Impact Report

4. Environmental Impact Analysis. Element 4.5 (et al)

2 | 10 sensor locations were utilized in the DEIR (Element 4.5.1, Figure 9). The three Long Term (LT) sensors, LT-1 through LT-3 were co-located with three Short Term (ST) sensors, ST-1, 3, and 6. The three ST (ST-1, 3, and 6) sensor data recordings must be statistically removed from the acoustic analysis as they are merely 15 minute partial duplicates of the three LT sensor's data. Should the ST sensors LT-1, 3 and 6 have been placed in more appropriate, but not co-located sites, perhaps a nominally sufficient acoustic profile might have been developed. Alas, such was not the case.

3 | ST-4, 5, and 7 are all likewise excludible as they were conspicuously placed in acoustic shadow locations. By way of analogy, it rains on the Western Face of the Sierra Nevada Mountains and the Eastern, Rain Shadow face is desert. ST-4 is at street level, well below field grade, buffered by two rows of homes, and shielded by single Family Residences approximately 15' to 25' above the sensor location thus blocking sound access from the field. ST-5 is located at street level on a Cul de Sac and is encircled by Single Family Residences 35' to 70' above the sensor, blocking sound paths to the "landlocked" ST-5 sensor. Sensor ST-7 is located on my Cul de Sac, at street level, 18' lower than my front door, and is embedded within a ring of Single Family Residences 35' to 55' above Sensor ST-7. It could be argued that Sensors ST-4, 5 and 7 might have been sited in such a way as to record minimalized acoustic signatures, thus skewing DEIR acoustic results.

- 4 | At first glance, Sensor ST-2 appears to be the only Short Term (15 minute observation window) , sensor that might possibly be included in the DEIR acoustic analysis. However, ST-2 is less than 150' from LT-1 and the co-located, statistically excludable ST-1. In summary, the three LT sensors provide such a paucity of data that development of a reliable sound profile and acoustic contour map could not logically be inferred.
- 5 | Sensor data collected at the 8/27 non-league season opening game was derived from the first of three non-league “exhibition” games prior to the ignored MCAL opener several weeks later on 9/16. Even so the only other data collection date, 11/5, was the final SMHS MCAL Game by SMHS (6-1) against “Cupcake” Novato HS (1-6). Student attendance at the 11/5 game, which SMHS won 67-0 against the cellar dwelling NHS was minimal. There were MCAL home games, other than the 9/16 game, on 9/24, 10/1, and 10/8, all intentionally excluded from the acoustic survey, which might have provided a more representative survey if only an adequate number of reliable sensors sites had been employed. Six SMHS home games (four MCAL, two non-league) could have been used, yet only extremely limited data from the season opening non-league game, and the season ending game against cellar dwelling Novato HS, were used and provided insufficient data make a reliable scientific analysis, let alone a reliable acoustic contour map.
- 6 | SMHS initiated a conspicuous no Bell and no PA System policy this academic year. Most San Marin neighbors have not been fooled and were able to perceive this no broadcast sound policy as a blatant intent to mollify neighborhood noise complaints prior to the DEIR and possibly provide false data to the three “strategically” placed DEIR LT Sensors, set up for “slow” game weekends. Even so, the limited data LT sensors indicate significant noise spikes on two late Friday afternoons (one game), and Saturday mid-day (two games), and Sunday mornings (SMYF, *nee* Pop Warner).



## Letter 124

**COMMENTER:** Steven Gibson

**DATE:** March 2, 2017

### **Response 124.1**

The commenter references an attached comment letter related to Section 4.5 of the Draft EIR, which is addressed below.

### **Response 124.2**

The commenter states an opinion that some of the noise measurement locations were too close together. The long-term noise measurement locations documented noise levels during games as well as ambient noise over the course of the monitoring period. Short-term attended noise measurements were co-located with the long-term locations so that more representative measurement locations/heights could be used and the noise sources could be identified by the technician attending the short-term measurement. Since the short-term measurements were made simultaneous with the co-located long-term measurements, an offset (dBA) could be determined for use in assessing the long-term noise environment at the short-term locations.

### **Response 124.3**

The commenter states an opinion that some of the noise measurement locations were blocked from relevant sound. Short-term noise measurement locations ST-4, 5 and 7 were chosen to represent locations that are farther from the stadium and are partially acoustically shielded from the stadium noise. The other measurement locations were representative of homes that had full line-of-sight toward the field (no acoustic shielding) including upper floors of homes that are beyond the first row of homes.

### **Response 124.4**

The commenter states an opinion that the noise measurement locations do not provide sufficient data for the impact analysis. The measurement locations were chosen to represent the nearest residences with unobstructed views of the field as well as those that are setback farther from the field with obstructed views (acoustically shielded). Therefore, they provide a relevant sampling of noise at the adjacent residences for use in assessing potential impacts.

### **Response 124.5**

The commenter states an opinion that a different event should have been used for the noise measurements. As the Draft EIR preparation progressed, it was also possible to measure a rivalry game (Novato HS) for inclusion in the analysis. To account for variation in attendance, actual attendance figures from these games were obtained and compared with those expected for the project. As a result, the measured sound levels were adjusted upward to account for the increased attendance expected due to the project.

### **Response 124.6**

The commenter states an opinion that SMHS reduced bell and PA system noise to reduce noise at neighboring residences. This comment is noted. The commenter also opines that this reduction was

intended to provide “false data” for the Draft EIR. The commenter does not provide evidence to support their opinion that bell and PA system noise were reduced prior to analysis of the proposed project in the Draft EIR. On the contrary, the PA system was operational during the long-term noise measurements that were taken to support the noise analysis in the Draft EIR. No changes to the Draft EIR are warranted.

Letter 125

**From:** segibson@comcast.net [mailto:segibson@comcast.net]

**Sent:** Thursday, March 02, 2017 3:52 PM

**To:** LESLIE BENJAMIN

**Cc:** TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT; jholzwarth@oskr.com; lscheibel@comcast.net; klevin1011@comcast.net; Environmental Report; mhjoly@aol.com; plaperriere@me.com

**Subject:** DEIR SMHS PTSD-ADA Lights Comments

Dear Ms. Benjamin,

I have attached a comment to the SMHS DEIR (in .pdf format) regarding PTSD and ADA Compliance for inclusion with the DEIR comments. As a statutory impact element, SMHS's compliance with Federal Law was omitted from the DEIR, I regret that I am therefore unable to refer to a specific element for comment within the DEIR.

I will be forwarding you additional comments over the next 48 hours and will attempt to itemize my comments by DEIR Element Number wherever possible.

Regards,

***Steven E. Gibson, MS, JD***  
***Captain, U.S. Navy (retired)***  
***2 Santa Gabriella Ct.***  
***Novato, CA 94945-1121 (USA)***  
***415-246-3536 (mobile)***  
***415-892-0895 (landline)***  
***[segibson@comcast.net](mailto:segibson@comcast.net) (e-mail)***

[*Note: attachment not included with email*]

## Letter 125

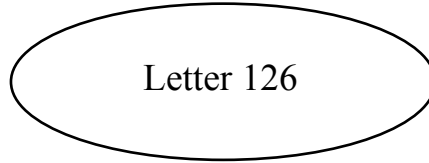
**COMMENTER:** Steven Gibson

**DATE:** March 2, 2017

### **Response 125**

The commenter references an attached comment but no attachments were included with this comment letter. The commenter also states an opinion that the Draft EIR does not address compliance with federal law. Please see Response 121.1.

**From:** Andy Gleeson [mailto:agleeson@gmail.com]  
**Sent:** Friday, March 03, 2017 11:47 AM  
**To:** Environmental Report  
**Subject:** Draft EIR Comments



Attached

Andrew Gleeson  
PO BOX 2839  
Novato CA 94948

### San Marin High School Lights Project Draft EIR Comments

1 The draft EIR for the proposed stadium lights project at San Marin High School has errors that  
must be researched and corrected. There are significant aesthetic impacts which will alter the  
surrounding neighborhood, including substantial adverse effects on the scenic vista and will  
substantially degrade the existing visual character and quality of the site and its surroundings.  
The project will also create a new source of substantial light or glare that will adversely affect  
the day and nighttime views in the neighborhood. These impacts have been addressed and  
deemed non-significant in the draft EIR. They are significant and need to be studied further,  
not just from carefully selected points by the draft EIR author. No seismic data or studies are  
2 included in the draft EIR. Seismic activity could have a significant, detrimental and deadly  
impact in relation to the proposed lights. This must be studied further as it puts hundreds of  
lives at risk including students and neighbors. Parking impacts are not a component of the  
3 CEQA significance criteria, and are not analyzed in the draft EIR. There will be significant  
parking impacts during games as night games will attract larger crowds, and must be studied  
further. Most likely driveways will be blocked and can create hazards for residents in case of  
4 emergency. Impacts on direct neighbor's sleep/wake cycle must be further studied. My family  
which lives directly on the field goes to bed extremely early and this will have a significant  
impact on my two and four year old. Their shared bedroom window will be in the impact zone  
of direct, significant glare. The impact of home values must be further analyzed and considered  
5 in this project, especially due to the fact that residents are paying a significantly larger amount  
of property taxes than years past due to the recent passing of the school bond. High property  
taxes and lower home values create a great financial risk for the community and must be  
6 considered and researched from a stake holder's point of view. Wildlife is a regular occurring  
phenomenon at the base of Mt. Burdell. The proposed project will have a significant negative  
impact on the local wildlife including birds. The impact on local wildlife must be studied  
further, and no impact on wildlife is included in the draft EIR. The installation of stadium lights  
7 significantly lowers the quality of life for surrounding neighbors, who may seek to remedy via  
the courts. There is no study on the cost of litigation for the school district in case of litigation  
as a result of the stadium light project. It's my understanding that there are currently three  
active instances of litigation currently involving Novato Unified (Rick r. Tucker vs. Novato  
Unified School District, Et Al; William Wells Jr. vs. Novato Unified School District, et al; Rick R.  
Tucker vs. Shalee Cunningham, et al) and it seems as though this project may bring additional  
and significant litigation costs if the lights are installed. My wife, a San Marin High School  
8 graduate has been a teacher for fourteen years, and recently started her tenth year at San  
Rafael High School in the Math Department. It is my understanding that there is a shortage of  
experienced math and science teachers in the Novato School District, most recently highlighted  
in a Marin Independent Journal article which I have attached to this letter. "It's really tough to  
find math and science teachers," said Novato schools Superintendent Jim Hogeboom. One of  
the reasons, the superintendent said, is because job seekers with that skill set can find jobs

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contd

paying much more in the private sector — especially in the Bay Area where there are so many startups.” What Superintendent Hogeboom left out is the fact that job seekers with the appropriate skill set can find work in other districts, such as San Rafael. NUSD is the lowest paying district in the county which can be seen on the attached salary schedules. My wife lives steps away from San Marin High, but chooses to commute 30 miles daily to make \$25,481 more annually than she would at San Marin High. I do not understand NUSD’s choice in paying a consultant \$100,000 to evaluate the possibility of stadium lights when it could clearly be used on education. This is an extreme disservice to my children who plan to attend San Marin High School. The proposed lighting system consists of 26 light poles, 8 of which are to be up to 80 feet high. Aside from neighborhood disturbance due to light, the new proposed stadium schedule runs to 9:45 PM Monday through Saturday, with Sunday the neighborhood’s “day off” to quote the soccer coach Benjamin Philpot, which is not acceptable due to light and noise. My family goes to bed early and also rises early (4:50 AM) so that we can drop off our children at school and be at work on time. As you might imagine, this includes going to bed before 9:45 PM on week nights. This draft EIR is grossly incomplete.

9

10

# Marin ‘feels impact’ of teacher shortage



Kris Cosca, assistant superintendent of human resources at Novato Unified School District, talks with attendees at a Marin County Office of Education job fair in San Rafael in March. Alan Dep — Marin Independent Journal

By [Janis Mara](#), *Marin Independent Journal*

POSTED: 07/30/16, 4:26 PM PDT | UPDATED: ON 08/01/2016  
[14 COMMENTS](#)

The national and statewide teacher shortage has made its way to Marin, and some of the county’s school districts are scrambling to fill positions, particularly in math and science, officials said.

“Marin schools, while not yet in crisis, are beginning to feel the impact of the teacher shortage in effect throughout the state and the country,” said Mary Jane Burke, Marin County superintendent of schools. “It will be incumbent on all of us to develop a way for those with the natural passion for the work to join the team of amazing educators in our community.”

Bay Area schools desperate for teachers are resorting to incentives, with San Francisco offering \$4,000 earlier this month to special education teachers who take a job in the city. On Monday, the Oakland Unified School District announced \$1,000 referral bonuses and \$1,000 signing bonuses for vacant hard-to-fill positions.



In recent years, Marin was able to [fend off the shortage](#), with personnel directors countywide working to be sure that candidates were provided easy access to jobs, attending multiple job fairs across the state and increasing use of Facebook, Twitter and LinkedIn to recruit promising teacher candidates.

Despite these measures and a March [teacher job fair](#) that drew more than 100 candidates, officials around the county agreed that the shortage is affecting them this year.

“It’s really tough to find math and science teachers,” said Novato schools Superintendent Jim Hogeboom. One of the reasons, the superintendent said, is because job seekers with that skill set can find jobs paying much more in the private sector — especially in the Bay Area where there are so many startups.

As of Friday, the Novato Unified School District had 25 teaching positions to fill, according to spokeswoman Leslie Benjamin.

That number includes resource specialists and speech language pathologists, “as well as classroom teachers, and of that we need five math teachers,” Benjamin said.

#### EARLY RECRUITMENT

With around 450 teachers, the Novato district is Marin’s largest; San Rafael City Schools employs about 400 teachers.

“We, like many districts, are being impacted by the statewide and national teacher shortage trend,” said Christina Perrino, San Rafael City Schools’ community engagement coordinator, in an email Friday.

“But we’ve had significant success with our hiring this year, partly thanks to our early recruitment efforts this winter and spring,” Perrino added. “We sent teams of teacher leaders and school principals to job fairs not just regionally, but we targeted areas throughout the state.”

The district has hired about 75 teachers at all levels, kindergarten through 12th grade, Perrino said. However, the district is still seeking to hire 12 teachers, she said.

“We do have a need for English Language Development teachers and school psychologists,” Perrino said.

“We’re confident we will be ready to meet the needs of our students on the first day of school,” she added.

In contrast to the county’s two biggest districts, Tamalpais Union High School District has filled all 31 of its open teacher positions, according to Lars Christensen, assistant superintendent for human resources at the district.

#### FUTURE BLEAK

A [statewide study](#) released in January painted a bleak picture for the future.

“Our analysis shows California on a trajectory that, if left unchecked, will likely result in increased teacher shortages and greater inequities among students in different

communities,” said Linda Darling-Hammond, lead author of the report, “Addressing California’s Emerging Teacher Shortage: An Analysis of Sources and Solutions.”

Factors such as low teacher salaries and an increased demand for teachers contributed to the teacher shortage, the report suggested. By 2013, the state’s student-teacher ratio had reached 24 to 1, compared with the national average of 16 to 1.

Districts would have to hire 60,000 new teachers to get the state back to pre-recession student-teacher levels, the report concluded.

However, not enough young graduates are going into teaching to reach that level. Interest in the profession has declined because the recession layoffs made it unappealing, and salaries are not seen as attractive because they were frozen during the recession and teaching conditions deteriorated.

With this in mind, “We need to deal with both the immediate situation and the future,” Burke said.

In an effort to make the credential program easier for prospective teachers, San Rafael’s Dominican University has fast-tracked its application process. Applicants with bachelors’ degrees can submit a completed application and be accepted in one day, and this year “they can submit applications up until the first week of class,” which is Aug. 22, said Dominican spokeswoman Sarah Gardner.

She said students can complete their credentials in one to two years and take classes in the evenings and online.

**NOVATO UNIFIED SCHOOL DISTRICT**  
**2015 - 2016 CERTIFICATED SALARY SCHEDULE**  
**TEACHERS**

**TEACHER WORK DAYS--186**

**#40/45**

RANGE	I	II	III	IV	V	VI	VII	VIII
Step	BA	BA + 30	BA+45 or BA+30+MA	BA+60 or BA+45+MA	BA+75 or BA+60+MA	BA+75 +MA/MS	BA+75 +PhD	BA+75+ MA+PhD
1	44,199	46,338	48,478	50,618	52,754	53,549	53,814	54,609
2		48,530	50,670	52,806	54,947	55,742	56,007	56,802
3		50,720	52,858	54,997	57,139	57,934	58,199	58,994
4		52,909	55,048	57,189	59,328	60,123	60,388	61,183
5		55,103	57,238	59,381	61,519	62,314	62,579	63,374
6		57,290	59,428	61,569	63,707	64,502	64,767	65,562
7		59,481	61,620	63,760	65,898	66,693	66,958	67,753
		60,481	62,620	64,760	66,898	67,693	67,958	68,753
8		61,669	63,810	65,952	68,088	68,883	69,148	69,943
		62,669	64,810	66,952	69,088	69,883	70,148	70,943
9		63,862	66,003	68,138	70,278	71,073	71,338	72,133
		64,862	67,003	69,138	71,278	72,073	72,338	73,133
10		66,052	68,190	70,330	72,467	73,262	73,527	74,322
		67,052	69,190	71,330	73,467	74,262	74,527	75,322
12				72,520	74,660	75,455	75,720	76,515
				73,520	75,660	76,455	76,720	77,515
14				74,710	76,850	77,645	77,910	78,705
				75,710	77,850	78,645	78,910	79,705
16				76,900	79,043	79,838	80,103	80,898
				77,900	80,043	80,838	81,103	81,898
				78,900	81,043	81,838	82,103	82,898
18				79,093	81,235	82,030	82,295	83,090
				80,093	82,235	83,030	83,295	84,090
				81,093	83,235	84,030	84,295	85,090
20				81,285	83,427	84,222	84,487	85,282
				82,285	84,427	85,222	85,487	86,282
				83,285	85,427	86,222	86,487	87,282
22				83,477	85,619	86,414	86,679	87,474
				84,477	86,619	87,414	87,679	88,474
				85,477	87,619	88,414	88,679	89,474
24				85,670	87,813	88,608	88,873	89,668
				86,670	88,813	89,608	89,873	90,668
				87,670	89,813	90,608	90,873	91,668

2005-06-6% Increase	2011-12-2% Increase	2015-2% OIV SCALE LUMP SUM
2006-07-4.5% + 1.92% Increase	2012-13-1% Increase	2015-16 6% Increase
2007-08-2.4% Increase	2013-14-5250 Cumulative Increase	

**San Rafael High School District**  
**CERTIFICATED SALARY SCHEDULE**  
**2015-2016**  
**(185 Work days)**

STEP	BA	BA + 30	BA + 45	BA + 60
1	53,523	55,964	58,405	60,850
2	55,964	59,030	61,472	63,916
3		62,093	64,540	66,980
4			67,604	70,046
5			70,671	73,112
6			73,737	76,178
7			76,803	79,246
8				82,310
9				85,377
10				88,442
11				91,507
12				94,574
13				97,640
14-16				103,927
17-20				105,335
21-24				106,746
25				108,155

## Letter 126

**COMMENTER:** Andrew Gleeson

**DATE:** March 3, 2017

### **Response 126.1**

The commenter states an opinion that the proposed project would result in significant aesthetic impacts, including significant impacts related to scenic vistas, the existing visual character and quality of the site, light trespass and glare, nighttime views. The commenter then claims that these impacts have been addressed and deemed "non-significant" in the Draft EIR. The commenter is substantially correct, in that these impacts have been addressed and determined to be either "less than significant" and "less than significant with mitigation" in the Draft EIR. These comments do not offer any evidence that the Draft EIR mischaracterized the aesthetic impacts associated with the proposed project. Therefore a specific response is not possible and no changes to the Draft EIR are warranted. Please also see Master Response A - Lighting and Aesthetics.

### **Response 126.2**

The commenter states an opinion that no seismic data or studies are included in the Draft EIR and that installation of the proposed project could expose people to injury or death as a result of seismic hazards. Item VI, *Geology and Soils*, of the Revised Draft Initial Study (Appendix A of the Draft EIR) evaluates the potential seismic hazards associated with the proposed project. Contrary to the commenter's assertion, this evaluation was based on existing data and studies, including seismic hazard evaluations provided in the City of Novato General Plan and the Association of Bay Area Governments Resilience Program. As described in Item VI, *Geology and Soils*, of the Revised Draft Initial Study (Appendix A of the Draft EIR), seismic hazards associated with installation of the proposed project, including the risk of injury or death, were found to be less than significant. No changes to the Draft EIR are warranted.

### **Response 126.3**

The commenter correctly states that "parking impacts are not a component of the CEQA significance criteria." The commenter states an opinion that project-related traffic will block residents' driveways, resulting in hazardous conditions in the event of an emergency. Although parking impacts are not a component of the CEQA significance criteria and therefore are not analyzed in the Draft EIR, existing parking conditions and expected future parking conditions are discussed in Section 2.4.1.3 of the Draft EIR, *Security, Parking, Crowd and Traffic Control, and Litter Removal*, and also in the Transportation Impact Study (Appendix F of the Draft EIR). Section 4.3 of Appendix F describes parking conditions with implementation of the proposed project. The parking analysis concludes that the expected additional parking demand that would be generated by implementation of the proposed project would be within the practical capacity of the on-site parking and adjacent street parking supply. While approximately 60 vehicles would need to park off-site during large events, there is sufficient parking adjacent to the school, away from residential streets. Please also see Master Response C – Traffic.

### **Response 126.4**

The commenter states concern that increased glare associated with the proposed project would adversely affect sleep patterns. The proposed LED lights would be turned off by 8:30 PM most nights and by 9:45 PM fewer than 15 times per year for home football and Powder Puff games. For approximately 210 of the 365 nights of the year, the lights would not be in use. While it is acknowledged that some

neighbors of San Marin High School may go to sleep before 9:45 PM, the proposed stadium lights' narrow beam angle, reflectors, and visors would minimize the exposure of nearby residents to lighting that could potentially disturb sleep. Preliminary photometric analyses indicate that potential light trespass would be very low (likely less than 1.0 foot-candle at neighboring property lines). Preliminary photometric analyses also indicate that the discomfort glare produced during operation of the proposed project would be below the 10,000-candela threshold at residential property lines facing the stadium. Due to the low levels of light trespass and glare and the limited use of the lights during normal sleeping hours, it is not anticipated that implementation of the proposed project would substantially disturb sleep patterns. Please also see Master Response A – Lighting and Aesthetics.

**Response 126.5**

The commenter states an opinion that the project would have a negative impact on property values. These comments do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see Master Response F – Property Values.

**Response 126.6**

The commenter states an opinion that implementation of the proposed project would have a significant negative impact on wildlife, including birds. The commenter further claims that no assessment of impacts to wildlife is included in the Draft EIR. Impacts related to wildlife are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies a less than significant impact on wildlife (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please also see the responses to Letter 5.

**Response 126.7**

The commenter states an opinion that implementation of the proposed project would adversely affect the quality of life for surrounding neighbors and that those neighbors may seek redress in the court system, which would result in litigation costs for the District. These comments are noted, but do not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see Master Response G – Project Cost.

**Response 126.8**

The commenter states opinions about teacher pay in the Novato Unified School District in relation to a shortage of math and science teachers and attaches an article that addresses a shortage of teachers in Marin County. The commenter states an opinion that District funds would better be spent on education than environmental analysis of the proposed project. These comments are noted, but do not question or challenge the analysis or conclusions of the Draft EIR and therefore do not require a specific response. Please see Master Response G – Project Cost.

**Response 126.9**

The commenter states that the proposed project would consist of 26 light poles, eight of which would be up to 80 feet tall. The commenter is correct in their description of light poles associated with the proposed project. As described in Section 2.4.1.1 of the Draft EIR, *Lighting*, in addition to the eight primary athletic field lights, a second set of lower-output LED luminaires for safe egress and clean-up would be installed on “up to 18 new and existing poles.” This number represents the maximum number of egress and clean-up lighting poles; the number of poles that would be installed with implementation

of the proposed project may decrease following final design of the project, depending on lighting needs for safe egress and clean-up.

**Response 126.10**

The commenter claims that the proposed lights would be used until 9:45 PM from Monday through Saturday, and that lighting and noise impacts would disturb sleep. The commenter mischaracterizes the proposed use of the stadium lights. As shown in Table 3 of the Draft EIR, Proposed Schedule of Events, the proposed stadium lights would be used until 9:45 PM up to 15 times per year, and only on Friday nights between August and November. For a discussion of the potential impacts of lighting and noise on sleep patterns, please see Master Response A – Lighting and Aesthetics and Master Response B – Noise.

Letter 127

**From:** James Goetz [mailto:jgoetzpsyd@gmail.com]  
**Sent:** Friday, March 03, 2017 2:40 PM  
**To:** JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER  
**Cc:** Jenn  
**Subject:** San Marin Stadium development

Hello,

1 | As a resident of San Marin, with a daughter (in athletics) at San Marin and two other children likely to attend San Marin High in coming years, I would like to register my strong opposition to the current stadium development plan. I feel it far exceeds what is needed, and is inappropriate for the residential, suburban, neighborhood, environment of San Marin.

2 | My family lives approximately 1/4 to 1/2 mile from the campus. In the summer when there are games, the noise is loud already. I would not welcome any increase in volume. I also have concerns that no EIR has been  
3 | done to consider the impacts on wildlife. Mt. Burdell is home to numerous important avian species that could be negatively impacted by this expansion. At minimum, there should be a study done to see what effects the expansion would have on birds and other wildlife in the area, so appropriate mitigation could be placed into the plan.

Sincerely,

--  
James K. Goetz, Psy.D.  
Clinical Psychologist  
PSY 22070  
415.827.2163

The contents of this email are the confidential property of James K. Goetz, Psy.D. These contents and attachments may not be copied, modified, shared, retransmitted, or used for any purpose without Dr. Goetz' explicit written authorization. If you are not the intended recipient of this email, please notify Dr. Goetz immediately by reply e-mail and permanently delete this email and any attachments without forwarding or saving them. Thank you.



## Letter 127

**COMMENTER:** James Goetz

**DATE:** March 3, 2017

### **Response 127.1**

The commenter states opposition to the proposed project, and states an opinion that it is inappropriate for the neighborhood. The commenter's opposition is noted. These comments do not pertain specifically to the analysis or conclusions of the Draft EIR.

### **Response 127.2**

The commenter states that the current noise environment at their home is loud and that they oppose any increase in noise levels. While the commenter's opposition to an increase in noise levels is noted, these comments do not pertain specifically to the analysis or conclusions of the Draft EIR. Please also see Master Response B – Noise.

### **Response 127.3**

The commenter expresses concerns that no EIR has been done to consider the impacts on wildlife and opines that Mr. Burdell is home to numerous important avian species that could be negatively impacted by this expansion. The commenter further suggest that, at minimum, there should be a study done to see what effects the expansion would have on birds and other wildlife in the area, so appropriate mitigation could be placed into the plan. The commenter is incorrect in the assertion that no study was included in the DEIR. In fact, a thorough study was conducted and is included in Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the DEIR). The commenter provides no evidence to substantiate the claim that avian species present in the vicinity of the project could be negatively impacted by the project. Therefore, no change to the original conclusion of the Initial Study is warranted. It should be noted that clarifying information has been added to Section 2.4.1.5 of the Final EIR stating that construction activities would occur between September 1 and January 31, during the non-nesting season. Therefore, impacts to nesting birds would not occur as a result of construction of the proposed project.

Letter 128

**From:** MWP Man [mailto:mwpman@aol.com]  
**Sent:** Friday, March 03, 2017 6:42 AM  
**To:** Environmental Report  
**Subject:** Biological Impact issue/comment for SMHS lighted stadium final EIR

Please include the attached issue/comment in the final EIR for the San Marin lighted stadium project.

Thank you,

Michael Hitchcock

Biological Impacts must be properly addressed by the EIR

- 1 | Biological resources were only briefly discussed in the Initial Study for the EIR. That discussion was not based on any scientific study. This appears to be the result of a desire to produce the document quickly instead of taking the time to conduct a proper biological study. We need to see your documentation for your biological study if one was ever conducted.  
Biological Impacts were summarily dismissed as “less than significant” and not addressed at all in the DEIR.
- 2 | The alteration of the night environment, both in terms of light and sound impacts, is significant and a thorough biological study must be conducted. In the immediate area of the project there are raptors and other birds, bats, frogs and insects that will experience major impacts from the proposed project. These must be identified and their sensitivity to the project impacts must be determined. Locally identified bat species alone include the pallid bat, California myotis, big brown bat, hoary bat, western red bat, Townsend’s big-eared bat, Mexican free-tail bat, and Yuma myotis. I suspect there are more. I am not a bat specialist.
- 3 | A thorough biological study must be conducted by a certified expert who is qualified address these issues.

## Letter 128

**COMMENTER:** Michael Hitchcock

**DATE:** March 3, 2017

### **Response 128.1**

The commenter suggests that biological resources were only briefly discussed in the Initial Study for the Draft EIR and opines that the discussion was not based on any scientific study. The commenter asks to see documentation for the biological study, and states an opinion that biological impacts were not addressed in the Draft EIR. Potential for occurrence of sensitive biological resources and potential impacts related to sensitive biological resources are discussed under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the EIR) and impacts were determined to be less than significant. The commenter provides no evidence to suggest that any other conclusion in the Initial Study is warranted. Therefore, a specific response is not possible. However, these topics are discussed at length in the responses to Letter 5; please refer to those responses.

### **Response 128.2**

The commenter opines that the alteration of the night environment, both in terms of light and sound impacts, is significant and that a thorough biological study must be conducted. The commenter further suggests that in the immediate area of the project there are raptors and other birds, bats, frogs, and insects that would experience major impacts from the proposed project. In the commenter's opinion, these must be identified and their sensitivity to the project impacts must be determined. The commenter further suggests that locally identified bat species alone include the pallid bat, California myotis, big brown bat, hoary bat, western red bat, Townsend's big-eared bat, Mexican free-tail bat, and Yuma myotis. The commenter suggests that there may be more species present, but notes that he is not a bat specialist.

Under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the EIR), impacts suggested by the commenter have been addressed at a level sufficient under CEQA and have been determined to be less than significant. The commenter provides no evidence to substantiate the claim that alterations to the night environment would result in significant impacts to biological resources; therefore, it is not possible to provide a more specific response. However, these topics are discussed at length in the responses to Letter 5 and Letter 122; please refer to those responses.

### **Response 128.3**

The commenter opines that a thorough biological study must be conducted by a certified expert who is qualified to address these issues. A biological study was conducted by biologists with a reputable professional consulting firm. The study and findings relevant to CEQA review of this project are discussed in the responses to Letter 5 and under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the EIR); please refer to those responses.

Letter 129

**From:** MWP Man [mailto:mwpman@aol.com]

**Sent:** Friday, March 03, 2017 6:42 AM

**To:** Environmental Report

**Subject:** Sound Impact Mitigation Measures need to be addressed in EIR for SMHS lighted stadium project

Please include the attached issue/comment in the final EIR for the San Marin Lighted Stadium project.

Thank you,

Michael Hitchcock

Sound Impact Mitigation Measures need to be addressed in EIR

From page 107 of the DEIR:

1

“IMPACT N-2

NOISE FROM CROWDS AND THE PROPOSED PA SYSTEM AT ATHLETIC EVENTS ON THE FIELD WOULD NOT EXCEED THE THRESHOLD OF 75 DBA AT THE SENSITIVE RECEPTORS; HOWEVER, VARSITY FOOTBALL GAME NOISE WOULD GENERATE L5 NOISE LEVELS THAT EXCEED THE THRESHOLD OF 55 DBA AT THE ADJACENT RESIDENCES. ALTHOUGH DESIGN REQUIREMENTS FOR THE PA SYSTEM WOULD REDUCE NOISE TO THE EXTENT FEASIBLE, THE NOISE IMPACT FROM PROJECT-RELATED ACTIVITIES ON THE FIELD WOULD BE SIGNIFICANT AND UNAVOIDABLE.”

VARSIY FOOTBALL GAME NOISE WOULD GENERATE L5 NOISE LEVELS THAT EXCEED THE THRESHOLD OF 55 DBA AT THE ADJACENT RESIDENCES ... THE NOISE IMPACT FROM PROJECT-RELATED ACTIVITIES ON THE FIELD WOULD BE SIGNIFICANT AND UNAVOIDABLE.

If as stated this impact would be unavoidable, you have an obligation to mitigate this impact and not just adopt a statement of overriding consideration.

Implementing measures such as eliminating football games from uses of the lighted field and limiting night use to soccer and lacrosse games and track meets which are claimed to not generate these excessive noise levels.

2

This does not interfere with the project objective (1) to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes. This problem was identified only for winter soccer games.

This does not interfere with the project objective (2) to allow for the scheduling of games at times when students, parents, and community members can more easily attend the events, which would increase school spirit and increase revenue from ticket purchases. Football games could be played during the day on Saturdays, when more community people would be able to easily attend than on a night during the work week.

This does not interfere with the project objective (3) to provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities, in an alcohol-free environment. These opportunities are still provided.

This does not interfere with project objectives (4), (5) or (6)

***On May 4, 2016, announcing the lights project to the neighbors, the Superintendent wrote: “the move of soccer from a fall (boys) and spring (girls) sport to a winter sport became effective under MCAL (Marin County Athletic League). This change triggered the need for all four soccer teams – boys and girls varsity and junior varsity – to practice and use fields at nearly the same time due to limited daylight in the late fall/winter months. A community conversation regarding stadium lights began in conjunction with possible solutions to this change in seasons.”***

## Letter 129

**COMMENTER:** Michael Hitchcock

**DATE:** March 3, 2017

### Response 129.1

The commenter quotes the impact statement from Impact N-2 in Section 4.5.2 of the Draft EIR, *Impact Analysis*. The commenter then states an opinion that the District has an obligation to mitigate the significant and unavoidable noise impact rather than adopt a statement of overriding considerations. The commenter further suggests that eliminating football games from the proposed uses of the field would effectively mitigate the significant noise impact.

As described under Impact N-2 in Section 4.5.2 of the Draft EIR, *Impact Analysis*, noise at a large event such as a playoff or rivalry game would exceed both the hourly  $L_5$  and daily CNEL noise thresholds at the property lines of nearby sensitive receptors, which would result in a significant noise impact. The commenter is correct that under CEQA the lead agency should identify feasible mitigation measures for significant impacts. However, no feasible mitigation was identified to reduce this significant impact to a less than significant level. As discussed in Impact N-2, although design requirements for the PA system would reduce noise to the extent feasible, the noise impact from project-related activities on the field would be significant and unavoidable.

Project alternatives that would reduce or avoid this significant impact are discussed in Section 6, *Alternatives*, of the Draft EIR. Of the feasible alternatives, the Novato High School Lighting alternative (Alternative 2) would eliminate the significant noise impact for the neighborhood surrounding San Marin High School but would introduce a significant noise impact for the neighborhood surrounding Novato High School.

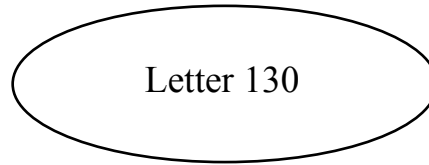
Varsity football games were used to model the worst-case noise scenario as those events represent the loudest proposed events at the stadium. Other events at the stadium, including soccer and lacrosse games, would also exceed the  $L_5$  noise threshold at some nearby sensitive receptors. The noise impact from all proposed uses of the field is discussed under Impact N-2 in terms of increases in annual average CNEL, which accounts for all activities associated with the proposed project. Table 30, Noise Level ( $L_5$ ) Due to Non-Varsity Football Stadium Uses, has been added to the Final EIR to clarify that proposed activities on the field other than varsity football games would also exceed the  $L_5$  noise threshold. Therefore, elimination of varsity football games from the proposed uses of the field would not necessarily eliminate the significant and unavoidable noise impact associated with the proposed project.

Please also see Master Response B – Noise and Master Response E – Alternatives.

### Response 129.2

The commenter states an opinion that eliminating varsity football games from the proposed uses of the field would not interfere with the project objectives. While the commenter's assessment of the project's objectives is noted, it does not specifically question or challenge the analysis or conclusions of the Draft EIR and therefore does not require a specific response. Please see Response 129.1 regarding the elimination of football games from the proposed uses of the field as it relates to the significant and unavoidable noise impact identified in Impact N-2 in Section 4.5.2 of the Draft EIR, *Impact Analysis*.

**From:** MWP Man [mailto:mwpman@aol.com]  
**Sent:** Friday, March 03, 2017 6:43 AM  
**To:** Environmental Report  
**Subject:** Local Scenic Vista Impact issue/comment



Please address the attached comment in the final EIR for the San Marin Lighted Stadium project.

Thank you,

Michael Hitchcock

## Local Scenic Vista Impact issue:

*“THRESHOLD 1: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A LOCAL SCENIC VISTA?*

### *Impact AES-1*

*THE ADDITION OF LIGHTS AND LIGHT POLES AT THE STADIUM WOULD INCREMENTALLY ALTER VIEWS OF AND THROUGH THE STADIUM SITE. HOWEVER, BECAUSE LIGHT POLES WOULD NOT SUBSTANTIALLY OBSTRUCT VIEWS OF SCENIC RESOURCES, IMPACTS TO SCENIC VISTAS WOULD BE LESS THAN SIGNIFICANT.*

*The project would introduce eight light poles up to 80 feet tall to the stadium site, incrementally altering existing views of and through the site.”*

### *“Mitigation Measures*

*No mitigation measures would be required.”*

This statement is not true and must be revised. As stated in the project description on page one, there would be far more than just 8 poles – and these are poles with racks of luminaires that are 80 feet (far taller than any structures in the surrounding area) tall plus 18 more poles with luminaires up to 30 feet tall plus 18 more poles up to 30 feet to support speakers.

Homes all around the site will be forced to look at and through these many obstructions when looking out to the existing scenic vistas – views of the surrounding hills and views of the rising and setting sun are just two obvious examples. Some of the school board Trustees visited a few homes in the area. They are aware of this. This issue was not properly investigated or addressed. The true impact of these large light and sound installations on the local scenic vistas must be investigated and mitigations must be proposed.



## Letter 130

**COMMENTER:** Michael Hitchcock

**DATE:** March 3, 2017

### **Response 130**

The commenter states that there would be more than eight 80-foot tall lighting, referring to the additional proposed 18-foot poles. The commenter states an opinion that the proposed poles and fixtures would obstruct views and that the Draft EIR did not account for impacts related to all of the poles.

Please see Figure 4 in Section 2, *Project Description*, which clearly shows the proposed pole design and fixture arrays, which form the basis for the impact analysis. Section 4.1, *Aesthetics*, of the Draft EIR includes a discussion of potential view impacts from residences and public viewpoints under impacts AES-1 through AES-5. Please see also Master Response A – Lighting and Aesthetics and Response 113 about this topic. As described in Response 113, clarifying information has been added to Impacts AES-1 and AES-2 to describe the egress lighting and speaker poles that would be installed with implementation of the proposed project. Impacts would remain less than significant and no change to the Draft EIR is warranted.

**From:** MWP Man [mailto:mwpman@aol.com]  
**Sent:** Friday, March 03, 2017 6:41 AM  
**To:** Environmental Report  
**Subject:** Field usage issue in SMHS DEIR

Letter 131

Please include the attached in the final EIR for the San Marin High lighted stadium EIR

Thank you,

Michael Hitchcock

Information missing from usage schedule (Table 3) in chapter 2

Statement from section 2.4.1.6 of the DEIR:

*“The proposed schedule of events per school year and the associated start and end times for both lighting and public address system use are shown in Table 3 in Chapter 2. While the timing of some events would shift to evening and nighttime hours, the frequency of events per school year would not significantly change from existing usage.”*

*“The stadium lights would not be used for community or non-school activities”*

The Draft EIR is based on usage as dictated by Table 3 Proposed Schedule of Events.

There is no mention of any enforcement provision to ensure additional events are not added, as has happened, sometimes to abusive levels, at other high school lighted stadium projects. Real penalties, such as the loss of use of the facility for an extended period of time, need to be added in writing to keep future users from altering the use of the lights from the specific uses listed here. If this schedule shows the full extent of intended uses there should be no problems adding this to the document.

## Letter 131

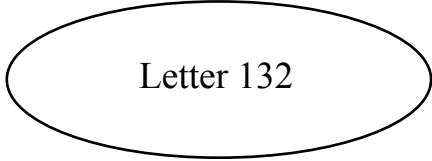
**COMMENTER:** Michael Hitchcock

**DATE:** March 3, 2017

### **Response 131**

The commenter states that there are no enforcement provisions or penalties to ensure that events are not added beyond the calendar of events as described in the Project Description. The District would be in charge of enforcing the use of the stadium. The schedule was developed in coordination with the District based on the objectives and needs associated with the proposed project. Please see responses 19.5 and 56.3. Any substantial increase in use beyond what is analyzed in the Draft EIR may require subsequent environmental analysis. Because the Draft EIR correctly analyzes the project as proposed, no changes to the Draft EIR are warranted.

From: Beth Huizenga [mailto:bethhuizenga@comcast.net]  
Sent: Wednesday, March 01, 2017 3:40 PM  
To: Environmental Report  
Subject: SaveSanMarin.com



Hi there,

I'm trying to sign the Petition to prevent the installation of stadium lights at SMHS. It doesn't seem to be working. I also wish there was a way to forward the Petition to other people and link to Facebook.

Consider me signed as I am a property owner on San Carlos Way and I think it's too much noise and glare for this area.

~Beth Huizenga

200 San Carlos Way  
Novato, CA 94945

## Letter 132

**COMMENTER:** Beth Huizenga

**DATE:** March 1, 2017

### **Response 132**

The commenter states concerns regarding potential noise and glare from the proposed project and states opposition to the project. Light and glare impacts are discussed in Section 4.1, *Aesthetics*, of the Draft EIR under Impacts AES-4 and AES-5. Impacts would be less than significant with mitigation incorporated. Please see also Master Response A – Lighting and Aesthetics for further discussion of this topic. Noise is addressed in detail in the Draft EIR in Section 4.5, *Noise*. One significant and unavoidable noise impact related to athletic activities on the field was identified in the Draft EIR. Please see also Master Response B – Noise.

Letter 133

**From:** Heidi Kertel <[heidi.fullcircle@gmail.com](mailto:heidi.fullcircle@gmail.com)>

**Sent:** Thursday, March 2, 2017 12:31 PM

**To:** TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; [derek@strahmcom.com](mailto:derek@strahmcom.com)

**Subject:** San Marin Lights

Dear NUSD Trustees:

The EIR for the proposed San Marin High stadium lights does not adequately address the impact of the LED lights. None of following questions were answered:

1. How is the reflected LED light measured on artificial turf? And what are the harmful effects?
2. What about studies that show LED lighting causes cancer? (Studies show LED light suppresses melatonin and is linked to cancer.)
3. What visual effects will the LED lights have on drivers and pedestrians on San Marin Drive?
4. How would the LED lights impact surrounding wildlife and vegetation? No mention of the fact that San Marin sits against Mount Burdell open space is mentioned in the EIR.

Thank you for addressing my concerns.

Heidi Kertel  
409 Tamarack Place  
Novato, Ca 94945

## Letter 133

**COMMENTER:** Heidi Kertel

**DATE:** March 2, 2017

### **Response 133**

The commenter asks several questions about the impacts of the LED lights. These questions are related to potential impacts of LED lights reflected off the artificial turf, the potential for LED lights to cause cancer, the effects of LED lights on drivers and pedestrians on San Marin, and the potential for LED lights to affect wildlife.

Artificial turf is not a highly light-reflective material. In addition, light reflected from artificial turf would be reflected mainly upward toward the light source, rather than outward from the field due to the narrow beam angle of the high-mounted luminaires. Please see Master Response A – Lighting and Aesthetics regarding the potential for health effects related to LED lights.

Regarding effects of the lights on drivers, please see the discussion in the Draft EIR under Impact AES-4 in Section 4.1, *Aesthetics*. As discussed there, impacts would be less than significant with implementation of Mitigation Measure AES-4. Please see also Master Response A – Lighting and Aesthetics.

Impacts related to wildlife are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies a less than significant impact on wildlife (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please see also the responses to Letter 5 for more information on this topic.

Finally, the commenter opines that “No mention of the fact that San Marin sits against Mount Burdell open space is mentioned in the EIR.” On the contrary, the proximity to the open space area is mentioned in a number of places in the Draft EIR, including in Sections 4.1.1, 4.1.2 and 4.3.1.

## Letter 134

**From:** Joe Kolinger [mailto:joe@kolinger.net]

**Sent:** Friday, March 03, 2017 4:40 PM

**To:** JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

**Cc:** joe@kolinger.net

**Subject:** Lights at San Marin EIR! - EIR, etc.

I am writing regarding the proposal to install lights and sound at the San Marin high football field. Since you likely get a lot of responses I will be brief with my objections.

Why I object:

- 1 | 1. I see the EIR as incomplete and casual in its assessment of impacts, particularly with regards to traffic and lighting impacts on neighbors.
- 2 | 2. The EIR is lacking a biological study
- 3 | 3. The EIR lacks reasonable impact assessment on human neighbors
- 3 | 4. I have a young special needs child who is a lot of work. Evening noise and light are disruptive to his rest and is truly unkind.
- 4 | 5. My wife and I also care for a nonagenarian and both light and noise would be impacting to her rest.
- 4 | 6. Last, the EIR dismisses alternatives to San Marin without any adult-level, reasonable detail.

In short, there are great alternatives to the current proposal that would benefit all of Novato, not just San Marin.

Please engage with people who have vision and capability for producing a better solution for all of Novato. I can help you connect with such people.

Respectfully,

Joe Kolinger



**Joe Kolinger**  
President, Kolinger Associates  
415 246 7264 | [joe@kolinger.net](mailto:joe@kolinger.net) |



## Letter 134

**COMMENTER:** Joe Kolinger

**DATE:** March 3, 2017

### **Response 134.1**

The commenter states an opinion that the Draft EIR is incomplete with regard to traffic and lighting impacts. The commenter does not provide information or analysis to support this opinion; therefore a specific response is not possible. Please see Master Response A – Lighting and Aesthetics, and Master Response C – Traffic for additional discussion on these topics.

### **Response 134.2**

The commenter states an opinion that the Draft EIR is lacking a biological study. Impacts related to biological resources are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies less than significant impacts (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please see also the response to Letter 5.

### **Response 134.3**

The commenter states an opinion that the Draft EIR lacks a reasonable assessment of impacts on human beings and that lighting and noise would disrupt the quality of life for inhabitants of their house. The Draft EIR extensively analyzes potential noise and lighting effects in Section 4.1, *Aesthetics*, and Section 4.5, *Noise*, of the Draft EIR. The commenter does not challenge the specific findings or conclusions of the Draft EIR. Please see Master Response A – Lighting and Aesthetics, and Master Response B– Noise, for additional discussion on these topics.

### **Response 134.4**

The commenter states an opinion that the Draft EIR dismisses the alternatives without any reasonable level of detail and that there are other alternatives that would benefit all of Novato. The Draft EIR does not dismiss alternatives; rather, it analyzes them in comparison with the project as required by CEQA. The commenter does not suggest any specific alternatives that should be considered. For a discussion of the alternatives in the Draft EIR and their ability to reduce project impacts, please see Master Response E – Alternatives.

Letter 135

**From:** Paul LaPerriere [mailto:plaperriere@me.com]  
**Sent:** Tuesday, February 28, 2017 10:23 AM  
**To:** Environmental Report  
**Cc:** TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEBBIE BUTLER; DEREK KNELL  
**Subject:** Draft EIR: San Marin High School Stadium Lights Project

Attention: Yancy Hawkins,

Below are my comments and observations regarding the Draft EIR: San Marin High School Stadium Lights Project.

**I feel at best the DEIR has been a flawed process and at worst a pre-determined conclusion.**

1 | If there was a sincere commitment to consider the real issues put forth by neighbors of the high school why didn't the Project Objectives specifically address our concerns? As an example, an objective could have been, **"Understand and act to eliminate the cumulative negative impact to our San Marin neighbors"**. If this objective was included then RINCON'S work would have had to measure their analysis against this goal **along with the other goals**. On the surface this may be viewed as trivial but it clearly represents intent and directs the consultant to seriously consider the goal with equal emphasis throughout the analytical process. There are a number of comments in the DEIR by RINCON that dismiss alternative solutions by indicating that the **alternative would hamper achieving the Project Objectives**.

2 | I take issue with Objective #3 - "Provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities, in an alcohol-free environment".  
Of course that's a wonderful thing to hope for but common sense could offer a different outcome. **Nighttime sports under the lights could actually be a good excuse for some to party before and/or after games that do include alcohol and other substance choices**. It happens during the school day with **SOME, NOT ALL**, San Marin students as I described in my email dated September 21,2016. The DEIR completely ignores this possibility.

3 | The DEIR dedicated twenty pages on "Cultural Resources" and Paleontological history yet the sum total of the consultants work surrounding crime and vagrancy issues was a few phone calls to local police departments capped by quite frankly a political statement from the former Novato Police Chief: **"benefits outweigh the negatives"**. **A totally irresponsible response to a significant concern of the community**.  
The DEIR should do thorough research and analysis regarding crime and vagrancy as it pertains to "Friday Night Lights" activities across the country, not just locally in the North Bay. In addition, I believe our new Chief of Police, Adam McGill, the Sheriff's Department and Marin County Open Space Rangers should be fully engaged in this discussion because a favorite spot for teenagers to "hang out" is the County Open Space adjacent to the High School fields as well as the private open space above my home in Novato Chase. A key element of the analysis should include face to face discussions with members of the San Marin community to share what we currently are experiencing in our neighborhoods as a starting point that informs this more comprehensive review.

4

As I mentioned earlier, in my letter to Leslie Benjamin last September **I outlined numerous examples of vagrancy/crime situations that have occurred in my neighborhood many of which were perpetrated by teenage individuals.** I'm aware of these situations because I have been a Board Member of our homeowner association for the last seven years and have dealt with our efforts to mitigate these problems. ( **See attached exhibit** )

5

**The DEIR was remiss by not including a Photometric Study** prior to any final decision by the Trustees and concur with the Board President to delay the final decision until it is completed.

6

**The DEIR was also remiss by not including a Biological Study** as part of it's analysis as the Audubon Society so aptly raised in their letter to the Board.This study should also be completed before any final decisions are made on the EIR.

7

The DEIR specifically excludes economic impacts Pursuant to CEQA Guidelines Section 15064. If that is the case then the conclusions made in the DRAFT on regarding the Alternatives are irresponsible. You can't have it both ways. Alternatives 6.1.e, College of Marin IVC Lot; 6.1.f., College of Marin IVC Lot 2; 6.1.g., Hill Recreation Area and 6.1.h., all conclude by saying ...."this location would be cost prohibitive."

**How can economic consideration be excluded on one hand and then the D.E.I.R. claim these alternatives are "COST PROHIBITIVE" with no supporting analysis including NUSD funds available to pay for this Project?**

8

Finally, let me be very clear. **I am not against** student athletes having the opportunity to find a balance between their education and enjoyment of their sports. I've been a San Marin High booster for the last sixteen years buying my annual football game schedule discount card and welcoming the various other team members soliciting financial support throughout the year for their various events .

**What I am against is this ill-conceived Project and a firm supporter of a solution similar to the IVC Alternatives that embraces the need of the entire District if not the Community at large.** If the Trustees are committed and are courageous in pursuing this option I think they will find significant support from all constituencies.

Sincerely,  
Paul LaPerriere  
81 Sandy Creek Way  
Novato, Ca.

Sent from my iPad

## Letter 135

**COMMENTER:** Paul LaPerriere

**DATE:** February 28, 2017

### **Response 135.1**

The commenter suggests that one of the project objectives should be to address neighbor concerns. The commenter does not specifically challenge the analysis or conclusions of the Draft EIR. These suggestions regarding the District's objectives are noted.

### **Response 135.2**

The commenter objects to one of the project objectives. The commenter does not specifically challenge the analysis or conclusions of the Draft EIR. These suggestions regarding the District's objectives are noted.

### **Response 135.3**

The commenter states that the Draft EIR does not sufficiently address crime and vagrancy issues. Please see Master Response D – Public Services and Safety for a further discussion of this topic.

### **Response 135.4**

The commenter again mentions that there are many examples of crimes committed by teenagers. Please see Master Response D – Public Services and Safety for a further discussion of this topic.

### **Response 135.5**

The commenter states an opinion that the Draft EIR should have considered a photometric study prior to release of the draft and that the study should be finalized prior to the decision by the Board. After publication of the Draft EIR, Musco Sports Lighting, LLC prepared preliminary photometric studies for the proposed project that modeled both illumination and glare in and around the project site. The results are included in this response for informational purposes (the mitigation measure remains part of the Final EIR). Please see Master Response A – Lighting and Aesthetics for a discussion of the findings of the photometric study. Decision makers will consider the results of the study when considering project approval.

### **Response 135.6**

The commenter states an opinion that the Draft EIR was remiss by not including a biological study. Impacts related to biological resources are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies less than significant impacts (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please see also the responses to Letter 5.

### **Response 135.7**

The commenter states an opinion that the Draft EIR should support the claim in the alternatives section that development of some of the alternatives are cost prohibitive. Please see Master Response E – Alternatives, for a discussion related to cost associated with the alternatives considered in the EIR. In

addition, please note that the CEQA Guidelines, in Section 15126.6, identify “economic viability” as one factor that can be considered by lead agencies in assessing project alternatives.

**Response 135.8**

The commenter states opposition to the project and support for the IVC off-site alternative. These comments are noted but do not challenge the analysis or conclusions of the Draft EIR. Please see Master Response E – Alternatives.

Letter 136

From: Ruth LeBlanc [mailto:ruthieleblanc15@gmail.com]

Sent: Friday, March 03, 2017 12:12 PM

To: JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA;  
ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

Cc: Ruth LeBlanc

Subject: San Marin High School - Proposed Lights & Sound Project, Draft EIR Comments

Good afternoon,

Attached please find my comments to the proposed SMHS Lights and Sound project.

Kindly,

--

Ruth LeBlanc

March 3, 2017

TO: NUSD  
FROM: Ruth M. LeBlanc – San Marin Resident  
SUBJECT: Comments to the EIR

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Hello, I wanted to take a moment to formally express my concerns with the EIR for the proposed light & sound project at San Marin High School. I have a Bachelor of Science degree in Environmental & Occupational Health. I have worked for regulatory agencies and NASA. I am familiar with this process.

I have taken the time to read the Draft EIR, it is a long boilerplate report that is tilted towards the support rather than an impartial fact finding inquiry as to the appropriateness of the project in a dense neighborhood; it does not adequately address the impacts this project will have on the neighborhood and wildlife that makes Marin very special. My comments on the Draft EIR:

The Report clearly states:

1. The Photometric and minimization of glare have not been studied however it is labeled as an insignificant impact. How can they conclude the impact as insignificant if it hasn't been measured? We won't know the impact until they are installed. If there isn't a computer model, what recourse will the residents have if the noise and glare are unacceptable? What is the contingency plan if any? What and how the mitigated measures will be communicated?
2. The installation of the PA system will have significant and unavoidable impact. The Report clearly states the increased noise cannot be remedied; something the immediate neighborhood will have to endure for the lifetime of the stadium. I live less than 100-yards from the softball field, the noise from the PA is as bad as the glare from the lights. I was there on the Friday with Board Members in the homes of those living very close to the stadium. A soccer game was going to start and on the field there was an opening awards ceremony with less than 50 people in attendance; you could hear the clapping, cheering, talking, etc. with a very small crowd. Now increase that exponentially and you may be able to ascertain what the noise will be like with a crowd of 4-thousand and a PA system. This unavoidable and significant impact should be enough to stop this project.
3. The maximum capacity of the Stadium is 4-thousand. The computer models did not take into account this number of increased people, cars, noise and congestion? Where will people park? What impact will that many people have on our neighborhoods, roads, homes and well-being? What will the noise and air pollution be if we considered the true number of attendees?
4. The report did not conduct a biological study, if they had, it would have pointed out the adverse impact on the diverse ecosystem that surrounds our neighborhood and community. The Draft EIR states, that the Novato High School Stadium Lighting is the environmentally Superior alternative.

- 5 | 5. The Draft EIR did a poor job of investigating alternatives to the project. It did not look with any real verve to find a suitable alternative to benefit both high schools, provide lights and extra practice/playing fields. We NEED a COMMUNITY solution. We need a facility where both schools can compete and the community can attend to support their school. The Indian Valley College field is an excellent alternative location to benefit the community and city.
- 6 | 6. The other point of contention is the number of events (practices, games, events, etc.) used at the SMHS. No one wants to be honest as to the vast number of events that will be held at the stadium if the light and sound project are approved. Why hide the plan for the field. This project has the honesty of a political campaign. False truths and promises to get what you want.

7 | I have spoken to San Marin High School Teachers who are afraid to speak out against the lights. The teachers believe the money could be better spent on infrastructure and other student and facility needs. The lights are not a necessity they are a nice-to-have. They are a want verses a need. For 48 years this school and community have been able to participate in and support their school teams without lights. A high school student may benefit from the project for the 4 years they attend San Marin while the neighborhood will have to endure the impact for decades to come.

Why is San Marin High School being considered for this project, when clearly the study has shown it is not the best location? I do not want my comments to be construed as NIMBY, I don't think any neighborhood should be subjected to constant lights and noise. The Draft EIR does not offer an alternative that solves a city problem, rather the San Marin stadium light project will create a neighborhood one.

I will quote Gladys Taber "being a good neighbor is an art which makes life richer. San Marin High School is my neighbor. A lighted stadium should be bringing the community together, a place for cheering, celebrating and memories, not creating a divide.

Sadly, as a by-product of this process we have not shown our young adults, the high school students, what it means to research, investigate, and make educated decisions; the legacy of this decision and what it means to be a true neighbor. We have not taught them compromise, empathy, understanding, and honesty. We have taught them if you speak louder, yell, rant, and speak as a raucous group, you win. Not with facts, but with emotion. This project is bad for the neighborhood and community. This project is bad for San Marin.

The Draft EIR is not an unbiased, investigated and educated report on the impact of the project on the neighborhood and ecosystem.

I implore the Board to reject this EIR and project based on the lack of facts, the overwhelming impact on a dense community/neighborhood and delicate ecosystem. Moreover, based on the fact we need a central facility such as Indian Valley College that was designed for the community and where both high schools can benefit.

Regards,

Ruth M. LeBlanc



## Letter 136

**COMMENTER:** Ruth LeBlanc

**DATE:** March 3, 2017

### **Response 136.1**

The commenter states an opinion that the photometric conditions and minimization of glare have not been studied. Please see Response 88.4 and Master Response A – Lighting and Aesthetics. Please also note that, as required by Mitigation Measures AES-3 and AES-4 in Section 4.1.2 of the Draft EIR, *Impact Analysis*, light trespass would be limited to 2.0 vertical and horizontal foot-candles at the neighboring property lines and glare would be limited to 10,000 candelas at the neighboring property lines.

### **Response 136.2**

The commenter states an opinion that PA noise would be significant. As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, Mitigation Measure N-1 (which has been renumbered Mitigation Measure N-2 in the Final EIR) requires that "the District shall design and operate the new PA system to not exceed an L<sub>5</sub> sound level of 55 dBA at the surrounding residences to the extent possible. This would require distributing highly directional and carefully aimed loudspeakers around the bleachers and field." It should be noted that the upgraded PA system is expected to be quieter at neighboring residential property lines than the existing PA system. However, even with the best available technology it may not be possible to limit the PA system to an L<sub>5</sub> sound level of 55 dBA at the surrounding residences while still maintaining an intelligible sound level in the stands. The Draft EIR does identify a significant and unavoidable noise impact related to athletic activities on the field, which is consistent with the overall comment. No changes to the Draft EIR are warranted. Please also see Master Response B – Noise.

### **Response 136.3**

The commenter states that the maximum capacity of the stadium is around 4,000 and asks why the computer models didn't take into account the increased noise, traffic, parking, and pollution. Please see Response 7.5 regarding the expected number of attendees at major events, and Master Response C – Traffic for information regarding parking. Noise and air pollution are discussed in the Draft EIR in sections 4.2, *Air Quality*, and 4.5, *Noise*, respectively. Impacts related to air quality would be less than significant. Please see Response 136.2 and Master Response B – Noise regarding noise impacts.

### **Response 136.4**

The commenter states an opinion that the Draft EIR did not include a biological study and therefore did not take into account impacts to the ecosystems surrounding the site. Impacts related to biological resources are discussed in the Revised Draft Initial Study (Appendix A of the Draft EIR), which identifies less than significant impacts (see Revised Draft Initial Study Item IV, *Biological Resources*, and revisions therein). Please see also the response to Letter 5. The commenter also states that the Novato High School Stadium Lighting alternative is the environmentally superior alternative. The commenter is correct that of the development alternatives, Alternative 2 (Novato High School Lighting) is the environmentally superior alternative. No changes to the Draft EIR are warranted.

**Response 136.5**

The commenter states an opinion that the Draft EIR did a poor job of investigating alternatives and did not look to find a suitable alternative. The commenter expresses support for the IVC alternative. The commenter’s opinion supporting the IVC alternative is noted. The commenter does not specifically challenge the analysis or findings associated with any of the other alternatives or suggest different alternatives. Please see Master Response E – Alternatives for more information about this topic.

**Response 136.6**

The commenter states an opinion that the Draft EIR is not “honest” about the number of events that will be held at the site. The commenter does not provide information to support this opinion. The proposed schedule of events is described in Section 2, *Project Description*, of the Draft EIR, under subsection 2.4.1.6, *Proposed Schedule of Events*.

**Response 136.7**

The commenter states a number of opinions about the project that do not pertain to the analysis of environmental impacts within the scope of CEQA and the Draft EIR. These opinions are noted. The commenter also states an opinion that the Draft EIR “is not an unbiased, investigated and educated report” but does not provide information or analysis on which to base a specific response.

Letter 137

From: Ken Levin [mailto:klevin1011@comcast.net]  
Sent: Thursday, March 02, 2017 2:38 PM  
To: TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT  
Cc: JIM HOGEBOOM; LESLIE BENJAMIN; Environmental Report; mhjoly@aol.com  
Subject: EIR comment letter

1 | Attached is an EIR comment letter I would like added to the record.

| Please feel free to contact me if you have questions or comments about the contents.

Sincerely

Ken Levin  
5 Santa Yorma Ct  
Novato CA 94945  
415-493-0319

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

Kenneth Levin  
5 Santa Yorma Ct  
Novato Ca 94945  
klevin11011@comcast.net  
415-493-0319

March 1, 2017

Thomas Cooper, President Board of Trustees  
Debbie Butler, Vice President  
Maria Aguila, Trustee  
Derek Knell, Trustee  
Greg Mack, Trustee  
Ross Millerick, Trustee  
Shelly Scott, Trustee  
Jim Hogeboom, Superintendent  
Mr. Yancy Hawkins, Assistant Superintendent  
Leslie Benjamin, Communications Director  
Novato Unified School District  
1015 7th Street  
Novato, California 94945

Dear President Cooper, Board of Trustees, Mr Hogeboom, Mr Hawkins and Ms Benjamin,

2

I visited Hillsdale High in San Mateo High School during evening hours on Monday, February 27, 2017 to see a demonstration of their new lighted fields and created these observations which I would like to be included as EIR comments.

I visited the school at dusk, the football field and surrounding residences after sunset. I walked onto the football field and also inspected glare visible from the stands. I drove around the perimeter of the school and noted significant illumination and significant glare at several locations. I compared how the field lights illuminated a home located at 546 31st Ave (in San Mateo) vs a home on a side street that didn't face the school; the difference was profound.

3

It is significant that the illumination design level is only 40 foot-candle ("fc") for Hillsdale High School, compared to 50 fc for San Marin High School. (This is clear from the EIR appendix, page 109.) That means that every impact I measured in San Mateo will be 125% worse in San Marin because the permitted illumination level will be 125% higher in San Marin than San Mateo.

4

It is also significant that San Marin High's neighbors, homes in San Marin, are presumed in the EIR to be in Zone E3, whereas San Marin High is in a much more rural setting than Hillsdale High. Streets surrounding San Marin High are much less travelled than what I observed at Hillsdale High. Views from the hills, next to Hillsdale High, include large well lit buildings and densely populated areas. The view from San Marin High is mostly of dedicated open space areas with less dense development and quieter streets. You can see more stars at night in San Marin than in San Mateo. I believe most homes adjacent to San Marin High should be in Zone E2 and my home in Zone E1; my home is adjacent to open space and has no street light to illuminate our yard or front porch (as we are above the street lights that

4  
contd

illuminate San Ramon and Santa Yorma Ct). If in Zone E2 (or E1 for my residence), the impact thresholds for glare and sky glow are significantly reduced. Pre-curfew glare for zone E2 is 7500 candelas ("cd"), rather than 10,000 cd for zone E3. Post-curfew glare is 500 cd for zone E2 (vs 1000 cd for zone E3). The upward light ratio threshold is reduced to 2.5% in zone E2 (compared to 5% in Zone E3). My home, which is likely in Zone E1, has still significantly stricter standards than zone E2.

5

Recall, from the EIR, that glare thresholds apply to anywhere they can be viewed from whereas illuminance applies strictly to the surrounding dwellings.

6

Recall the Board of Trustees meeting you held on the football field in San Mateo. Mike Joly, my neighbor, made the point, at that meeting, that the 2.0 fc standard used in the EIR, for San Marin, is based on a number that has nothing to do with this project (it was derived from work done back in 2006 and does not comply with the lighting standards used in San Mateo and which is referenced by Rincon in the EIR). San Mateo used a .8 fc number which was derived from the lighting standard and is based on the idea that the nearest homes are in light zone E3. If a 2.0 fc standard is used, such as is proposed in the EIR for San Marin, 250% more light is permitted to pollute our neighborhood than in San Mateo. San Marin should at least be treated the same way as San Mateo, except, the homes near San Marin High should have been classified in zone E2 (not zone E3) and the standard, for E2 is not .8 fc but .3 fc. That means the EIR purports to permit 666% (2.0/.3) more interference than what should be specified if the recognized standard is applied. I sent an email to the Board of Trustees about this very subject before the visit to San Mateo and have not received an adequate reply to my questions pertaining to this very important subject.

7

[Consider that Rincon created the EIRs for both Hillsdale High and San Marin High. Rincon clearly knew the 2.0 fc standard used in the San Marin High EIR wasn't based on the well accepted lighting standard used in Hillsdale High's EIR. Rincon should have used an accepted standard when preparing San Marin's EIR; it didn't. At minimum Rincon should have clearly identified, in the EIR, the discrepancy between its analysis in San Marin and accepted industry standards. Rincon should have applied the best standards when doing its analysis and it didn't. This calls into question Rincon's ability to create an impartial study.]

8

With that in mind, I still wanted to evaluate the impacts of field lights at Hillsdale High to its neighbors, visitors and field participants.

Google Map showing area and developed density around Hillsdale High

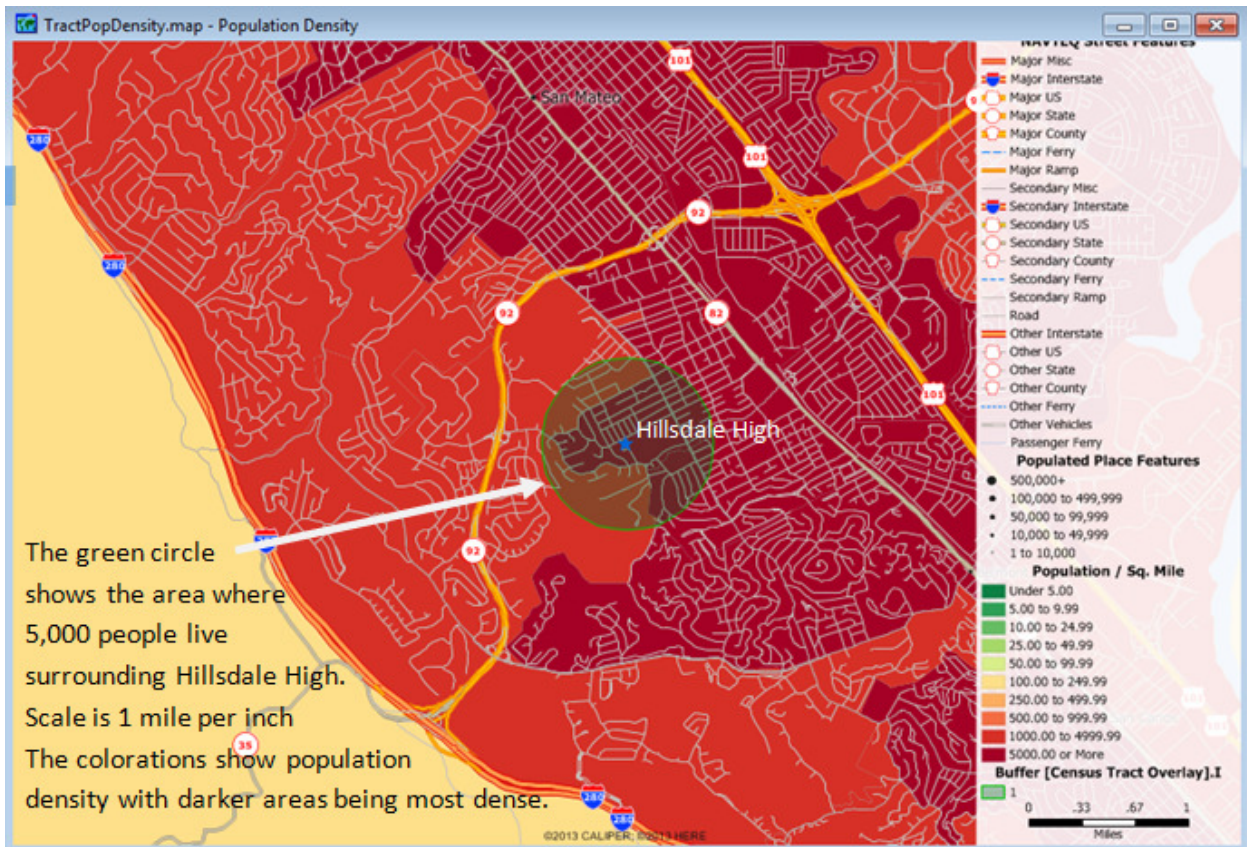


And a similar view of the area around San Marin High (using the same scale as the above image):



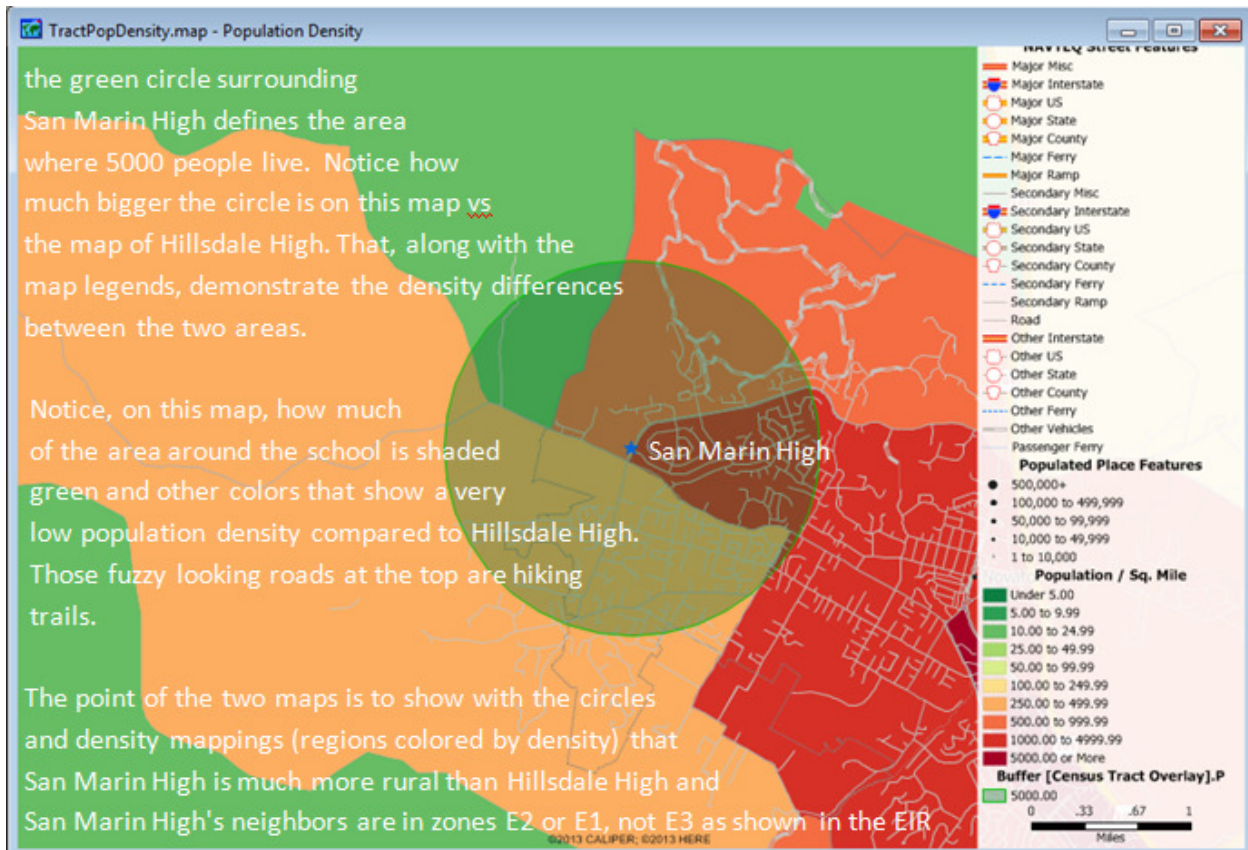
And off in the distance you can see many big, well-lit, buildings in San Mateo, but not in San Marin where you see open space.

Note how dense the population is surrounding Hillsdale High by comparing these two population density maps I created using software I use in my work to analyze demographics. Both maps were created using the same scale, 1 inch per mile. The green circles show the geographic area where 5000 people live using the most recent US Census Data. Notice how much bigger the circle is on the San Marin map. Why? Because the population density in San Marin is much lower than the area around Hillsdale High. San Marin is much more rural and should be in zone E2 or E1 (for my home).



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contd

Now compare the density of San Mateo with San Marin. In San Mateo the region surrounding the Hillsdale High is more than 5000 sq/mile and by San Marin the maximum density is in a much lower range. Note the huge amount of open space areas near San Marin High and the generally lower density of development.



9

Impressions/comments and documentation:

Light spillage and glare impacts are much more visible from the dark looking in than from a lighted area looking out to the dark. I inspected both the project area and the neighbor's areas to access impacts. I am aware that a video was created by boosters of the lights project which fails to look at light impacts from the neighbor's perspective; it looks out from a well lit area into a darker area and not the reverse. My pictures show that reverse perspective.

If you look outside, at night time, into darkness from a well lit home, the outside looks dark and you don't really notice glare or light interference from the well lit area intruding into the darkness. But from the outside, where it is dark, the brightly lit home pierces the night with illumination and glare. People sitting around a campfire can easily be seen by others outside the illumination area, but are not themselves aware of the light disturbance their campfire causes to others. The point is that the campfire's visual impacts are not visible to people sitting in the campfire circle like they are to the people sitting in the darkness, outside the campfire looking in. The booster's video was taken from within the lighted field, "the campfire circle", and its impacts on the neighbors can't be known without actually visiting the neighbor's homes to see their perspective. My pictures shows the neighbor's perspective.

10 | 1) Lights viewed from Hillsdale High's new Science Building:

The lights, when viewed at dusk from the school's new science building had very low light spillage, which I believe results from how the LED screens were positioned and how the LED lights were aimed. The distance between the science building and the football field is significantly more than the distance between San Marin's football field its neighboring residences.

2) Lights viewed from the football field.

The field was generally well lit for players, coaches and referees except for glare at some angles. I suspect glare would be a problem for soccer goalies and others whose job it is to watch for ball activity in the air. This problem was eliminated if I kept my eyes pointed down towards the field. Personally, I found the glare annoying whenever I looked up and noticed a LED light source aimed at my eyes. I would find it annoying to be a football receiver trying to catch a pass in a football game only to have glare catch my eye at a critical moment before securing my catch. I also imagine the frustration of a soccer goalie trying to block a penalty shot; she turns her body to position herself towards the ball approaching with a sweeping angle, her eyes catch glare which is just enough interference to prevent a successful block; it could cost her team the game.

3) Lights from the stands.

I walked up to the top bench of the stands on the west side of the field and faced east, towards Alameda De Las Pulgas. I noticed glare from LED field lights that I found annoying. The worst headache I've ever had was caused by driving into glare for an extended period. Watching a night event from those seats reminded me of the glare that caused that headache. It was difficult to avoid the glare from those upper level seats and still get a full view of the field. I felt like I wanted to shield that bright light source with one hand as I viewed the field from the stands.

4) I drove by the football field on adjacent streets, Alameda De Las Pulgas and 31st Ave. There was significant light pollution on each street. Light illumination and glare were especially bad on 31st Avenue. Alameda De Las Pulgas is a 4 lane (two lanes each direction) road with much more traffic than San Marin Drive. 31st Avenue was a two lane road but was heavily travelled compared to San Ramon Drive. I took these pictures at 546 31st.





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contd

Notice how well lit the residence is. Notice the car's shadow showing the source of illumination wasn't from my camera which faced the home straight on. This picture was taken without a flash. I could see the street and details on the home and street clearly as if I was in a lit room. Remember that it will be 125% worse than this in San Marin if this EIR is approved and the project is built to the proposed standard.

The next picture shows the view of the field from 546 31st looking at the school (approx 180 degree change in direction).



Notice the three bright globes of light. The center one is a street light, however, it isn't the brightest object in my field of view. The field lights, which are much further away than the street light, appears much brighter than the field light. The bright globe on the very left is also created by a field light; that light is brightening up the street on someone else's residence. Notice how well lit the street is; you could easily read a book in this light. There was enough light that I could do detailed visual work; I could thread a needle (if I could actually thread a needle).

11

I don't recall exactly where this next photo was taken. It shows the angle of glare/illumination created by the lights. Notice the angle of the glare from the LED fixture, a lighted glare triangle appears in the photo. There is no way that these lights, placed on the San Marin High Football field would not interfere with neighbors through both illumination and glare. Remember: it will be 25% worse in San Marin because the standard permits 125% more light in San Marin than in San Mateo.

11  
contd



Notice the glare angle. It is hard to get the same effect in a photo as what I observed in person. However, those LED light heads were brighter in person than in the photo, and these light heads were not directed right at me like they were at 546 31st.

12

Then I wondered: what do 'normal' homes look like near Hillsdale High if they aren't facing the football field. I drove to the corner of Alameda De Las Pulgas and West Hillside and turned left, away from the school, made a U turn and took a picture of the 2nd house from the corner. (It was too dark for me to see the street number - not kidding; that home was more like San Marin Unit 10, like the homes that share a boundary with San Marin High and will be most affected by lighted fields.



The above photo was taken with a flash as it was too dark and my camera wouldn't take the photo without the flash enabled. Nevertheless, the flash wasn't able to light up this home as well as the field lights at Hillsdale High were able to light up the homes on 31st Ave and Alameda De Las Pulgas.

- 13 | At the end of the day, how meaningful are all of the numbers passed around by lighting experts? I'm an engineer, by training and work experience, and I've learned to distrust numbers if they don't make sense. I remember my professors warning me and my classmates to check that our results made sense else our calculations likely had errors or used erroneous assumptions. It is a lot easier to understand the impacts, to do a sanity check, by looking at the above pictures than looking for meaning in foot candle, candela and light zone standards.
- 14 | Reminder: Our EIR standard permits 666% more light interference in San Marin than what was permitted in San Mateo; keep that in mind as you think about these photos. Also keep in mind that the proposed San Marin project will be 125% brighter than the San Mateo project (50 vs 40 fc). My photos tell a very important story and paint a very different picture than the one described with foot-candle and candela quotations in the EIR.
- 15 | These photos prove that a facility with a 40 fc illuminance standard creates significant, annoying and objectionable light and glare pollution on neighboring residences in San Mateo near Hillsdale High. San Marin High, which is in a much more rural area will have lights that are 125% brighter than the lights at Hillsdale High according the EIR. It doesn't make sense. These lights will deleteriously impact my life and the lives of my neighbors. They will destroy the quiet rural nature of our community. They will bring more crime (in spite of what is stated in the EIR) to Novato, keep kids out later on school nights and....are not necessary.
- 16 | Matthew Long from Rincon stated in an email to Jim Hogeboom, a copy of which was forwarded to me, that there would be zero foot candles of light at the nearest property line in San Marin. My photographs at Hillsdale High prove that this can't be true. If this claim is true (that zero foot candles of light would trespass the nearest property line) then why isn't the claim and calculations along with assumptions used to make the claim included in the EIR so our experts can review and comment?

Sincerely



Kenneth Levin

## Letter 137

**COMMENTER:** Ken Levin

**DATE:** March 2, 2017

### **Response 137.1**

The commenter references an attached comment letter on the Draft EIR, which is addressed below.

### **Response 137.2**

The commenter states that he visited Hillsdale High School to observe their newly lighted field and states an opinion that he observed significant illumination and significant glare at several locations adjacent to the field. The commenter also reports that he compared illumination at a location adjacent to the field to illumination at a location not adjacent to the field. These comments are noted but do not challenge the analysis or conclusions of the Draft EIR and therefore a specific response is not possible. No changes to the Draft EIR are warranted.

### **Response 137.3**

The commenter states an opinion that the illumination design level at Hillsdale High School is 40 foot-candles and that the illumination design level at San Marin High School would be 50 foot-candles. The commenter references “the EIR appendix, page 109” as the source of this information. It is unclear what appendix the commenter refers to, as the Draft EIR does not contain an appendix that discusses proposed illumination design levels for San Marin High School. Contrary to the commenter’s assertion, the Draft EIR does not report the illumination design level for the proposed project. Clarifying information has been added to Section 2.4.1.1 of the Final EIR, *Lighting*, to state that the design illumination for San Marin High School would be 40 foot-candles, the same as Hillsdale High School.

### **Response 137.4**

The commenter states an opinion that the neighborhood surrounding San Marin High School should be classified as Lighting Zone E2 or Lighting Zone E1, as opposed to Lighting Zone E3 as it is characterized in the Draft EIR. For a detailed discussion of the appropriateness of the E3 lighting zone designation, please see Master Response A – Lighting and Aesthetics.

### **Response 137.5**

The commenter states an opinion that glare thresholds apply to anywhere the lights can be viewed from, whereas illumination thresholds apply strictly to the surrounding residences. As described in Section 4.1.2 of the Draft EIR, *Impact Analysis*, under the heading *Methodology*, the District has determined that light trespass would be significant if illuminance produced by the project would exceed two foot-candles, as measured on the vertical and horizontal planes at the property lines nearest to residences. Light intensity from luminaires (glare) may not exceed 10,000 candelas during pre-curfew hours. This threshold applies where views of bright light sources are likely to be troublesome to residents but not where momentary or short-term viewing is involved.

**Response 137.6**

The commenter states an opinion that the lighting zone for the proposed project should be classified as E2 rather than E3 as it is described in the Draft EIR. The commenter further opines that the significance threshold for light trespass should be 0.8 foot-candle rather than 2.0 foot-candles, as specified in the Draft EIR. For a detailed discussion of the appropriateness of the E3 lighting zone designation, please see Master Response A – Lighting and Aesthetics. As described under the heading *Methodology* in Section 4.1.2 of the Draft EIR, *Impact Analysis*, the threshold of significance for potential illumination impacts was based on a previously adopted District threshold (*PBC Parcels 1A and 1B Mitigated Negative Declaration*, Novato Unified School District, 2006) and is consistent with other California school districts' standards for light trespass. No changes to the Draft EIR are warranted.

**Response 137.7**

The commenter states an opinion that the light trespass threshold of 2.0 foot-candles is inappropriate and not in accordance with accepted industry standards. Please see Response 137.6.

**Response 137.8**

The commenter states a desire to evaluate the impacts of field lights at Hillsdale High School on neighboring residences, visitors, and field participants. The commenter provides images from Google Maps depicting the area surrounding San Marin High School and Hillsdale High School and states an opinion that big, well-lit buildings are visible in San Mateo but not in San Marin where one sees open space. The commenter provides two population density maps for the areas surrounding San Marin High School and Hillsdale High School and states an opinion that the lower population density surrounding San Marin High School supports the argument that the lighting zone for the area surrounding San Marin High School should be classified as E2 or E1, as opposed to E3 as it is characterized in the Draft EIR. Please note that population density is not the sole criterion for lighting zones. For a detailed discussion of the appropriateness of the E3 lighting zone designation, please see Master Response A – Lighting and Aesthetics. No changes to the Draft EIR are warranted.

**Response 137.9**

The commenter states an opinion that light trespass and glare impacts are more visible when viewed from a dark area looking at a lighted area than when viewed from a lighted area looking out into a dark area. Light trespass and glare impacts are assessed based on quantitative thresholds as described under the heading *Methodology* in Section 4.1.2 of the Draft EIR, *Impact Analysis*. The commenter again states an opinion that light trespass and glare impacts vary in intensity based on the ambient lighting conditions of the viewing location. Because the light trespass and glare thresholds in the Draft EIR are based on quantitative measurements of illumination and light intensity (glare), those thresholds account for viewer location and ambient lighting conditions and measure the absolute levels of light trespass and glare at sensitive receptor locations surrounding San Marin High School. Please see Master Response A – Lighting and Aesthetics.

**Response 137.10**

The commenter describes a number of observations from a visit to a high school in another city with field lights. These comments are noted but do not challenge the analysis or conclusions of the Draft EIR. The lighting conditions described by the commenter do not pertain to the proposed project or the project site. While some of the conditions described may be similar to those of the proposed project, the

commenter does not provide a direct comparison of the lighting conditions of two projects or sites or a measured study of the conditions. The commenter's opinions about the similarity of the two projects and sites are speculative. Light trespass and glare impacts associated with the proposed project are discussed in Section 4.1.2 of the Draft EIR, *Impact Analysis*. As described therein, light trespass and glare impacts would be less than significant with incorporation of mitigation. Please also see Master Response A – Lighting and Aesthetics. No changes to the Draft EIR are warranted.

### **Response 137.11**

The commenter provides a photograph of the stadium lights at Hillsdale High School and opines that light trespass and glare impacts at San Marin High School would be greater and would disturb neighboring residents. The commenter does not provide any evidence to challenge the analysis or conclusions of the Draft EIR. The design illumination at San Marin High School would be the same as the design illumination at Hillsdale High School; please see Response 137.3. Please see also Response 137.10. No changes to the EIR are warranted. Please also see Master Response A – Lighting and Aesthetics.

### **Response 137.12**

The commenter provides a photograph of a residence nearby but not adjacent to Hillsdale High School and states an opinion that the ambient lighting conditions at that residence are similar to the ambient lighting conditions at some residences adjacent to San Marin High School. These comments are noted but do not challenge the analysis or conclusions of the Draft EIR and therefore no specific response is warranted.

### **Response 137.13**

The commenter states an opinion that the numeric thresholds for light trespass and glare and the lighting zone characterization described under the heading *Methodology* in Section 4.1.2 of the Draft EIR, *Impact Analysis*, are not meaningful and that photographs provide a better metric for assessment of potential aesthetic impacts. The commenter does not provide any evidence that supports the opinion that photographs are a better metric for assessment of aesthetic impacts than numeric light trespass and glare standards. The photographs provided by the commenter do not depict the San Marin High School project site and are subject to the quality and viewing angle of the particular camera equipment used for these photographs. Numeric thresholds provide an objective measurement of light trespass and glare and are a more appropriate metric for the analysis of potential environmental impacts than photographs that may be interpreted differently based on the subjective opinions of the viewer. Please see Master Response A – Lighting and Aesthetics. No changes to the Draft EIR are warranted.

### **Response 137.14**

The commenter states an opinion that the proposed project at San Marin High School would permit 666% more light trespass than was permitted for the stadium lighting project at Hillsdale High School. The commenter also states an opinion that lighting on the field at San Marin High School would be 125% brighter than lighting on the field at Hillsdale High School. Illumination design levels for the proposed project are the same as the illumination design levels for the stadium at Hillsdale High School; please see Response 137.3. Light trespass at Hillsdale High School was permitted to be 0.8 foot-candle at neighboring property lines. Light trespass at San Marin High School would be limited to 2.0 foot-candles. Please see Section 4.1.2 of the Draft EIR, *Impact Analysis*, for a discussion of thresholds for light trespass at San Marin High School. This represents a 150% increase in permitted light trespass, not a 666% increase in permitted light trespass. Please see Response 137.6 and Master Response A – Lighting and Aesthetics.

**Response 137.15**

The commenter states an opinion that the stadium lighting at Hillsdale High School creates a significant, annoying, and objectionable light and glare pollution for neighboring residents. The commenter also states an opinion that the proposed project would be 125% brighter than the stadium lighting at Hillsdale High School. The commenter further opines that the proposed project would increase crime and result in students staying out later in the evenings. Please see Response 137.3, Master Response A – Lighting and Aesthetics, and Master Response D – Public Services and Safety.

**Response 137.16**

The commenter references an email from Rincon consultants to the District and states that the email predicted zero foot-candles of light trespass associated with the proposed project at neighboring residences. The commenter questions why this information was not included in the Draft EIR. The email referenced by the commenter discussed a preliminary assessment of potential light trespass impacts. This information was not available at the time of publication of the Draft EIR. After publication of the Draft EIR, preliminary photometric analyses were made available to the District. These analyses are provided for informational purposes in Master Response A – Lighting and Aesthetics.

Letter 138

From: Ken Levin [mailto:klevin1011@comcast.net]  
Sent: Friday, March 03, 2017 7:05 AM  
To: TOM COOPER; DEBBIE BUTLER; MARIA LUISA AGUILA; DEREK KNELL; GREGORY MACK; ROSS MILLERICK; SHELLY SCOTT  
Cc: JIM HOGEBROOM; LESLIE BENJAMIN; Environmental Report; mhjoly@aol.com  
Subject: EIR comment letter

1

Attached is an EIR comment letter, regarding project noise, I would like added to the record. These comments are in addition to the comments I recently submitted about my visit to Hillsdale High in San Mateo.

Please feel free to contact me if you have questions or comments about the contents.

Sincerely

Ken Levin  
5 Santa Yorma Ct  
Novato CA 94945  
415-493-0319

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>



Kenneth Levin  
5 Santa Yorma Ct  
Novato Ca 94945  
klewin11011@comcast.net  
415-493-0319

March 1, 2017

Thomas Cooper, President Board of Trustees  
Debbie Butler, Vice President  
Maria Aguila, Trustee  
Derek Knell, Trustee  
Greg Mack, Trustee  
Ross Millerick, Trustee  
Shelly Scott, Trustee  
Jim Hogeboom, Superintendent  
Mr. Yancy Hawkins, Assistant Superintendent  
Leslie Benjamin, Communications Director  
Novato Unified School District  
1015 7th Street  
Novato, California 94945

Dear President Cooper, Board of Trustees, Mr. Hogeboom, Mr. Hawkins and Ms. Benjamin,

2 | I wrote earlier regarding my Hillsdale High School field trip observations as they pertain to the EIR and the potential for light spillage and glare interference. These EIR comments, on project noise, are separate and in addition to my prior comments.

I was very interested to see that noise was considered to be an unmitigable impact of the proposed field lights project in spite of the fact that no analysis was performed of the potential for school band instruments and higher noise levels due to increased attendance to exacerbate project noise.

Many band instruments project directional sound and these sounds will often be directed away from the stadium. The EIR goes to great lengths to promote the new sound system which is designed to project sound inward, away from neighbors, however, percussion, woodwind, and brass instruments are traditional components of a high school band and are designed to project noise with amazing efficiency. Those instruments will be aimed every-which-a-way as band members turn on the field while marching and bands from competing teams try to outdo each other from opposing sides of the field.

3 | Noise measurements in the EIR are based on current attendance, which is projected to increase significantly, and don't address what noise levels will be at games with bands, more attendees, and noisemakers. What will the projected noise levels be at a hotly contested match with maximum

3  
contd

attendance, two school bands and noise makers used by crowd attendees? The EIR does not analyze a condition which is a logical consequence of the project if it is successful in its stated goals. It doesn't make sense to draw conclusions about noise about a completed project from current noise measurements. Did the EIR measure noise at any game when a school band was playing at half time, or after a key touchdown in a competitive match between rival schools? I didn't notice any discussion of this likely occurrence.

4

I object to the proposed lights project because of my concerns about noise (and other factors). However, I'm not opposed to, and support the new audio system. My concerns result from higher attendance, school bands, more noisemakers and shifting noise, which is a daytime occurrence now, to night time when relative noise levels (at night) are lower, and therefore perceived insults from noise greater. Think about it: if you yell at your companion in a loud environment, say at a loud sporting event, because you have to yell to be heard, your companion is not likely to complain. If you yell at the same loud volume while your companion is sleeping, you are likely to cause your companion to become upset. Try doing your own test if you doubt this is true. Test your air-horn, the one you take to football games, in the middle of the night while your partner is sleeping; make sure you test it in the bedroom while that person is sleeping. NUSD should expect angry neighbors to react to noise insults like a person woken at night by someone making very loud noises. The problem with noise insults is that they get more annoying if repeated regularly. Your partnership might survive a single air-horn test, but likely would not survive frequent testing.

5

The noise from school bands isn't something to be taken lightly. The Center for Disease Control (CDC) has published a study with recommendations that instructors and students wear ear protection to prevent hearing damage from school band instruments. The study pertains to indoor practice. However, it makes the point that band instruments are loud enough to cause hearing damage and deserve consideration when determining how much more disruptive noise will be than is already indicated in the report.

6

Oh yeah, the EIR already says noise pollution can't be mitigated, and noise interference is unavoidable. How then, is the project supposed to comply with Novato's Noise Ordinances, which is also a mandate? There is no need for this project if games are played in the daytime and Saturdays are used instead of Friday evenings. We neighbors would rather have our noise interference during the day. Evening noise will harm many persons living near the high school and will inevitably cause the project to violate Novato's Noise Ordinance, regularly. Mixing angry neighbors and a project that will regularly violate Novato's Noise Ordinances is a recipe for conflict.

7

<https://www.cdc.gov/niosh/hhe/reports/pdfs/2011-0129-3160.pdf> → also attached.

8

The EIR goes to great lengths to discuss the new sound system and how the sound is directed away from neighbors, however, as stated above, the EIR fails to adequately address crowd noise, band noise and noise level increases from increased attendance. I would also like the EIR to address the idea that noise disturbance in the night is much more impactful than during the day. The simple way to avoid night time noise disturbance is to shift the disturbance to daytime.

The image below is from Table 21 of the EIR. Note where the ST-5 measurement (from Santa Yorma Ct, where I live) shows that crowd level noise was 43-49 dba on 8/27 and 47-52 dba on 11/5/16. I measured sound levels over 80db on my sound meter from a daytime football game. The noise from the football game on the day I measured it was loud enough to interfere with voice conversation and loud enough to penetrate walls. At night games, with more attendance, and more noise makers, the sound will be louder. I am writing this document in a quiet room in my residence, and the only sound is fan noise from my laptop computer. My sound meter registers a sound level about 50 to 55 dba, which, is louder than some of the sound measurements from crowd noise as reported in EIR table 21 for ST-5. Yet, it is obvious that the crowd noise from football games is much louder than the fan on my laptop computer in a quiet room in my residence. How could the measurements in the EIR be so low? The sound of normal conversation is above 60db; how could the sound of a football game crowd be less than normal conversation? There is a long history of sound interference and complaints about sound interference in San Marin Unit 10 from High School Activities. There would be no complaining, no upset neighbors if sound levels emanating from the high school were less than the sound of a normal conversation. I suspect the EIR sound level readings are bogus; they don't make sense.

How can we trust the EIR when there is such a huge discrepancy between supposedly independent analysis and reality? The EIR correctly concludes that noise is an unmitigable impact, but fails to identify the seriousness of the problem because of data that looks faked and consequences that were conveniently ignored (school bands, increased attendance and a discussion how nighttime noise pollution is more disturbing than daytime noise pollution). The sound measurement in a quiet room of a residence is likely to be more than the 43-49 dB or 47-52 measurements reported for ST-5 crowd noise. The EIR noise readings for crowd noise on Santa Gabriella Ct and other locations were lower than the noise levels I would expect in a quiet room in a residential household, yet these homes are adjacent to the high school. Those noise levels, 47-52 dba, are exceeded when our home heating system is blowing air through the vents in my home.

I made the point in my letter about my visit to Hillsdale High (in San Mateo) that my engineering professors used to warn about numeric results that don't make sense. These measurements don't make sense.

ST-5	Location	Date	Min	Max	Other
ST-5	Santa Yorma Court	8/27/16	47	52	PA: 51 - 60
		15:43 - 15:58			Crowd: 43 - 49 Whistles: 43 - 49 Car: 50 - 54 Plane: 44
ST-5	Santa Yorma Court	11/5/16	50	57	PA: 54 - 62
		14:48 - 15:04			Crowd: 47 - 52 Whistles: 42 - 50 Car: 49 - 56

I believe a new sound system would benefit the neighbors as the current system is too loud and is not well managed. A new, well-engineered system, should limit sound at the property boundary to 65 dba according to the sound engineer who presented this project with the boosters in January 2015 (if my memory on dates is correct). Regardless, crowd noises at several ST locations in Table 21 (full table results are in the EIR) were higher than those values (and those higher values exceed Novato's Noise Ordinance).

Sound levels with the current system tend to creep up, and there seems to be a communications breakdown where the school has, historically, been unresponsive to neighbor's complaints about sound and sound level creep. I've attended meetings with San Marin High officials over these very issues, and although well meaning, San Marin High officials are busy with many tasks and adjusting the level of a sound system to satisfy complaining neighbors hasn't happened.

The EIR claims that this project will comply with City of Novato Noise Ordinances. However, it can't since the EIR claims that the project will have unavoidable noise impacts that can't be mitigated. The noise levels from crowds, using data from the EIR, will exceed Novato's Noise Ordinances and neighbors will be within their legal rights to complain and take necessary steps to force compliance. I believe the problem is much worse than what is described in the EIR because I don't trust EIR measurements which conflict with my measurements to a large degree and the EIR ignored other contributors of noise pollution (band noise, increased crowd noise, noisemakers and relative disturbance issues due to the fact that the newly created noise pollution will be in the evening when it is more disruptive).

**Table 24 City of Novato Municipal Code Allowable Exterior Noise Levels**

Type of Land Use	Time Interval	Maximum Noise Level <sup>2</sup>
Residential <sup>3</sup>	10:00 PM – 6:00 AM	45 dBA
	6:00 AM – 10:00 PM	60 dBA
Commercial <sup>4</sup>	10:00 PM – 6:00 AM	60 dBA
	6:00 AM – 10:00 PM	70 dBA

Notice that the limit for noise is 60 dBA during the hours that a night game is likely to be played. EIR table 21 clearly shows several test locations where crowd noise exceeds 60 dBA. (Note crowd noise of more than 70db was measured at sites ST-1 and ST-3 in Table 21.) The best way to mitigate the problem is to schedule games for Saturday when noises from games are less likely to disturb neighbors. The project is already projected to violate City of Novato Noise Ordinances.

I suspect the problem is much worse than the EIR discussion indicates. I live on Santa Yorma Ct, quite far from the football field, yet I measure sound levels significantly louder than 60dba at my residence from school sporting events with crowds. Perhaps my sound metering equipment is off by 10%; still, my readings far exceed readings reported in the EIR.

The EIR states "The DSP would be set to limit the sound level to conform to the requirements of the applicable local noise ordinance." That's great for the sound system. However, there is no way to

10  
contd

control crowd noises, use of noisemakers, whistles that will accompany games, especially hotly contested games. It says nothing about the noise from band instruments. It is more acceptable to me, and I suspect my neighbors if intruding sounds from sporting events are reserved for weekend days rather than evenings, even Friday evenings.

The EIR states "Impact N-2 Noise from crowds and the proposed PA system at athletic events on the field would not exceed the threshold of 75 dBA at the sensitive receptors; however, varsity football game noise would generate L5 noise levels that exceed the threshold of 55 dBA at the adjacent residences. Although design requirements for the PA system would reduce noise to the extent feasible, the noise impact from project-related activities on the field would be significant and unavoidable."

[underline added] This is true, except that my sound measurements and common sense dictate that the actual measured levels will be much higher than indicated in the preceding quote.

Consider that the EIR also says: "Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while those along arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations."

Does it make sense to anyone on the Board of Trustees that the sound of hundreds of people cheering at a football game, band instruments being used to their max by enthusiastic students, noise makers going at full tilt, would be softer than a normal 60-65 dBA conversation at the residences of the nearest neighbors? Yet EIR Table 21 measured sound levels between 47 and 58 dBA (on two measurement dates) on Santa Gabriella Ct; those properties are adjacent to San Marin High. How can this be? My home is much further from the football field than the homes on Santa Gabriella, and I measured very loud sound from a daytime football game. It doesn't make sense.

How did it happen that I measured the sound of a football game? I accidentally noticed, while outside one day that the game was very loud and I activated my sound meter and took a measurement. I wouldn't have thought to take the measurement had the sound been at normal conversation levels or less. There is something wrong with the data regarding sound measurements in the EIR.

Because there are alternatives and because those alternatives were not given a fair comparison to the proposed project and because of unmitigated impacts and a defective EIR analysis if approved NUSD will have committed a prejudicial abuse of discretion. I do not believe your Board is, under the law, permitted to ignore logic and evidence as it pertains to this project's operating guidelines, its approval, and the criteria used to evaluate the project during these pre-approval procedures.

Sincerely



Kenneth Levin





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# Noise Evaluation of Elementary and High School Music Classes and Indoor Marching Band Rehearsals – Alabama

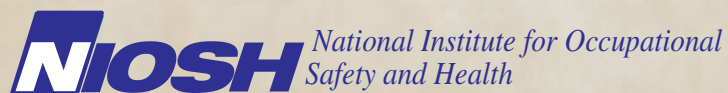
*Lilia Chen, MS, CIH*

*Scott E. Brueck, MS, CIH*

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Health Hazard Evaluation Report  
HETA 2011-0129-3160  
May 2012

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention



**The employer shall post a copy of this report for a period of 30 calendar days at or near the workplace(s) of affected employees. The employer shall take steps to insure that the posted determinations are not altered, defaced, or covered by other material during such period. [37 FR 23640, November 7, 1972, as amended at 45 FR 2653, January 14, 1980].**



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## ABBREVIATIONS

AL	Action level
CFR	Code of Federal Regulations
dB	Decibel
dBA	Decibel, A-scale
HHE	Health hazard evaluation
Hz	Hertz
KHz	Kilohertz
NAICS	North American Industry Classification System
NIHL	Noise-induced hearing loss
NIOSH	National Institute for Occupational Safety and Health
OSHA	Occupational Safety and Health Administration
PEL	Permissible exposure limit
REL	Recommended exposure limit
SLM	Sound level meter
STS	Standard threshold shift
TWA	Time-weighted average

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# HIGHLIGHTS OF THE NIOSH HEALTH HAZARD EVALUATION

**The National Institute for Occupational Safety and Health (NIOSH) received an employee request for a health hazard evaluation (HHE) at a high school in Alabama. The employee submitted the HHE request because of concerns about hearing loss from loud noise exposures during music classes and band rehearsals.**

## ***What NIOSH Did***

- We evaluated the band director's noise exposures on November 1-2, 2011.
- We measured noise levels at different frequencies during marching band rehearsals.
- We calculated reverberation times for the band room and cafeteria. Reverberation time is the time it takes for a sound to go down 60 decibels from its original intensity.

## ***What NIOSH Found***

- The band director's full-shift noise exposure reached and exceeded occupational exposure limits.
- The highest noise exposure reached 110 decibels, A-scale. This level occurred in the band room during marching band rehearsal.
- The highest noise levels occurred at 125 hertz during marching band rehearsals.
- The noise levels were greater in the band room than in the cafeteria.
- Room reverberation times of the band room and cafeteria were within recommended ranges. These ranges have been recommended by other researchers.
- The band room was not a large enough rehearsal space for the number of students in the high school marching band.

## ***What Managers Can Do***

- Provide a practice space acoustically designed for musical performance. The space should also be sized appropriately for the number of students. Until such a space is available, continue to allow marching band rehearsals to occur in larger spaces that contain sound absorbent materials.
- Increase the distance between students playing musical instruments and the music instructor. This can be done by changing the set-up of the band room.
- Develop a hearing conservation program that includes annual audiometric testing and training. The band director and other music teachers should be enrolled in this program.

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## HIGHLIGHTS OF THE NIOSH HEALTH HAZARD EVALUATION (CONTINUED)

- Provide the band director with flat attenuation hearing protection, also known as musician ear plugs. These ear plugs should be used until an acoustically appropriate space is available for marching band rehearsals and noise monitoring results are documented at levels below occupational exposure limits.
- Teach music students, especially those involved in marching band, and their parents about noise-induced hearing loss. Include information on the symptoms of the condition and how to prevent hearing loss.

### ***What Employees Can Do***

- Wear musician ear plugs during marching band rehearsal. These ear plugs can also be worn during other music classes that are loud.
- Increase the distance between the band director and students playing instruments whenever possible.
- Hold marching band rehearsals outdoors when possible. When rehearsing indoors, use a larger space that contains absorbent materials to reduce noise levels until an appropriately designed space becomes available.
- Ask the marching band students to play softly when rehearsing in the band room.

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## SUMMARY

On July 1, 2011, NIOSH received an HHE request from an employee at a high school in Alabama concerned about noise exposures, especially during marching band rehearsal. On November 1–2, 2011, NIOSH investigators evaluated the band director’s exposures to noise during a typical work day in the band room and during marching band rehearsal in the cafeteria.

**The band director’s full-shift noise exposure exceeded the NIOSH REL, reached the OSHA AL, but did not exceed the OSHA PEL. Marching band rehearsal produced the highest noise exposures. The band director should wear musician earplugs until an area acoustically designed for musical performance is available. Administrators should educate music teachers, music students, and their parents on symptoms and ways to prevent NIHL.**

We took personal noise exposure measurements on the band director during marching band rehearsal in the cafeteria on November 1, 2011 and during the entire school day on November 2, 2011. We also took area noise measurements and performed octave band frequency spectrum analyses. We measured the dimensions of the band room and cafeteria and calculated reverberation times for these areas.

The band director’s full-shift TWA noise exposure reached the OSHA AL and exceeded the NIOSH REL of 85 dBA. It did not exceed the OSHA PEL. Marching band rehearsal produced the highest noise exposures, reaching 110 dBA. The TWA for marching band rehearsal in the band room was 2 dBA higher than rehearsal in the cafeteria. Octave band analysis during marching band rehearsal showed that the highest noise levels of 99 dB occurred at 125 Hz and were greater in the band room compared to the cafeteria. Room reverberation times ranged from 0.5 to 0.8 seconds in the band room and 0.7 to 1.0 seconds in the cafeteria. These reverberation times fell within ranges recommended in other studies.

Because of the high noise levels produced during marching band rehearsals, an area acoustically designed for musical performance should be used. Until such a space is available, marching band rehearsals should occur outside when possible or in larger indoor spaces, preferably areas that contain sound absorbent materials. The band director should use flat attenuation hearing protection (musician earplugs). Because noise exposures reached the OSHA AL and exceeded the NIOSH REL, a hearing conservation program is necessary. The band director and future music teachers should have yearly audiometric evaluations in accordance with the OSHA standard and NIOSH recommendations. Teachers, students, and their parents who are involved with music, especially marching band, should be educated on NIHL symptoms and prevention.

Keywords: NAICS 611110 (Elementary and Secondary Schools), noise, sound, music, band, band director, music teacher, hearing loss, NIHL, reverberation time

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## INTRODUCTION

On July 1, 2011, NIOSH received a request from an employee at a high school in Alabama to assess noise exposures, especially during high school marching band rehearsal. On November 1–2, 2011, NIOSH investigators evaluated the band director's noise exposures during a typical work day.

The band director taught all the music classes and rehearsals at this high school. The school day was split into 10 periods ranging from 30 minutes to 50 minutes. Music classes consisted of teaching fifth and sixth grade band and music arts and directing marching band rehearsal. Most classes consisted of approximately 15 to 30 students. However, marching band rehearsal consisted of approximately 90 students. It lasted about 50 minutes each day, and was reported to be the loudest class of the day. The marching band included woodwind, brass, and percussion instruments such as flutes, clarinets, trumpets, trombones, tubas, and drums. All classes took place in the band room, which was approximately 1,700 square feet. Marching band rehearsal took place in the band room until September 2011, when rehearsal was moved to the cafeteria because of its larger size (approximately 6,000 square feet).

In addition to regularly scheduled activities, the band director provided lessons after school prior to sectional and state auditions. These sessions contributed to his overall noise exposure.

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## ASSESSMENT

We held an opening meeting on November 1, 2011, with employer and employee representatives. On November 1–2, 2011, we interviewed the band director, observed classroom activities and marching band rehearsal, and measured noise. The band director wore a personal integrating noise dosimeter during marching band rehearsal in the cafeteria on November 1, 2011 and during his entire work shift on November 2, 2011. We also used two additional noise dosimeters to take full-shift area noise measurements on each side of the band room. We performed octave band frequency spectrum analysis (measurement of noise levels in different frequencies) in the cafeteria and in the band room using two integrating SLMs equipped with real-time frequency spectrum analyzers. The SLMs were mounted on tripods at a height of approximately 5 feet to represent the ear position of the standing band director. For octave band measurements in each room, we positioned one SLM at the back of the room near the percussion section and the second SLM at the front of the room near the band director. We also measured the dimensions of the band room and cafeteria and calculated reverberation times for

# ASSESSMENT (CONTINUED)

each room. More information on occupational exposure limits and health effects for noise can be found in Appendix A. More information on sampling methodology for noise can be found in Appendix B.

## RESULTS AND DISCUSSION

The results of TWA noise exposure measurements during music classes and marching band rehearsal in the band room are listed in Table 1. The band director’s full-shift TWA noise exposure in the band room did not exceed the OSHA PEL of 90 dBA, but reached the OSHA AL of 85 dBA and exceeded the NIOSH REL of 85 dBA, reaching a TWA of 90 dBA. Because the band director was the only employee who taught music classes and rehearsals, we took two additional area measurements with noise dosimeters. One dosimeter was placed on each side of the room near the storage racks. Neither area dosimeter noise measurement exceeded the OSHA AL or PEL. The area dosimeters were placed several feet further from the group of students (source of noise) compared to the distance the band director stood from the students. These results show that increasing the distance from the students decreased noise exposure. The noise measurements for the area dosimeter on the left side of the room were 3 dBA higher than on the right side; measurements on the left side showed TWA noise levels above the NIOSH REL. Most likely, this difference occurred because the area dosimeter on the left was a few feet closer to the students than the dosimeter on the right. Additionally, most of the larger percussion instruments were located on the left side of the room; the brass instruments on the right side of the room were directed toward the band director and away from the dosimeter when students were playing the instruments.

Table 1. Dosimeter noise exposure results from employee and area measurements in the band room\*

Description	Duration (hours:minutes)	OSHA AL		OSHA PEL		NIOSH REL	
		TWA† (dBA)	Projected 8-hour TWA‡ (dBA)	TWA† (dBA)	Projected 8-hour TWA‡ (dBA)	TWA† (dBA)	Projected 8-hour TWA‡ (dBA)
Band director – personal	7:01	<b>86</b>	<b>85</b>	84	83	<b>90</b>	<b>90</b>
Band room area – left	6:42	80	79	78	77	<b>87</b>	<b>87</b>
Band room area – right	6:43	77	76	75	74	85	84
Occupational exposure limits			85		90		85

\*Exposures at or exceeding noise exposure limits are in bold and italicized font.

†TWA noise exposures for the duration of the noise monitoring period

‡Projected 8-hour TWA noise exposures assume noise levels outside sampling period were below 80 dBA.

## RESULTS AND DISCUSSION (CONTINUED)

The band director's noise exposure time history profile during personal noise dosimeter measurements in the band room is shown in Figure 1. During fifth grade and sixth grade music and band classes and discovery rehearsal (an elementary music class), noise levels mostly ranged from 80 to 100 dBA and exceeded 100 dBA in a few instances. However, during high school marching band rehearsal, noise levels increased to 90 to 100 dBA and exceeded 100 dBA numerous times. Noise levels between music classes were below 85 dBA most of the time. Figure 2 shows the noise exposure time history profile for the 50 minutes of high school marching band practice in the band room.

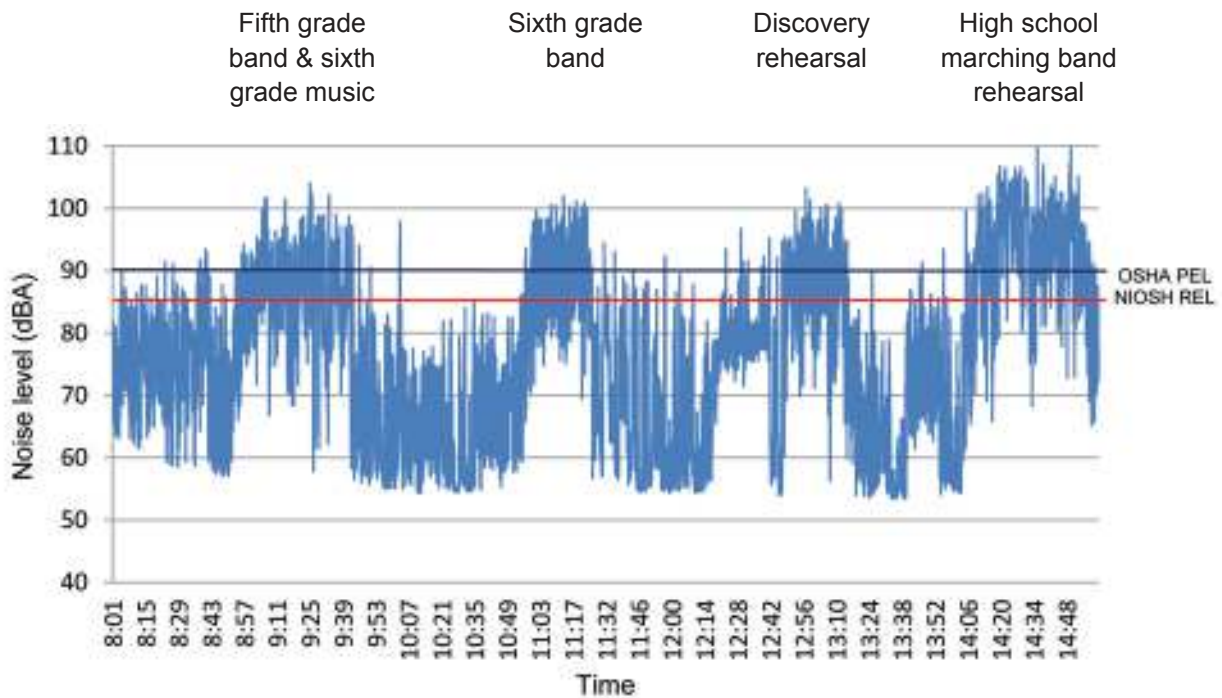


Figure 1. Noise exposure time history profile for the band director in the band room.

Table 2 compares the band director's TWA noise exposures during the loudest music classes on the basis of personal dosimeter results. Noise exposure during marching band rehearsal in the band room and in the cafeteria was substantially higher than during other music or band classes. Exposure during marching band rehearsal exceeded 90 dBA using NIOSH and OSHA measurement criteria and was the primary contributor to the band director's full-shift TWA noise exposure. If the average noise level during marching band rehearsal was reduced by 3 dBA, the band director's TWA exposure would have been less than 85 dBA on the basis of OSHA criteria.



# RESULTS AND DISCUSSION (CONTINUED)

Noise exposure during marching band rehearsal was 2 dBA higher in the band room compared to the cafeteria. The most likely reason for this difference is that the cafeteria was a much larger space with reflective surfaces located farther away from the band and band director.

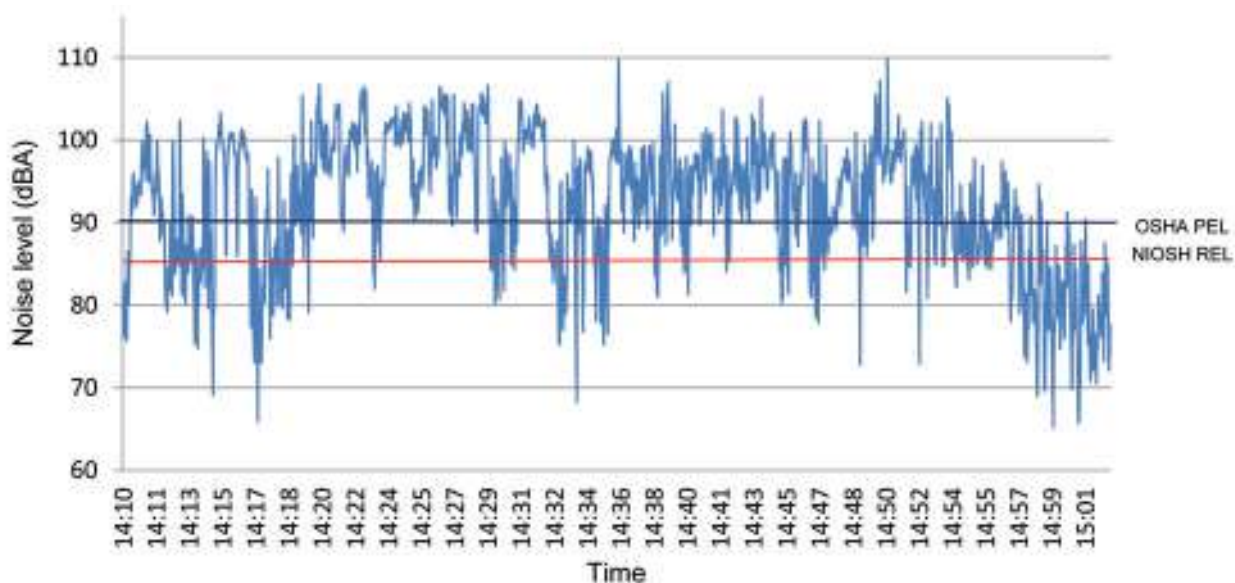


Figure 2. Noise exposure time history profile for the band director during high school marching band rehearsal in the band room.

Table 2. Band director's personal noise exposure measurement results during various music classes\*

Description	Duration (hour:minutes)	OSHA AL TWA (dBA)	OSHA PEL TWA (dBA)	NIOSH REL TWA (dBA)
Marching band rehearsal in cafeteria	0:42	94	93	95
Marching band rehearsal in band room	0:51	96	95	97
Fifth grade band class	0:25	88	84	90
Sixth grade elementary music class	0:30	89	87	91
Sixth grade band class	0:30	91	89	92
Discovery rehearsal class	0:50	89	86	91

\*TWA noise exposures for the duration of the monitoring period

The noise exposures measured in this evaluation were within the range reported in a previous study in which the 8-hour TWA noise exposures of 18 music teachers from 15 schools were found to range from 79 to 93 dBA [Behar et al. 2004]. In that study, band activities had the loudest continuous noise levels compared to singing, percussion, keyboard, or recorder activities. Band activities performed in the same classroom ranged from 86 to 98 dBA

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## RESULTS AND DISCUSSION (CONTINUED)

depending on the number of students in the class and whether they were learning, performing, or listening to examples shown by the teacher [Behar et al. 2004]. Another study of the noise exposures of high school band directors during rehearsals of jazz, percussion, or concert band ensembles reported TWA exposures that ranged from 85 to 93 dBA [Owens 2004]. The number of students ranged from 8 to 24 in the jazz ensembles and from 30 to 75 in the concert band. Maximum noise levels ranged from 101 to 115 dBA, which is similar to the maximum levels we measured. A research study of university music students found that brass instrument players had significantly higher mean average noise exposure levels (95.2 dBA) compared to woodwind players (90.4 dBA), percussion players (90.1 dBA), vocalists (88.4 dBA), or string players (87.0 dBA) [Phillips and Mace 2008]. This indicates that the proximity of the band director (and students) to specific groups of instruments can affect noise exposure levels. Our noise measurements only provided the noise exposure of the band director. Students are likely to have lower 8-hour TWA noise exposures because they spend less time in music classes and rehearsals at school. However, at a noise exposure level of 94 dBA the NIOSH REL is exceeded after 1 hour of exposure, and at a noise exposure level of 97 dBA the REL is exceeded after 30 minutes.

A study of audiometric test results from 104 music educators participating in summer music workshops found evidence that being a high school band director carried a slight risk for NIHL [Cutietta et al. 1994]. However, less than 20% of the high school band directors had NIHL, and the degree of loss was highly variable. Studies have also looked at potential hearing loss of student musicians. In one study, students had a high risk of excessive noise exposure from social and study-based music activities [Barlow 2010]. In another study, the prevalence of NIHL in 329 student musicians aged 18 to 25 years was 45% compared to 11.5% in the general population [Phillips et al. 2010]. Although these studies surveyed undergraduate student musicians, many high school student musicians pursue musical study in college, attend loud concerts or nightclubs, and listen to loud music on personal music listening devices or stereos. Music teachers may also be exposed to loud noise outside of the classroom from playing music, listening to music, or other hobbies. Therefore, it is important to educate teachers and students about the risk of hearing loss from excessive noise exposures and inform them about ways to protect and preserve hearing.

## Octave Band Analysis

Octave band noise measurements provide information about the frequency distribution of noise. Because the energy from noise is usually widely distributed over many frequencies, the frequency range is broken into a smaller range of frequencies (called bandwidths), the most common being the octave band (defined as a frequency band where the upper band frequency is twice the lower band frequency). Octave band analysis allows for determination of the dominant noise frequencies and can be useful for identifying potential noise controls. For example, if low frequency noise is dominant (i.e., the highest octave band noise levels occur in frequencies of 500 Hz or less), noise is likely generated by vibration, and noise controls should focus on reducing or isolating the source of vibration. If high frequency noise is dominant (i.e., the highest octave band noise levels occur in frequencies of 2,000 Hz or greater), noise enclosures, barriers, or sound absorption systems are typically the most effective approach [Driscoll and Royster 2003].

One-third octave band noise frequency measurements were collected when students in marching band rehearsed in the cafeteria and the band room. The results are shown in Figure 3. Our measurements showed that the highest noise levels (99 dB) occurred in the band room at a frequency of 125 Hz and were greater than 90 dB across all the one-third octave bands; levels ranged from 100 Hz to 800 Hz in the band room and from 125 Hz to 200 Hz in the cafeteria. The highest noise level reached in the cafeteria was 96 dB (at 125 Hz). The dominant noise levels in the low frequencies were mostly from noise generated by percussion instruments.

Noise levels in the band room were also consistently higher than in the cafeteria for one-third octave band frequencies 125 Hz to 20,000 Hz. Interestingly, noise levels were higher in the cafeteria than in the band room across the frequencies from 12.5 Hz to 80 Hz. These differences are most likely because of the small size of the band room and the shorter wavelength of the higher frequency noise, which resulted in relatively more noise reverberation and higher noise levels for those frequencies in the band room. The large size of the cafeteria and the longer wavelength of very low frequency noise resulted in relatively more reverberation and higher noise levels for the low frequencies in the cafeteria.

## RESULTS AND DISCUSSION (CONTINUED)

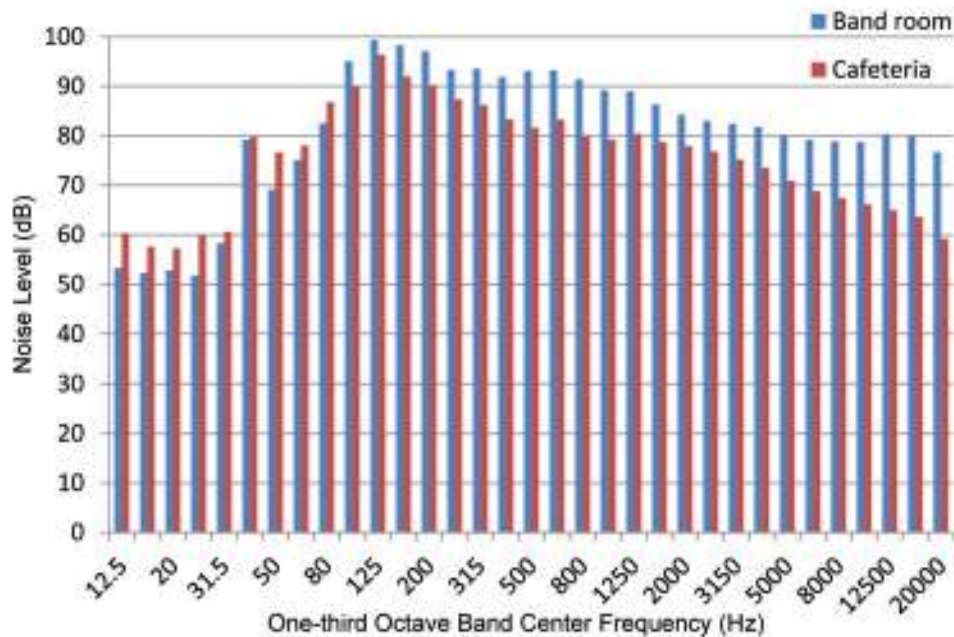


Figure 3. One-third octave band noise levels taken during marching band rehearsal in the band room and cafeteria over approximately 30 minutes.

### Room Reverberation Time

Reverberation time is the time in seconds required for a steady-state sound to reach one millionth or a reduction of 60 dB of its original intensity after the sound source has stopped. Reverberation time is important because it indicates sound quality within a space for speech and music. It is based on the volume of the room, the surface area, and the sound absorbent coefficient of the materials covering the surface areas of the room.

Materials have varying abilities to absorb sound energy, also known as the sound absorbent coefficient. Materials do not absorb sound equally at all frequencies because of the wavelength differences between high and low frequencies. Most common building materials have been tested at a wide range of frequencies to determine their ability to absorb sound energy (Table 3).

We calculated reverberation time in the band room and the cafeteria (Table 4). For both areas, we did not take into account absorption by the occupants or furnishings, so our results indicate a worst-case scenario. The band room walls were constructed

## RESULTS AND DISCUSSION (CONTINUED)

of painted concrete blocks. However, most of the back wall was covered with wooden storage shelves filled with instruments and with trophies on top. The side and front walls had some wooden shelves, wood or wood composite storage cabinets, metal filing cabinets, banners, and trophies. None of these materials had been tested for sound absorption coefficients. Therefore, we did two calculations, one using the painted concrete block's sound absorption coefficient and the other using the plywood paneling's sound absorption coefficient. This gave us a range of reverberation times to account for the untested materials along the walls.

Table 3. Sound absorption coefficients for common building materials\*

	Frequency (Hz)						NRC†
	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz	
<i>Wall surface material:</i>							
Concrete block (painted)	0.1	0.05	0.06	0.07	0.09	0.08	0.07
Plywood panel, 3/8 inch thick	0.28	0.22	0.17	0.09	0.1	0.11	0.15
<i>Fabrics:</i>							
Light velour, 10 oz/sq. yard‡ hung in contact with wall	0.03	0.04	0.11	0.17	0.24	0.35	0.14
Medium velour, 14 oz/sq.yard draped to half area	0.07	0.31	0.49	0.75	0.7	0.6	0.56
Heavy velour, 18 oz/sq.yard draped to half area	0.14	0.35	0.55	0.72	0.7	0.65	0.58
Glass – Ordinary window glass	0.35	0.25	0.18	0.12	0.07	0.04	0.16
Sprayed-on acoustic material – 1” cellulose applied to metal lath, 2.5 pounds per cubic foot	0.47	0.9	1.1	1.03	1.05	1.03	1.02
<i>Floor surface material:</i>							
Vinyl tile or linoleum on concrete	0.02	0.03	0.03	0.03	0.03	0.02	0.03
Carpet, heavy on concrete	0.02	0.06	0.14	0.37	0.6	0.65	0.29
Carpet, heavy, on 40-ounce hair felt or foam rubber	0.08	0.24	0.57	0.69	0.71	0.73	0.55
Wood	0.15	0.11	0.1	0.07	0.06	0.07	0.06
<i>Ceiling surface material:</i>							
Acoustic tile – suspended§	0.5	0.7	0.6	0.7	0.7	0.5	0.64
<i>Other:</i>							
Opening, stage depending on furnishings	0.25 to 0.75						

\*Source: Berger et al. 2003, Table 9.10

†NRC – noise reduction coefficient; average of coefficients between 250 Hz and 2000 Hz.

‡oz/sq. yard – ounce per square yard

§Source: Hall 2002, Table 15.1

## RESULTS AND DISCUSSION (CONTINUED)

During our evaluation, the food service area of the cafeteria was caged off so we could not take dimensional measurements. For our calculations of this area, we used the sound absorption coefficient of “openings: stage depending on furnishings.” Our reverberation time estimates were based on calculated values; these results could differ from values obtained using equipment specifically designed to measure reverberation.

Table 4. Calculated reverberation time estimates (seconds) for the band room and cafeteria at various sound frequencies

	Room Volume (cubic feet)	Frequency (Hz)						NRC*
		125	250	500	1000	2000	4000	
Band room†	17,500	0.6	0.5	0.6	0.6	0.6	0.8	0.6
Band room‡		0.8	0.7	0.7	0.6	0.6	0.8	0.7
Cafeteria§	63,000	0.9	0.7	0.8	0.7	0.7	1.0	0.8

\*NRC – noise reduction coefficient; average of coefficients between 250 Hz and 2000 Hz

†Calculated with plywood paneling sound absorption coefficient

‡Calculated with painted concrete block sound absorption coefficient

§Best estimate of room volume because separation of the service area prevented the dimensional measurement of the food service area

Recommended reverberation times for music rooms and halls depend on the type of music being performed and the size of the room. Recommended ranges are based on multiple tests in a variety of environments and on determining the reactions of different people at measured reverberation rates. Large rooms where music will be played, such as concert halls, are designed to have longer reverberation times (1.2 to 2.3 seconds) [Beranek 2006]. For rooms designed for music education where clear recognition of speech and changes in instrument nuances need to be heard, a shorter reverberation time is preferred [Hunecke 2011].

Examples of recommended reverberation rates are shown in Figure 4 [Hemond 1983] and Figure 5 [Hall 2002]. A series of case studies led researchers to recommend that band rooms have reverberation times of 0.6 to 0.8 seconds and a ceiling height of 16 to 24 feet [Paek et al. 2003]. Hemond recommended music room reverberation times of 1.0 to 1.2 seconds, whereas a classroom should have a 0.7-second reverberation time so speech can be heard clearly [Hemond 1983]. Sheaffer determined room reverberation times using a model and calculated that music practice rooms require 0.3 to 1 second of reverberation time depending on room volume [Sheaffer 2007]. Estimated

# RESULTS AND DISCUSSION (CONTINUED)

reverberation times ranged from 0.5 to 0.8 seconds for the band room and from 0.7 to 1.0 second in the cafeteria we evaluated; these times are within the recommended ranges.

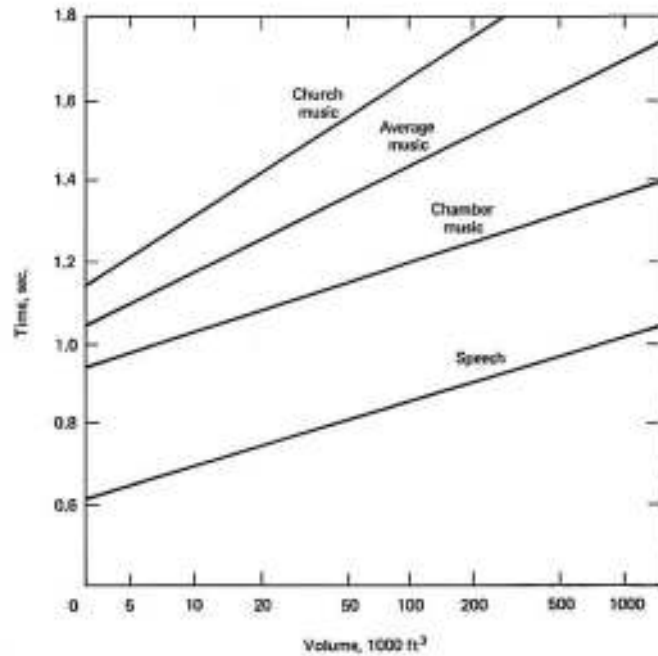


Figure 4. Recommended reverberation times [Hemond 1983].

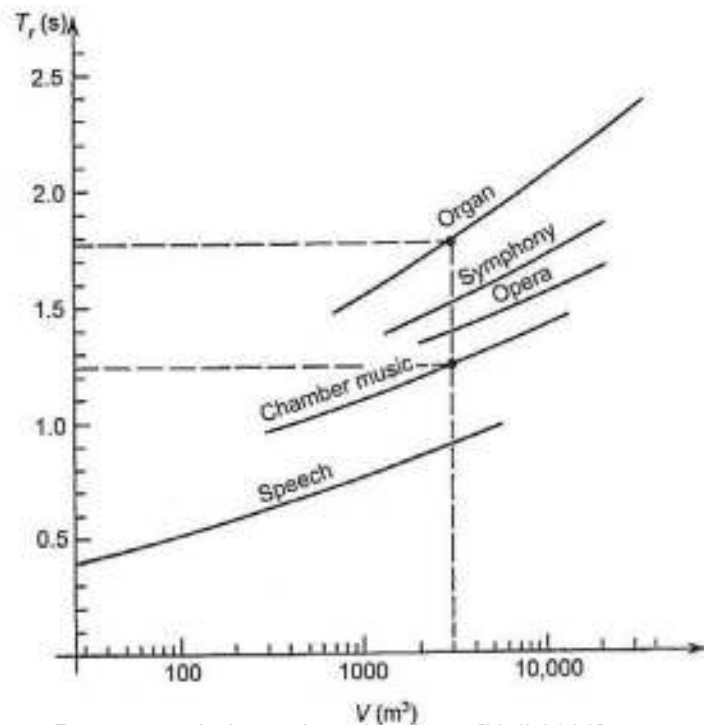


Figure 5. Recommended reverberation times [Hall 2002].

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## RESULTS AND DISCUSSION (CONTINUED)

In a study at a music institute in Finland, researchers measured reverberation times before and after installing sound absorbent materials in six classrooms and a music hall and administered a questionnaire to music teachers before and after the installation. The authors concluded that reducing the room reverberation times did not significantly decrease the teachers' noise exposure levels; however, teachers perceived the quality of sound to have improved and reported higher job satisfaction [Toppila and Olkinuora 2010].

Installing sound absorbent materials in the band room might reduce reverberation time, but this alone may not significantly reduce the band director's noise exposure because of the relatively small size of the band room, the large number of students in the space, and the band director's proximity to the students during rehearsal. It may be possible to reduce the band director's noise exposure in the band room through a combination of approaches including increasing the distance of the band director from the students during rehearsal, installing sound absorbent material on the wall in the front of the classroom, and instructing students to play more quietly during rehearsal in the band room. Because the band room was designed as a classroom and not for musical performance purposes, and because it was not designed for the large number of band students in the room for rehearsals, these noise reduction approaches would likely be more effective in a properly sized practice space. Adequate room volume is necessary to allow sound energy to dissipate, and higher ceiling heights reduce the loudness of high energy brass and percussion instruments [Paek et al. 2003]. Additionally, the room size should be appropriate for the number of students practicing or performing in the space. It has been observed that some music instructors teach in rooms designed too small for the numbers of students actually present [Paek et al. 2003]. A guideline is that a high school band room for 60 to 75 musicians should have a floor space of 2,500 ft<sup>2</sup> and a ceiling height of 18 to 22 ft. [Wenger 2001].



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## CONCLUSIONS

Personal noise measurements taken during the band director's work day did not exceed the OSHA PEL but reached the OSHA AL of 85 dBA and exceeded the NIOSH REL, reaching a TWA of 90 dBA. His short-term exposure during high school marching band rehearsals exceeded 90 dBA. Noise exposures were highest during marching band rehearsal in the band room, but noise exposure levels during rehearsal in the cafeteria were also high. Calculated reverberation times in the band room were appropriate for teaching music classes, but the band room was not designed for use as a music rehearsal or performance space and was too small for the number of students in the marching band. Marching band rehearsal should take place outside, when possible, or in an area appropriately sized for the number of students and acoustically designed for musical rehearsals or performances. Until an acoustically designed and properly sized space can be constructed, marching band rehearsals should take place in alternative rehearsal spaces such as a larger room with sound absorbent materials or in the cafeteria. Because of the high noise levels during marching band rehearsal, a hearing conservation program is needed for the band director, including hearing protection, yearly audiometric evaluations, and training on noise exposures. Music students and their parents should also be educated on the potential hazards of loud music and ways to protect their hearing.

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## RECOMMENDATIONS

On the basis of our findings, we recommend the actions listed below to create a more healthful workplace. Our recommendations are based on the hierarchy of controls approach (refer to Appendix A: Occupational Exposure Limits and Health Effects). This approach groups actions by their likely effectiveness in reducing or removing hazards. In most cases, the preferred approach is to eliminate the hazard or processes and install engineering controls to reduce exposure or shield employees. Until such controls are in place, or if they are not effective or feasible, administrative measures and/or personal protective equipment may be needed. Personal protective equipment is the least effective means for controlling employee exposures. Proper use of personal protective equipment requires a comprehensive program, and calls for a high level of employee involvement and commitment to be effective.

1. Hold marching band rehearsal outside or in a room appropriately sized for the number of band students and acoustically designed for musical rehearsals and

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## RECOMMENDATIONS (CONTINUED)

performances. Until an acoustically designed space can be constructed, marching band rehearsals should take place in alternative rehearsal spaces such as the cafeteria or a larger room with sound absorbent materials. If marching band rehearsal must take place in the band room, all students should be asked to play softly and focus on technique, and practice louder dynamics when rehearsals take place outside or in the larger rehearsal areas.

2. Stand away from high sound reflective surfaces, such as blackboards, when leading music classes and marching band rehearsal. If this is not possible, then cover such surfaces with sound absorbent material.
3. Move the students slightly farther back in the classroom to create more distance from the band director.
4. Provide the band director with flat attenuation “musician” ear plugs until an acoustically appropriate space is available and noise monitoring results are documented to be below occupational exposure limits. These hearing protectors attenuate sound levels evenly across frequencies to maintain sound quality. Administrators should provide training for the proper fit, use, and care of the ear plugs.
5. Establish a hearing conservation program to include the band director and future music teachers in accordance with the OSHA hearing conservation standard [29 CFR 1910.95] and NIOSH recommendations. This program should provide guidelines for reducing the risk of hearing loss, include annual audiometric testing and follow-up, and include training on using hearing protectors. Audiometric testing allows for the early detection of hearing loss and provides opportunities for interventions. More information on establishing a hearing conservation program can be found at <http://www.osha.gov/dts/osta/otm/noise/hcp/index.html> and <http://www.osha.gov/Publications/osh3074.pdf>.
6. Share information on the symptoms and prevention of NIHL with band students and their parents.

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## APPENDIX A: OCCUPATIONAL EXPOSURE LIMITS AND HEALTH EFFECTS

NIHL is an irreversible condition that progresses with noise exposure. It is caused by damage to the nerve cells of the inner ear and, unlike some other types of hearing disorders, cannot be treated medically [Berger et al. 2003]. More than 22 million U.S. workers are estimated to be exposed to workplace noise levels above 85 dBA [Tak et al. 2009]. NIOSH estimates that workers exposed to an average daily noise level of 85 dBA over a 40-year working lifetime have an 8% excess risk of material hearing impairment. This excess risk increases to 25% for an average daily noise exposure of 90 dBA [NIOSH 1998]. NIOSH defines material hearing impairment as an average of the hearing threshold levels for both ears that exceeds 25 dB at frequencies of 1,000, 2,000, 3,000, and 4,000 Hz.

Although hearing ability commonly declines with age, exposure to excessive noise can increase the rate of hearing loss. In most cases, NIHL develops slowly from repeated exposure to noise over time, but the progression of hearing loss is typically the greatest during the first several years of noise exposure. NIHL can also result from short duration exposures to high noise levels or even from a single exposure to an impulse noise or a continuous noise, depending on the intensity of the noise and the individual's susceptibility to NIHL [Berger et al. 2003]. Noise-exposed workers can develop substantial NIHL before it is clearly recognized. Even mild hearing losses can impair one's ability to understand speech and hear many important sounds. In addition, some people with NIHL also develop tinnitus, a condition in which a person perceives hearing sound in one or both ears, but no external sound is present. Persons with tinnitus often describe hearing ringing, hissing, buzzing, whistling, clicking, or chirping like crickets. Tinnitus can be intermittent or continuous, and the perceived volume can range from soft to loud. Currently, no cure for tinnitus exists.

The preferred unit for reporting of noise measurements is the decibel, A-weighted (dBA). A-weighting is used because it approximates the "equal loudness perception characteristics of human hearing for pure tones relative to a reference of 40 dB at a frequency of 1,000 Hz" and is considered to provide a better estimation of hearing loss risk than using unweighted or other weighting measurements [Earshen 2003]. The dB unit is dimensionless, and it represents the logarithmic ratio of the measured sound pressure level to an arbitrary reference sound pressure (20 micropascals, which is defined as the threshold of normal human hearing at a frequency of 1,000 Hz). Decibels are used because of the very large range of sound pressure levels audible to the human ear. Because the dB is logarithmic, an increase of 3 dB is a doubling of the sound energy, an increase of 10 dB is a tenfold increase, and an increase of 20 dB is a hundredfold increase in sound energy. Noise exposures expressed in decibels cannot be averaged by taking the arithmetic mean.

Workers exposed to noise should have baseline and yearly hearing tests to evaluate their hearing thresholds and determine whether their hearing has changed over time. Hearing testing should be done in a quiet location, such as an audiometric test booth where background noise does not interfere with accurate measurement of hearing thresholds. In workplace hearing conservation programs, hearing thresholds must be measured at 500, 1,000, 2,000, 3,000, 4,000, and 6,000 Hz. Additionally, NIOSH recommends that 8,000 Hz should also be tested [NIOSH 1998]. For workers covered by the OSHA hearing conservation standard, changes from baseline hearing thresholds must be analyzed to determine if the change is substantial enough to meet OSHA criteria for an STS. OSHA defines an STS as a change in hearing

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## APPENDIX A: OCCUPATIONAL EXPOSURE LIMITS AND HEALTH EFFECTS (CONTINUED)

threshold relative to the baseline hearing test of an average of 10 dB or more at 2,000, 3,000, and 4,000 Hz in either ear [29 CFR 1910.95]. If an STS occurs, the company must determine if the hearing loss also meets the requirements to be recorded on the OSHA 300 Log of Injury and Illness [29 CFR 1904.1]. In contrast to OSHA, NIOSH defines a significant threshold shift as an increase in the hearing threshold level of 15 dB or more, relative to the baseline audiogram, at any test frequency in either ear measured twice in succession [NIOSH 1998].

Hearing test results are often presented in an audiogram, which is a plot of an individual's hearing thresholds (y-axis) at each test frequency (x-axis). Hearing threshold levels are plotted such that fainter sounds are shown at the top of the y-axis, and more intense sounds are plotted below. Typical audiograms show hearing threshold levels from -10 or 0 dB to about 100 dB. Lower frequencies are plotted on the left side of the audiogram, and higher frequencies are plotted on the right. NIHL often manifests itself as a "notch" at 3,000, 4,000, or 6,000 Hz, depending on the frequency spectrum of the workplace noise and the anatomy of the individual's ear [ACOM 1989; Osguthorpe and Klein 2001; Suter 2002; Schlaucha and Carneya 2011]. A notch in an individual with normal hearing may indicate early onset of NIHL. For NIOSH HHEs, a notch is defined as the frequency where the hearing threshold level is preceded by an improvement of at least 10 dB at the previous test frequency and followed by an improvement of at least 5 dB at the next test frequency.

NIOSH has an REL for noise of 85 dBA, as an 8-hour TWA. For calculating exposure limits, NIOSH uses a 3-dB time/intensity trading relationship, or exchange rate. Using this criterion, an employee can be exposed to 88 dBA for no more than 4 hours, 91 dBA for 2 hours, 94 dBA for 1 hour, 97 dBA for 0.5 hours, etc. Exposure to impulsive noise should never exceed 140 dBA. For extended work shifts NIOSH adjusts the REL to 84.0 dBA for a 10-hour shift and 83.2 dBA for a 12-hour work shift. When noise exposures exceed the REL, NIOSH recommends the use of hearing protection and implementation of a hearing loss prevention program [NIOSH 1998].

The OSHA noise standard specifies a PEL of 90 dBA and an AL of 85 dBA, both as 8-hour TWAs. OSHA uses a less conservative 5-dB exchange rate for calculating the PEL and AL. According to the OSHA criterion, an employee may be exposed to noise levels of 95 dBA for no more than 4 hours, 100 dBA for 2 hours, 105 dBA for 1 hour, 110 dBA for 0.5 hours, etc. Exposure to impulsive or impact noise must not exceed 140 dB peak noise level. OSHA does not adjust the PEL for extended work shifts. However, the AL is adjusted to 83.4 for a 10-hour work shift and 82.1 dBA for a 12-hour work shift. OSHA requires implementation of a hearing conservation program when noise exposures exceed the AL [29 CFR 1910.95].

An employee's daily noise dose, on the basis of duration and intensity of noise exposure, can be calculated according to the formula:  $Dose = 100 \times (C_1/T_1 + C_2/T_2 + \dots + C_n/T_n)$ , where  $C_n$  indicates the total time of exposure at a specific noise level and  $T_n$  indicates the reference exposure duration for which noise at that level becomes hazardous. A noise dose greater than 100% exceeds the noise exposure limit.

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## APPENDIX A: OCCUPATIONAL EXPOSURE LIMITS AND EALTH EFFECTS (CONTINUED)

To calculate the noise dose using NIOSH criteria, the reference duration ( $T_n$ ) for each time period must be calculated using the following formula:  $T(\text{min}) = 480/2^{(L-85)/3}$ , where L = the measured noise exposure level for each time period. To calculate noise dose using OSHA criteria, the reference duration ( $T_n$ ) for each time period must be calculated using a slightly different formula:  $T(\text{min}) = 480/2^{(L-90)/5}$ , where L = the measured noise exposure level for each time period.

### References

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Tak S, Davis RR, Calvert GM [2009]. Exposure to hazardous workplace noise and use of hearing protection devices among U.S. workers-NHANES, 1999-2004. *Am J Ind Med* 52(5):358-371.

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## APPENDIX B: METHODS

A noise dosimeter (Larson Davis, Provo, Utah, Spark™ model 706RC) was attached to the wearer's belt, and a small remote microphone was fastened to the wearer's shirt at a point midway between the ear and outside of the shoulder. For area noise measurements, a dosimeter was placed on each side of the room near the storage racks. Windscreens provided by the dosimeter manufacturer were placed over the microphones to reduce or eliminate artifact noise, which can occur if objects bump against unprotected microphones. The dosimeters were set up to collect data using different settings to allow comparison of noise measurement results with the three different noise exposure limits referenced in this HHE, the OSHA PEL and AL and the NIOSH REL (Table B1). During noise dosimetry measurements, noise levels below the threshold level are not integrated by the dosimeters for accumulation of dose and calculation of TWA noise level.

The dosimeters averaged noise levels every second. At the end of the sampling period, the dosimeters were removed and paused to stop data collection. The noise measurement information stored in the dosimeters was downloaded to a computer for interpretation with Larson Davis Blaze® software. The dosimeters were calibrated before and after the measurement periods according to the manufacturer's instructions.

Table B1. Dosimeter settings

Parameters	OSHA AL	OSHA PEL	NIOSH REL
Response	Slow	Slow	Slow
Exchange rate	5	5	3
Criterion level	90	90	85
Threshold	80	90	80

Area noise levels and octave band noise frequency analysis (measurement of noise in different frequencies) were measured with System 824 SLM real-time frequency analyzers (Larson-Davis, Provo, Utah). The SLMs were equipped with 0.5-inch random incidence Type 1 microphones. Noise and octave band frequency spectrum measurements were collected at a sample rate of 51,200 times per second and averaged eight times per second. The SLMs were calibrated before and after the measurement periods according to the manufacturer's instructions. SLMs were mounted on a tripod at a height of approximately 5 feet.



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## ACKNOWLEDGMENTS AND AVAILABILITY OF REPORT

The Hazard Evaluations and Technical Assistance Branch (HETAB) of the National Institute for Occupational Safety and Health (NIOSH) conducts field investigations of possible health hazards in the workplace. These investigations are conducted under the authority of Section 20(a)(6) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 669(a)(6) which authorizes the Secretary of Health and Human Services, following a written request from any employer or authorized representative of employees, to determine whether any substance normally found in the place of employment has potentially toxic effects in such concentrations as used or found. HETAB also provides, upon request, technical and consultative assistance to federal, state, and local agencies; labor; industry; and other groups or individuals to control occupational health hazards and to prevent related trauma and disease.

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This report was prepared by Lilia Chen and Scott E. Brueck of HETAB, Division of Surveillance, Hazard Evaluations and Field Studies. Industrial hygiene equipment and logistical support was provided by Donald Booher and Karl Feldmann. Health communication assistance was provided by Stefanie Evans. Editorial assistance was provided by Ellen Galloway. Desktop publishing was performed by Greg Hartle.

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**Below is a recommended citation for this report:**

NIOSH [2012]. Health hazard evaluation report: noise evaluation of elementary and high school music classes and indoor marching band rehearsals – Alabama. By Chen L, Brueck SE. Cincinnati, OH: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, NIOSH HETA No. 2011-0129-3160.



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## Letter 138

**COMMENTER:** Ken Levin

**DATE:** March 3, 2017

### **Response 138.1**

The commenter references an attached comment letter on the Draft EIR, which is addressed below.

### **Response 138.2**

The commenter correctly states that noise from the proposed project associated with athletic events on the field would result in an unmitigable noise impact. The commenter then opines that noise from school bands would exacerbate the already significant and unmitigable noise impact. School bands are not expected to perform during athletic events on the field and are not a component of the proposed project. Clarifying information has been added to Section 2.4.1.2 of the Final EIR, *Public Address System*, as follows:

Additional Panaray 802 III loudspeakers (or general equivalent) would be installed at the stadium's press box and snack shack. These speakers would increase the volume of the public address system throughout the bleachers and field with focused coverage so as to minimize disturbance to neighbors. Drums or other band instruments are not currently played at athletic events at the stadium. Band instruments are not expected to be played at athletic events with implementation of the proposed project and are not part of the project as proposed.

### **Response 138.3**

The commenter states an opinion that noise modeling for the proposed project does not account for bands, more attendees, and "noisemakers." The commenter further questions the ability to model future noise conditions based on current noise measurements.

School bands are not expected to perform during athletic events on the field and are not a component of the proposed project. Please see Response 138.2. The project Noise Assessment includes adjustments for changes in crowd size. Please refer to Section 5.2, Future Activities in the Stadium, of the Noise Assessment (Appendix E of the Draft EIR) which discusses the changes in attendance used in the analysis. For example, in evaluating Varsity Football game noise, the analysis considers an increase in attendance from 400 to 1,440 with the project, which represents the worst-case scenario associated with the largest anticipated crowds. As discussed in the Draft EIR in Section 2, *Project Description*, the maximum anticipated attendance is approximately 1,440. No changes to the Draft EIR are warranted.

### **Response 138.4**

The commenter states their objection to the proposed project due to concerns about noise, and states an opinion that noise from athletic events is more disturbing during evening hours (when ambient noise levels are lower) compared to noise during daytime hours (when ambient noise levels are higher). The commenter also reiterates their concern about noise increases from higher attendance, school bands, and "noisemakers." The commenter's objection to the proposed project is noted. As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Operational Noise Impact Thresholds*, the noise analysis evaluates the increase in CNEL on a day with a varsity football game. The CNEL measurement includes a 5 dBA "penalty" which is added to noise during evening hours (7:00 PM – 10:00 PM) to account for peoples' sensitivity to evening noise. In order to evaluate the potential impact that would

occur as a result of a change from day games to night games, the noise analysis considers the increase in the CNEL on a day when a varsity football game is played at night as compared to the CNEL on a day when a varsity football game is played during the day. Football games are used since these are generally the loudest events at the high school stadium. Please also see Response 138.2 and Master Response B – Noise.

### **Response 138.5**

The commenter reiterates concerns about increased noise from school bands. The commenter cites a study from the Center for Disease Control related to potential hearing damage from band instruments. School bands are not expected to perform during athletic events on the field and are not a component of the proposed project. Please see Response 138.2.

### **Response 138.6**

The commenter correctly states that noise impacts associated with the proposed project would be unmitigable and reiterates their objection to the proposed project. The commenter's objection to the proposed project is noted. The commenter then states an opinion that implementation of the proposed project would be in violation of Novato's Noise Ordinances. As stated in the Draft EIR under Impact N-2, "... noise impact from project-related activities on the field would be significant and unavoidable." Draft EIR Table 28 assesses the significance of the field activity noise with respect to the Novato Noise Ordinance limits. To be conservative, Draft EIR Table 28 presents the noise levels from one of the noisiest activities, high attendance Varsity Football games. Because the proposed project is considered an improvement to educational facilities at a public school, the governing board of the District adopted Resolution No. 16-2016/17 to exempt the proposed project from local zoning ordinance requirements per Government Code Section 53094. CEQA Guidelines Appendix G does not require that local ordinances be used to establish thresholds of significance for noise; rather the lead agency may identify its own thresholds, as NUSD has done. It should be noted that many of the noise thresholds adopted by NUSD for the Draft EIR are derived directly from the City of Novato's policies and regulations, as discussed in the Draft EIR in Section 4.5.2 under *Methodology and Significance Thresholds*. Please also see Master Response B – Noise.

### **Response 138.7**

The commenter references an attached study from the Center for Disease Control regarding noise from school bands. The attachment is noted but does not contain comments on the Draft EIR. Please see Response 138.2.

### **Response 138.8**

The commenter states an opinion that the Draft EIR fails to adequately address crowd noise, band noise, and noise level increases from increased attendance. The commenter also states an opinion that nighttime noise is more disturbing than daytime noise. Potential noise impacts associated with the proposed project are addressed in detail in the Draft EIR in Section 4.5, *Noise*. Please also see Response 138.2, Response 138.3, Response 138.4, and Master Response B – Noise.

### **Response 138.9**

The commenter states an opinion that the reported noise levels in Table 21 of the Draft EIR are incorrect and do not represent reasonable sound levels at the measurement locations. The short-term noise measurements reported in the EIR were made with a Larson Davis Model 824 sound level meter that

conforms to standards for precision (Type 1) of the American National Standards Institute (ANSI S1.4). The calibration of the meters was checked before and after the measurements with an acoustical calibrator. The calibrators and sound level meters are periodically checked by an independent laboratory with certified equipment traceable to the National Institute of Standards and Technology (NIST). As part of responding to this comment the field data sheets and recorded sound level meter data for ST-5 have been rechecked and found to match the values reported in the EIR with one exception. The range of reported Lmax values for "Crowd" noise on 8/27/16 does not include two events that had Lmax values of 51 dBA and 58 dBA. These noise events were outliers of the reported typical range of Lmax from the crowd of 43 - 49 dBA reported in the Table 2 of the noise report and it is possible that the event noise levels were influenced by PA sound. The noted PA noise levels are in the range of 51 – 60 dBA. This exclusion of two Lmax notes regarding crowd noise does not affect the findings of significance in the noise impact assessment.

### **Response 138.10**

The commenter reiterates concern regarding the noise levels associated with the proposed project. The commenter expresses concern that the Public Address (PA) sound levels would not be controlled properly; that project-related noise would not be in compliance with the City of Novato Noise Ordinance; that the noise levels associated with proposed activities on the field were underestimated in the Draft EIR due to a lack of analysis of band noise, increased crowd noise, "noisemakers," and the shifting of noise to nighttime hours; and that the noise measurements reported in the Draft EIR are inaccurate. The commenter also states an opinion that alternatives were not given a fair comparison to the proposed project in the Draft EIR. Please see Response 138.2, Response 138.3, Response 138.4, Response 138.9, Master Response B – Noise, and Master Response E – Alternatives.

Letter 139

From: Timothy Long [mailto:timbo50@comcast.net]

Sent: Friday, March 03, 2017 9:17 AM

To: JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

Cc: From: Tim Long

Subject: Draft EIR and SMHS Lighting and Sound Project

Dear NUSD,

I am writing to ask you to consider a strong stadium plan for the San Marin High School Lighting and Sound Project. The EIR does not really address stadium use beyond the few football games per year. Almost without question the field will be used for many more hours that envisioned.

A stadium plan could cover over-use of the facility as a rental, time restrictions, and override of the sound system for louder events.

Please consider creation of a strong stadium plan that penalizes users of the field for breaking the rules.

Tim Long

PS, The proponent's information about technology was pretty good.

Sent from my iPad

## Letter 139

**COMMENTER:** Timothy Long

**DATE:** March 3, 2017

### **Response 139**

The commenter states an opinion that the Draft EIR does “not really address stadium use beyond the few football games per year” On the contrary, the proposed schedule of events is described in Section 2, *Project Description*, of the Draft EIR, under subsection 2.4.1.6, *Proposed Schedule of Events*, and includes many other events beyond a few football games. Please see Table 3 in Section 2.

Letter 140

**From:** Jim McClellan [mailto:jim@fortsystems.com]

**Sent:** Friday, March 03, 2017 7:31 AM

**To:** JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

**Subject:** San Marin High School Field Lights Proposal

Hello,

Attached please find a letter addressing the proposal for field lights at San Marin High School. I appreciate your consideration.

Best regards,

Jim McClellan

-----  
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[EIR@nUSD.org](mailto:EIR@nUSD.org)

March 3, 2017

**Re: DRAFT EIR Regarding Proposed Lights at San Marin High School**

Dear Ms. Hawkins:

The following comments regarding the Draft Environmental Impact Report (DEIR) dated December 2016 describe problems with the project description, objectives, and alternatives.

**Project Description Problems**

The DEIR does not provide adequate information about the number of people who attend events such that the public and decision makers have adequate information about significant negative impacts related to the project.

1 | Table 3 of the Project Description discloses a "Proposed Schedule of Events". In it, it lists events at the Site. Table 4 of the Project Description lists purported "Attendance at Current Sporting Events". Appendix E also provides some discussion of the number of people attending events. There are several deficiencies in this information.

First, the attendance information for "Football" is vague and incomplete. Home games at SMHS are actually three different types: (a) freshman football, (b) junior varsity football, and (c) varsity football. The attendance at each event is different, as the earlier games for freshman and junior varsity will draw much smaller crowds. The project description should provide granular information regarding attendance at each game. This is important for comparing noise measurements in Appendix E to the size of the crowds to assess the noise impact of varying crowd sizes.

2 | Second, the attendance information for "Pop Warner Games" is vague and incomplete. During these youth football days, four to five games occur. The project description states that 1,000 people attend these games but it is unclear how many people are in attendance simultaneously during any one game, and therefore how much collective noise might be generated. Attendees of a 9 AM game and a 3 PM game do not act in concert in creating noise and potential significant impacts. As such, the DEIR does not disclose the level of noise created by the events in conjunction with the number of attendees. In this way, the DEIR fails to disclose important information for the public and decision makers in assessing the potential significant negative impacts of noise from the site.

3 | Third, the attendance information for soccer and lacrosse is not consistent with the project objectives. Project objectives 2 and 3 both describe increased attendance of sporting events. In contrast, the Project Description states that there is no expected increase in attendance related to nighttime games for both soccer and lacrosse. This glaring inconsistency is not addressed in the DEIR. This problem is

3 contd | likely to mislead the public and decision makers regarding potential significant negative impacts related to non-football games.

4 | Fourth, the project description does not discuss how many games occur on Saturday for non-football events that are not impacted by the winter’s earlier sunset time.

Fundamentally, the project description needs a more granular and complete description of attendance at the Site related to the project. Without the basic information, the DEIR and accompanying studies are flawed because they fail to disclose to the public and decision makers the basic information they need about how the project may create significant negative impacts.

**Project Objectives**

The Project Objectives discussion is vague and incomplete.

5 | First, the DEIR claims that 1,500 hours of instructional time are being lost related to early dismissal. This disclosure needs more concrete detail. Currently, students will be dismissed early for both home and away games in many cases. The Project will have no impact on lost class time at locations other than the Site. The DEIR should be clarified to specifically describe how many hours of lost instruction time could be prevented by the project. Without this information, the public and decision makers are unable to make appropriate tradeoffs between the purported benefit of the Project in avoiding lost instructional time and the significant negative impacts of the Project.

Second, the DEIR does not state the number of students who purportedly lose these 1,500 hours of instructional time. The project description states that there are approximately 1,000 students at SMHS. It is unclear how many participate in the various teams that are projected to have games using the lights. The value of the project may be very different depending on the amount of lost instructional time per student. The DEIR should disclose much more granular information about the number of students impacted and the amount per student of lost instruction time specifically prevented by the project.

**Project Alternatives**

The Project Alternatives discussion is again vague and incomplete. It fails to recognize relevant alternatives to the Project. It also fails to provide a meaningful comparison of the alternatives versus the Project regarding the project’s objectives.

Other alternatives that should have been considered include:

- 6 |
- **Different temporary lights** – there have been advances in portable temporary lights. The project description only considers large scale diesel powered construction lights. Inexpensive portable LED powered lights, however, are also used to light sports fields for practices. The cost for lighting a field can be less than \$10,000 and would provide all of the safety and extended practice time benefits of the project without the significant negative impacts related to noise disclosed in Appendix E of the DEIR. See, for instance, <https://igoal.com.au/t-ilite.aspx> and <https://www.amazon.com/Goalrilla-GM0001W-Torch-Portable-Floodlight/dp/B00NRD1CEK> .

6  
contd

- **Seasonal air-supported dome and artificial field** – SMHS could purchase a seasonal air-supported dome for a winter practice facility. These domes provide an enclosed, lighted facility protected from the rain. Costs for domes adequate for practice are less than \$500,000. An enclosed facility would mitigate issues related to both noise and lights from nighttime practice, which as the project description states is the majority of the usage of the project. This alternative has benefits of weather protection for practices that the Project does not provide. Numerous schools have used these seasonal air supported domes for practice facilities, including major college and professional teams. The DEIR should provide a discussion of the costs and benefits of this alternative to the project. See, for instance, <http://www.thefarleygroup.com/Projects.htm>.
- **Alternative evening events** – the DEIR does not discuss other potential evening events that could create a sense of community in a safe environment. While football games are one option, other events that could be hosted at SMHS could achieve the same objective without impacts related to lights and potentially smaller impacts related to noise. These alternative events do not require any of the capital expense of the project and could be completed now. These events could also be held during non-football season times.

### Conclusion

In summary, the project description is vague and incomplete. The project alternatives analysis fails to consider other relevant alternatives to the Project.

Sincerely,

Jim McClellan

## Letter 140

**COMMENTER:** Jim McClellan

**DATE:** March 3, 2017

### **Response 140.1**

The commenter states an opinion that the Draft EIR does not provide adequate information about the attendance at stadium events. The commenter opines that precise attendance levels for different types of games is necessary for understanding noise impacts. As discussed under Response 7.5, attendance estimates at San Rafael High School's existing lighted stadium were used to generate attendance estimates for the proposed stadium lights project at San Marin High School. As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Operational Noise Impact Thresholds*, a future varsity football game was used to conservatively model potential hourly and daily noise impacts from crowd noise because a varsity football game represents the loudest likely scenario (i.e., the maximum expected noise levels from crowds). Lower-attendance events would have fewer noise impacts than the type of event used in the analysis; thus, the analysis based on loudest events is conservative and information about less loud events is not strictly necessary using this conservative approach. Please see Master Response B – Noise for more information about this topic.

### **Response 140.2**

The commenter states an opinion that the Draft EIR does not properly estimate attendance at Pop Warner games and therefore does not adequately address noise from these games. Please note that additional or night time Pop Warner games are not part of the proposed project. As stated in the Draft EIR in Section 2, *Project Description*, non-school uses, including Pop Warner, would remain as they were before the proposed project. The Pop Warner games would utilize the new Public Address system proposed as part of this project. The upgraded public address system would be designed to limit the amount of sound that leaves the stadium. As described in Section 2.4.1.2 of the Draft EIR, *Public Address System*, the speakers would be directed towards the spectators and the field. Please see Master Response B – Noise for more information about this topic.

### **Response 140.3**

The commenter states an opinion that the claim in the project description that there would not be an increase in attendance at soccer and lacrosse games is inconsistent with the Project Objectives 2 and 3 to increase attendance at games. This comment does not challenge the specific findings and conclusions of the Draft EIR. As described in Section 4.5.2 of the Draft EIR, *Impact Analysis*, under the heading *Operational Noise Impact Thresholds*, a future varsity football game was used to model potential hourly and daily noise impacts from crowd noise because a varsity football game represents the worst-case scenario (i.e., the maximum expected noise levels from crowds). Therefore, should attendance at soccer or lacrosse games increase compared to existing conditions, the findings of the Draft EIR, which are based on the worst-case scenario, would not change.

### **Response 140.4**

The commenter states an opinion that the Draft EIR does not mention Saturday or non-football events that are not impacted by the earlier sunset in winter. The commenter does not provide information or analysis on how this would be relevant to the environmental impacts of the proposed project. The

commenter states an opinion that Draft EIR needed more information about attendance at events. Please see responses 140.1 through 140.3.

**Response 140.5**

The commenter states an opinion that the Project Objectives are vague and incomplete and requests that additional detail be added. The commenter asks for evidence that 1,500 hours of instructional time is lost and asks how many students participate in sports activities that are missing instructional time. Objective 1 is to “Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.” As discussed under Section 2.5, *Background and Project Objectives*, during winter months (November through March) the sun sets on average at 5:00 PM, impacting the ability of the winter sports teams to get their practice times and games in before dark. Since practices and games are scheduled early during daylight, the soccer, lacrosse, and track/field athletes are leaving afternoon classes early and missing instructional time to attend practice and games. The District estimates that 1,500 hours of instruction time are being lost related to early dismissal. While the commenter’s disagreement with the project objectives is noted, the objective is adequate and changes are not warranted.

**Response 140.6**

The commenter states an opinion that the Draft EIR fails to recognize relevant alternatives to the project and fails to provide a meaningful comparison of the alternatives to the project objectives. The commenter suggests other alternatives including different temporary lights (non-diesel), season air-supported dome and artificial field (an air-supported dome for a winter practice facility), and alternative evening events. These suggestions are noted and will be considered by the District’s decision makers along with the other comments on the Draft EIR. Please see Master Response E – Alternatives for a response to this comment.

Letter 141

**From:** Meg Reilly <[megreillyusa@hotmail.com](mailto:megreillyusa@hotmail.com)>

**Sent:** Thursday, March 2, 2017 11:55 AM

**To:** TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; DEREK KNELL; [derek@strahmcom.com](mailto:derek@strahmcom.com); ROSS MILLERICK; SHELLY SCOTT; DEBBIE BUTLER

**Subject:** Comments- EIR Stadium Lights at SM High & Novto High

1 | The EIR fails to mitigate in any meaningful way the following impacts of stadium lights at either high school:

- 2 | 1) Nighttime light in neighborhoods that currently are and should be dark at night.
- 3 | 2) Nighttime noise from nighttime uses of the stadium/fields, in neighborhoods that are now quiet.
- 4 | 3) Nighttime traffic in neighborhoods that are currently free of school traffic only at night.
- 5 | 4) Nighttime street parking in neighborhoods that are currently without impacts of school related parking only at night.
- 5 | 5) Nighttime non-resident population increases (people lingering in the area) in neighborhoods that currently do not have to lock their doors.
- 5 | 6) Nighttime crime in neighborhoods that are currently relatively crime free.
- 5 | 7) Litter and destruction to neighboring properties from attendees of nighttime non-residential activities in a residential neighborhood.

6 | NUSD has consistently failed to address existing traffic, noise, parking, and attendee behavioral issues associated with existing campus activities that adversely affect residential neighbors. Adding more of the same and expanding the impacts to potentially 24 hours a day magnifies the impact to the point of reckless disregard.

The EIR will be subject to appeal if approved. Board approval of field lights is an assault on the very NUSD neighbors whom you serve.

Meg Reilly

## Letter 141

**COMMENTER:** Meg Reilly

**DATE:** March 2, 2017

### **Response 141.1**

The commenter states an opinion that the Draft EIR fails to mitigate the impacts of nighttime light in neighborhoods, but does not provide information or analysis to support the opinion. Impacts and mitigation measures related to aesthetics may be found in Section 4.1, *Aesthetics*, of the Draft EIR. Please see also Master Response A – Lighting and Aesthetics.

### **Response 141.2**

The commenter states an opinion that the Draft EIR fails to mitigate nighttime noise from nighttime uses of the stadium, but does not provide information or analysis to support the opinion. Impacts and mitigation measures related to noise may be found in Section 4.5, *Noise*, of the Draft EIR. Please see also Master Response B – Noise.

### **Response 141.3**

The commenter states an opinion that the Draft EIR fails to mitigate nighttime traffic in neighborhoods, but does not provide information or analysis to support the opinion. Impacts related to traffic may be found in Section 4.6, *Transportation and Traffic*, of the Draft EIR. Please see also Master Response C – Traffic.

### **Response 141.4**

The commenter states an opinion that the Draft EIR fails to mitigate nighttime street parking, but does not provide information or analysis to support the opinion. Please see Master Response C – Traffic, for a response to this comment.

### **Response 141.5**

The commenter states an opinion that the Draft EIR fails to mitigate non-resident population increases in the neighborhood and associated potential crime, litter and vandalism. Please see Master Response D – Public Services and Safety for a response to this comment.

### **Response 141.6**

The commenter states an opinion that the District has failed to address traffic, noise, parking and attendee behavior issues associated with the existing campus that adversely affect neighbors. This comment does not pertain to the current project or its analysis in the Draft EIR. The Draft EIR analyzes impacts associated with current baseline conditions including with the existing stadium uses, schedule, and attendance. Therefore, the existing traffic, noise, parking, and lighting conditions are taken into account in the Draft EIR.

The commenter states an opinion that impacts related San Marin High School would increase to 24 hours a day with the proposed project. The proposed project would not expand stadium use to 24 hours a day. As stated in Section 2, *Project Description*, of the Draft EIR, the main stadium lights would be turned off

by 8:00 PM from Monday through Thursday for practices, by 8:30 PM from Monday through Thursday for games, and by 9:45 PM on Fridays. The stadium lights would not be used on Saturdays or Sundays, with the possible exception of Saturday lights usage until 8:30 PM for up to four Saturdays in February and two Saturdays in May for soccer and lacrosse playoff games.



Letter 142

**From:** Wendy S [mailto:wendys62@gmail.com]

**Sent:** Friday, March 03, 2017 3:00 PM

**To:** JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

**Subject:** Lights and Sound System at San Marin

I am certain by now you have received numerous emails stating reasons why the San Marin community is against the lights and sound system at our neighborhood schools.

I am sending this email so you aware that I too am truly worried that the addition of these lights will make my living in this community very difficult.

1 I am against putting lights and a new sound system up at San Marin and Novato High.

I am a teacher here in Novato and I live in close proximity to San Marin HS.

I look forward to coming home and relaxing in my back patio on my swing shaking off the day. Or opening my windows to get some refreshing air in my home. My greatest concern is the noise. As it is now, on some days my relaxing and "playing" with my plants outside includes the constant whistle from the coaches and the announcements during the time-outs telling me about the food shack (or what ever it is) and what I can buy there. As well as knowing all the players names and numbers perfectly before each game. I fear this will only worsen once the new lights and system is put in and night games and practices are added to the schedule.

2 When this all started last year I attempted to try to sell my townhouse and move but quickly found out that I couldn't afford to do that. Yes, I could sell my house for more... but I also had to buy a house for more. To do this it would have left me with a much higher mortgage and less house for my money, and I would have had to completely move out of Novato. Which I didn't want to do.

3 Please, please consider looking for another venue for these games. I really love working in our school district and having my own daughter as part of the MSA program. I really don't want to move away from that. I have worked for you all for 10 years, 10 happy years. I would very much like it to stay here into retirement and after.

4 I am truly concerned about what will become of my neighborhood, my days in the fall and spring of having dinner out back relaxing after a day of teaching, and the possible unknown ramifications of the nightly events.

I could cut and paste what the others are saying into this email. I absolutely agree with them as well. I wanted to let you know what I was feeling in a not so formal way. Just one person to another, or actually from one neighbor to another.

Please know that I am against putting in these lights and sounds at San Marin. Please consider this when you cast your vote.

--

*peace,*  
*Wendy*

## Letter 142

**COMMENTER:** Wendy S.

**DATE:** March 3, 2017

### **Response 142.1**

The commenter explains that they are opposed to the project. The commenter states that noise levels in their back patio during games and practices are already high due to whistles and announcements and that these levels would be higher with the addition of lights and new games and practices. This comment and the commenter's opposition to the project are noted, but do not challenge or question the analysis or conclusions of the Draft EIR.

### **Response 142.2**

The commenter states that they were unable to sell their townhouse because they would have to leave Novato which they don't want to do. This comment is noted, but does not challenge or question the analysis or conclusions of the Draft EIR.

### **Response 142.3**

The commenter requests that the District look for another venue for the project. Alternative sites to the San Marin High School stadium were considered in Section 6, *Alternatives*, of the Draft EIR. The commenter does not specifically suggest any additional alternatives nor object to the analysis or conclusions of the Draft EIR alternatives analysis. Please see Master Response E – Alternatives for further discussion related to alternatives.

### **Response 142.4**

The commenter states opposition to the project and concerns about night time project impacts. This comment and the commenter's opposition to the project are noted, but do not challenge or question the analysis or conclusions of the Draft EIR.

March 2, 2017

To whom it may concern,

1 | As a neighbor, educator and parent, I have major concerns about the monetary and non-monetary costs in putting in lights at the field at San Marin. San Marin should have far more important educational related budgetary priorities than installing lights. As stated in my previous letter, I would be paid over \$25,000 less if I taught at San Marin High School. This discrepancy is shameful. The lights are planned to be on approximately 246 nights a year. This is a tremendous impact to the neighborhood, where there was zero lighted activities. This project is being rushed with complete disregard for the neighbors' existence.

2 | There is misinformation going around in the community. To honestly believe that people will read the 166 pages of the draft EIR plus 615 pages of the appendices is absurd. I find it to be very dishonest that the only community members who have been given any condensed information, although limited, are the bordering neighbors. This enormous construction project affects all of Novato. **Most of the community believes the lights are being installed to be used for only 6 home football games a year.** The community does not know that they will be used 6 nights a week for 10 months a year. Proper abridged and explicit information should be distributed to the entire community. I also believe story poles should be installed to make the community aware of how the 80 foot tall poles and the large amount of lower poles will impact the natural, pleasant beauty of the San Marin and mount Burdell area. I'm baffled that story poles were not installed during the draft EIR. **I am requesting story poles be erected in order to do a full study and show the community the magnitude of the project.**

3 The lights at night will greatly affect the neighborhood aesthetics and neighbors lives. I realize technology for stadium lights has come a long way and I appreciate you are looking to get the least amount of overflow from the field. But no longer will our skyline be dark. The San Marin area is infamous for the rolling hills, horses, cows and peaceful, natural beauty. We want this area to remain as quaint as possible. Having a beaming field lights outside is disruptive to many families. Our family goes to bed before your intended lights out time. For us to have to deal with this for 6 nights a week, ten months a year is truly asking too much. **The neighborhood has gone from zero lighted night events to almost 246 nights out of the year is an extreme change to the neighborhood. This project is being rushed with complete disregard for the neighbors' existence. To say that the school was built before the houses is a desperate argument. I could subsequently argue the houses were built before the students and most of the pro-lights group were born. The houses have been there for 38 years. This is a substantial amount of time to have well-established expectations for surrounding conditions.** Please consider the alternative field at IVC for use by both Novato and San Marin high schools. This field is already lit and does not affect the neighborhood.

5 As a teacher at a high school that currently has lights, I know that **the objective number 1 in the EIR is false and misleading.** The objective states the goal:

*Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.*

**All athletes have early release from class regardless if it is for a field or non-field sport requiring lights or not.** In general weekdays games begin at about 4pm to accommodate all the teams (frosh, JV, and varsity) and for the students to be home at a reasonable hour on a weekday. Being a student is the priority and the demands of schoolwork and college acceptance is stringent. Extended practice times will only make being a successful student more difficult. The optimum time for practice is

immediately after school, so students can go home after and spend time with their family and begin their homework.

When games begin at 4 or 4:30pm regardless of the need for lights in fall or spring or if it is a gym sport, athletes will always require early release. If the school has lights, school still start games at 4 or 4:30 to accommodate all the teams, therefore early release is necessary for home and away games. It will never be possible for every high school to have field lights, therefore students will always be pulled from class if they have an away game. **Athletes are never pulled from class early for practices, only games. Addressing students being pulled out of class for practices should not be included in the EIR as an objective, since it is never acceptable for students to be pulled out of class for practices. This is misleading to those who are not aware of this rule.**

Football games at schools with lit fields have JV games at 4:30pm on Fridays and Varsity games at 7pm. The JV team requires an early release of 3:15 and earlier if it is an away game. **For football, athletes are only pulled from class for games on fields with lights. If the school does not have lights, the games are played on Saturdays and students are not pulled from class.**

Basketball sees a lot of early release for games and tournaments and they play in a gym, not on the field. Games start at 4:30 for most sports. If it is a home game, students have an early release of 3pm or earlier. If it is an away game, the students may be pulled out earlier such as 2pm depending how far away the other school is. Volleyball has a similar schedule to basketball. **This schedule shows that lights are irrelevant in athletes being pulled from class.**

Soccer players are now being pulled from class more often since the season has moved from fall/spring to winter. Although, schools that have field lights may start the JV game at 4pm and the varsity at 6pm, therefore the JV players will still need to be pulled from class depending how far the field is.

5  
cont'd

Tennis matches begin at 3:30 or 4pm in the fall/spring when it stays light out late and students are pulled from classes at 2:30 for home matches and earlier for away matches.

Waterpolo is played in the fall where it is light out late. Not every school has a pool or team, therefore a lot of travel is involved with waterpolo creating a lot of early release.

Cross country meets usually start at about 4pm and require early release of about 2:30pm depending on how far away the opposing field is.

Baseball and softball is played in the spring and games usually begin at 4:30 causing an early release of 2:40 for a nearby school.

Lacrosse is played in the spring where it is light out late, yet the games start at 4:30 for JV and 6pm for varsity creating an early release of 2:30 for a field that is close by.

Here is an example of an early release schedule from a week in April last year from San Rafael High School where there is currently has a lighted field. **As you can see, all sports are effected (field and not field sports). Again, students are never allowed to miss class for practices, only games. Therefore it is misleading and false to say that field lights will minimize missed instructional time.**

### **Monday, 4/4 (B)**

Boys Tennis vs Branson @COM, 4p (*early release 2:30p*) *\*see tennis team list below for 4/4*

Softball vs Drake, @Drake, 4:30p (*early release 2:40p*)

### **Tuesday, 4/5 (At)**

Boys Golf vs Tam @Mill Valley Golf Course, 4p (*early release 2:30p*)

Baseball vs Tam; 4:30 pm JV @Tam; V @SR (*early release 3p*)

Softball vs MC @SR, 4:30p (*early release 2:40p*)

Boys Lacrosse vs Justin Siena @SR; JV 5p, V 7p

5  
cont'd

**Wednesday, 4/6 (B)**

Boys Tennis vs San Marin @SR, 4p (*early release 3:00p*)

Swim Meet vs Novato @SR, 4p (*early release 3:15p*)

**Thursday, 4/7 (At)**

Boys Golf vs MC @Peacock Gap, 4p (*early release 3p*)

Softball vs TL @SR, 4:30p

Varsity Boys Lacrosse vs Justin Siena @Red Hill; V 4:30p (*early release V only 3p*)

**Friday, 4/8 (B)**

Boys Tennis vs Tam @Tam, 4p (*early release 2:30p*)

Baseball vs MC; 4:30 pm JV @SR; V @MC (*early release 3p*)

Mt. Bike Team Pre-Ride @Lagoon Valley; 3:30 p (*early release 2p*)

**Saturday, 4/9**

Mt. Bike Team Ride @Lagoon Valley; All Day

Baseball vs Los Lomas @SR; JV 10am; V 1pm

Varsity Boys Lacrosse vs Washington HS @Washington; V 1p

Sincerely,

Suzanne Saysette



## Letter 143

**COMMENTER:** Suzanne Saysette

**DATE:** March 2, 2017

### **Response 143.1**

The commenter states concerns about the project cost and allocation of NUSD funds. Please see Master Response G – Project Cost. The commenter also states concerns about neighborhood impacts and the project timeline, but without providing specific comments on the Draft EIR that would allow for a specific response.

### **Response 143.2**

The commenter states concerns about members of the public not having complete project information and states incorrect information about the number of lighted evening activities proposed, but does not comment on the Draft EIR specifically. Please see Section 2, *Project Description*, of the Draft EIR, which describes the proposed project in detail. As discussed therein and under Master Response A – Lighting and Aesthetics, the stadium lights would be turned on for a maximum of 152 nights during the year.

Finally, the commenter requests that story poles be constructed at the project site. This comment is noted. However, the Draft EIR analysis adequately describes the potential project impacts without story poles. Please see Section 4.1, *Aesthetics*, of the Draft EIR for a discussion of impacts related to aesthetics. All impacts would be less than significant or significant but mitigable with implementation of Mitigation Measures AES-3 and AES-4.

### **Response 143.3**

The commenter states concerns about impacts relating to the proposed lights but does not provide specific comments on the Draft EIR. These comments are noted. The commenter also again states erroneous information about the number of lighted evening activities proposed. Please see Section 2, *Project Description*, of the Draft EIR, which describes the proposed project in detail. As discussed therein and under Master Response A – Lighting and Aesthetics, the stadium lights would be turned on for a maximum of 152 nights during the year. Please see Section 4.1, *Aesthetics*, of the Draft EIR for a discussion of impacts related to aesthetics. All impacts would be less than significant or significant but mitigable with implementation of Mitigation Measures AES-3 and AES-4.

### **Response 143.4**

The commenter states support for an off-site alternative located at the College of Marin Indian Valley Campus. Master Response E – Alternatives.

### **Response 143.5**

The commenter states an opinion that Objective #1 in the Draft EIR (see Section 2.5) is “false and misleading” based on the commenter’s understanding of school athletic and academic scheduling. This comment is noted. However, NUSD’s data and observations differ with this comment. In either case, the environmental information in the Draft EIR remains valid and no changes are warranted.

September 22, 2016

Letter 144

Dear Novato Board of Education,

I'm writing you with my concerns for the light project at San Marin High School. I am a SMHS graduate, a neighbor, a parent of future SM students, and a teacher.

As a San Marin graduate, I have many fond, unrivaled memories and a huge heart for the school. After 20 years, many of my best friends are still my SM classmates. I was a cheerleader and both my brothers played on the football team. Athletics and education were a huge part of my family and childhood. I love this school so much, my husband and I just purchased our first home near the school so we can send our two children there. In our first month in the home, the 2016 SM graduation was taking place. I brought my children out to the backyard so we could all watch the seniors graduate. Tears of happiness and gratitude flowed down my cheeks. I finally found my home. This is now my daughters' hometown, as it is mine. We are setting up a picnic table in our backyard so we can watch the football and lacrosse games from the comforts of our backyard and invite our family and SM alumni to enjoy the games. I brought my husband and kids to SM to show them the football field a couple months ago. The views of Novato's signature rolling hills are unbeatable. The new stadium looks fabulous. The memorial for Paul Sloan is beautiful. I am proud to be a San Marin graduate and a Mustang.

After we moved in, the solar carports were installed. Clearly no one thought of how this would affect the aesthetics of the school. I think we can all agree they are terribly ugly and they distract from the attraction of the new stadium. (By the way, the lights are illuminated all night long.) August 25th, we received the letter proposing the light project with eight 80 foot poles and twenty four 25 foot poles for more lights and sound. I pictured a steel pole jungle. This is a ridiculous amount of poles distracting from one of the best views in the county. I can't imagine why anyone would want to watch a night game and miss out on the beautiful views from the stands.

At the September 7th meeting we were informed of the proposed light schedule. The 80 foot poles will be on 6 nights a week, 10 months a year, until 8:30 or 9:30pm. The 25 foot lights will remain on for an undetermined time afterwards. I was shocked and appalled. I had no idea. I thought the project was only for the six home football games. Six nights a week for ten months of the year is an excessive and absurd amount of days and times for the lights to be on. I cried myself to sleep that night wondering if I have made the biggest mistake of my life. We chose to live in the San Marin neighborhood because it is peaceful and family friendly. Our family has an early to bed, early to rise schedule. We are terrified of the proven (by the AMA) effects the LED lights

and the late night noise will have on our sleep patterns six nights a week for ten months of the year. It has also been brought to our attention that the lights will devalue the home we just purchased by 10%. I can't begin to describe the anguish this would be for us.

As a high school math teacher, I commute daily to San Rafael solely because if I were to teach at San Marin, I would make \$25,481 less this year. I know Novato has fantastic, dedicated teachers. I also know Novato loses a lot of fantastic teachers each year so they can make a significant amount more money in any other city in Marin. It is a disgrace that Novato continues to have the lowest paid teachers in the county. Novato teachers have had to do picket lines and political phone calls to residents begging for salary increases. We need to put the heart and soul of the Novato schools first for once. I am shocked that NUSD can fund the \$100,000 EIR, and \$1,000,000 football lights, but cannot bring the teacher salary to compete with the rest of the county. The best way to make a school better is to retain teachers. NUSD teachers need to be a priority. I beg you to revisit the NUSD vision statement. "The Novato Unified School District will exemplify excellence in education by ensuring high quality, innovative instruction and equitable access to learning opportunities that inspire and prepare students to reach their utmost success."

There are other alternatives to accommodate all the field sports. The lighted field at Indian Valley College would be a fantastic, already lit, field that could bring both San Marin and Novato high schools together. NUSD also owns several other field properties that could finally be put to good use and beautify the city, such as the field on San Andreas Drive. Temporary lights for the several football and soccer games would be another alternative. Please consider these alternatives and others you may have access to.

Please consider the neighbors who love and support this school. Beaming bright lights six nights a week, 10 months a year, until 8:30 or 9:30pm is too much. As a parent, neighbor, graduate and teacher, I want the absolute best for San Marin High School. I look forward to being a part of the community. Thank you for your consideration.

Sincerely,  
Suzanne Saysette

PO Box 2839  
Novato, CA 94948

Reference the AMA study on the health effect of LED lights:

<http://www.ama-assn.org/ama/pub/news/news/2016/2016-06-14-community-guidance-street-lighting.page>

## Letter 144

**COMMENTER:** Suzanne Saysette

**DATE:** September 22, 2016 (but submitted on March 3, 2017)

### **Response 144**

This letter was written prior to publication of the Draft EIR and therefore may not be considered as a comment letter on the Draft EIR; thus, responses are not required. However, please note that many of the comments are generally similar to those in Letter 143, which the commenter submitted on March 3, 2017, along with this previously written letter.



Letter 145

**From:** lscheibel@comcast.net [mailto:lscheibel@comcast.net]  
**Sent:** Friday, March 03, 2017 11:23 AM  
**To:** Environmental Report  
**Subject:** response to DEIR

Yancy,

This is my response to the DEIR. This has been an unpleasant education for me. I've never seen or participated in an EIR process. As a registered nurse I have reviewed multiple research projects related to my specialty. My practice relied on new research for treatment products and procedures. It was important to be able to evaluate the validity of each project. Although this DEIR was not of the medical nature even I was able to identify areas of gross incompleteness and inaccuracies.

I think you and the NUSD should keep in mind that if you had not opted out of complying the city ordinances this project would not be approved. I plan to take this up as a personal challenge to see that this does not happen to vulnerable neighbors of public schools again.

Lynda Scheibel

Response to DEIR for placing lights on the San Marin High School football field:

The Novato Unified School District wants to put lights on the San Marin High School football field. The reasons given for the addition of lights was precipitated by the changes in soccer seasons from fall and spring to winter. This MCAL change was made through a deciding vote by both San Marin High School and Novato High Schools. This change put a big demand for field practice time causing multiple teams to use the artificial turf field at the same time. And for the last year both high schools have managed to meet the practice needs without a lighted field as have many other Marin County high schools.

San Marin HS told the neighbors living near the school that lights were needed because students had to leave classes in order to get in field practice. Neighbors were told that lights were needed on the field to extend practice time to avoid students missing classes. In fact, students miss classes when they are scheduled to play games only. This is true of all of the high school sports teams, not just field sports. Novato High School has not demanded to have lights placed on their football field. In fact, San Marin as well as Novato High School have planned for and budgeted for second artificial turf fields to be installed. The installation of the second artificial turf field eliminates the need for lighted fields for extended practices and for students leaving classes to practice. This was not mentioned or explored as an alternative to having a lighted field in the DEIR.

More disturbing is the relationship that the Novato United School District has with Novato's Park and Recreational Department. Although some use of the San Marin High School has been put into the current DEIR, it addresses the use of the lighted field for students during the school year only. The City of Novato released a final report titled "Fields Needs Assessment Study" March 3, 2016. This study was conducted from June 6 to July 16, 2016. On page 6 it states "The Novato Unified School District (NUSD) schedules fields for community use after school operating hours and is the primary field provider, as indicated by the number of fields (24) in their inventory." The study summarizes the current use of the City and NUSD fields, by season. On page 9 it states "School fields are available for community use after school operating hours". There is detailed discussion throughout this report regarding Novato Park and Rec Department's ability to offer the community's non student/adult athletes additional field time for games and practices if lights were put on one or both public high schools. On page 31 the study states, "if the fields (high school fields) were lighted, the following additional slots (a slot being 1.5 hours) would be available:

7 pm-9 pm Week day 6 slots per week

7 pm-10pm Weekend (Friday-Sunday) 6 slots per weekend

This yields an additional 612 slots of practice and game time per field (for 51 weeks of use per year).”

This study was conducted during the time the demand for having lights put on the San Marin High School football field was being made. The City of Novato has an agreement with the NUSD to use their fields. On page 23 the study states “Synthetic turf fields with lights for year round use would extend practice times 6-8pm for non-driving youth and 830 pm-10 pm for driving youth.” Clearly using the lighted football field for nonstudent athletes is part of the Novato Park and Rec expectations.

This needs to be clarified. There needs to be transparency as to the complete anticipated use a lighted football field at San Marin High School.

I have lived next to San Marin High School for 22 years. When the sun goes down, field athletic activity stops and peace and quiet prevail. There is no reason to have a lighted football field. There are other options if the community wants lighted events. This DEIR does not seriously address any other option. Novato High School is given as a possible alternative. This DEIR reports that if Novato High School gets the lighted field, then San Marin High School can play night games there. If that is true, then if San Marin High School gets the lights, will Novato HS being playing their night games at San Marin?

This DEIR is incomplete.

I recently bought camps light from L.L. Bean. They are 57 lumen LED lights. On the package is a warning: “Do not look directly into LED for more than a few seconds. Do not allow children to use LED light unless under supervision of an adult.” This for two 1.6”X2.5” lights! And NUSD plans to flood the football field with LED lights thousands of time more bright for a minimum of six nights a week and have our students placed in what sounds like harm’s way. Daylight is safer and more cost effective.

Lynda Scheibel

## Letter 145

**COMMENTER:** Lynda Scheibel

**DATE:** March 3, 2017

### **Response 145**

The commenter states an opinion that the Draft EIR displayed “gross incompleteness and inaccuracies” but does not provide information, analysis, or specific comments on the Draft EIR on which to base a further response. The commenter also states opposition to the proposed project. These comments are noted.



## Letter 146

**From:** Hollie Selfridge [mailto:hselfridge@comcast.net]  
**Sent:** Wednesday, March 01, 2017 7:15 PM  
**To:** Environmental Report  
**Cc:** TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; derek@strahmcom.com  
**Subject:** Stadium Lighting at San Marin High School - feedback

To the NUSD Board of Trustees and Yancy Hawkins... greetings!

1 | I moved to the San Marin community on 2/1/1974 from San Anselmo. At that time, there was a farm in the fields where Fireman's Fund and others now have buildings. On any day you could find horses hitched outside shops in Old Town. The duplexes on San Marin Drive were being built...no single family homes existed after you crossed San Carlos Way until San Andreas where Petrini's market and a gas station appeared with hints of the strip-mall to come. SMHS was small, lovely, and fit snugly within the surrounding beauty. There was no Open Space designated on Mt. Burdell and across the street from my house was NUSD property with pheasant, deer, an underground spring that flowed mostly year round, and a baseball practice field. It was glorious, ideal, and special for a family of five! ...and ***none of these situations exists today***. What has endured is our continuing experiences as a diverse community of families and the relationships that remain strong.

I begin here as I want to lay a bit of a foundation — specifically, all of my children went to San Marin. Two were very active in sports at school and through other opportunities (football, basketball, cheerleading, softball, T-Ball, Pop Warner, etc.). I've experienced many changes and am *NOT* adverse to change. I am questioning what specifically makes this project scope the only viable alternative.

I am confused and concerned about the NUSD's statement of the identified project, its stated "objectives", and how they correlate with actually addressing both the High Schools' and the community's needs. Fundamentally, what problems/issues are you attempting to resolve with this project? I decided to **approach this as a business owner to gain insight and a clearer perspective**.

The "**Project Description**": Install permanent stadium lighting and an upgraded public address system at SMHS (This being a solution to problems/issues needing to be resolved, I turned to the Objectives to know why this is the only solution/action that will work. What are the problems/issues?)

The six "**Project Objectives**": What I know about any stated objective is that (at the least) it must be **measurable and specific** to know if you've met the outcomes and resolved the problems/issues with the actions proposed and taken. They're also used to minimize risk and the unintended consequences of decisions and problems rushed and/or not fully analyzed. Upon review of the six stated in the DEIR-Executive Summary, I first had to differentiate the actual core objective from the more broadly stated "wants" and implied expectations and solutions in order to enable specificity and measurement.

My conclusion - the core objectives:

1  
cont'd

1. To improve academic performance
2. To increase revenue from ticket purchases
3. To provide a location for students to gather at night
4. To improve athletic safety
5. To improve athletic safety
6. To improve the public address system

I found that, based on what was written, there are five stated objectives that are functionally flawed with no definitive linkage/correlation/causality and one that meets the criteria:

1. Taking students from classes early (or not) effecting an improvement in academic performance (Where is the data/report that supports this? It appears that a decision was made to resolve an issue which has now resulted in unintended consequences. How do you measure whether having "extended availability" of HS fields anywhere, let alone only at SMHS, will improve academic performance?
2. What makes you believe that providing nighttime games will increase ticket purchases? Is this an issue for Novato HS or only SMHS? Where's the data to support this actually being a viable and supportive statement for only the SMHS location and the lighting proposal?
3. How does lighting only at SMHS resolve the issue of partying and drug and alcohol use by students at night? (again, data that supports this? Does NHS have this issue or only SMHS?) How do you monitor and assess this as an "alternative to going to parties", etc.?
4. (and #5)
5. It appears that safety (rightly so) is an issue. Is it only an issue for SMHS? Specifically, it sounds like this might be more than just lights and not ONLY for SMHS (Where's the data/report that supports?) Might your mention of "incompatibility of use" drive the solution in another direction... i.e., additional practice fields? San Andreas school property 1 block away?
6. This is MEASURABLE! Within your DEIR, the facts about sound and technology enable decisions that lead us to know how this project component will help solve an issue at SMHS. Additionally, It can be monitored and measured. This being determined, is it ONLY at SMHS? Does NHS have the appropriate system?

2

3

One additional concern about the objectives that makes them highly significant in their **need to be specific and measurable is that they are being used to directly disqualify alternatives.** (e.g., page 150 DEIR) 6.5 *Environmentally Superior Alternative...* "Alternative 2 i(lights & sound system at NHS) is considered the environmentally superior alternative. However, since Alternative 2 would not involve the installation of stadium lighting at San Marin High School, it would not meet any of the project objectives."

4

Bottom line, it appears that the potential for deciding to install permanent stadium lights only at SMHS will not critically address the important issues/problems that lie at the core of the stated objectives. Might not these core objectives identify how complex and complicated the fundamentals really are? These are not easy issues or decisions. They transcend the issue of

4  
cont'd

permanent stadium lights at San Marin High School. Unfortunately, the **risks remain** (linked to the flawed stated objectives) as the current focus is rigidly on realizing only one clear objective: "To permanently install stadium lights at San Marin High School".

To close, I've read your NUSD Mission Statement that defines your purpose as "*an innovative and effective education system that provides diverse academic experiences to meet individual student needs and challenges students to realize their educational potential.*" and about the focus of your District Vision for excellence in education. Is not your commitment to learning and to the preparation of all students to reach their "utmost success" worth taking the time to explore this more fully?

I am *not against* the lights. I am *for* addressing the real issues and working together to realize the benefits of collaboration and compromise and the opportunities and alternatives that they present. In the San Marin community we are willing to go the extra mile for our children, families, and each other to bring thoughtful and meaningful change.

Best regards,  
Hollie

Hollie Selfridge  
[hselfridge@comcast.net](mailto:hselfridge@comcast.net)

(please note that I had sent an earlier email when first learning about this proposal about two weeks ago. I've given this much thought and realized that I owed you more of a statement)

## Letter 146

**COMMENTER:** Hollie Selfridge

**DATE:** March 1, 2017

### **Response 146.1**

The commenter states opinions regarding the project objectives including that objectives “must be measurable and specific.” CEQA (see CEQA Guidelines Section 15124) do not require objectives to be measurable nor more specific than those in the Draft EIR. The commenter’s disagreement with NUSD’s determination that the project would fulfill the objectives is noted, but does not affect the completeness or adequacy of the Draft EIR or its analysis and conclusions regarding environmental impacts.

### **Response 146.2**

The commenter appears to be asking how performance of the existing and proposed PA systems is measured in the Draft EIR. Please see Section 4.5 of the Draft EIR, *Noise*, for a detailed discussion of potential noise impacts. Impacts were found to be less than significant or significant but mitigable, except for a significant and unavoidable noise impact related to the L<sub>5</sub> and daily CNEL noise levels from activities on the field associated with a limited number of events during the year.

### **Response 146.3**

The commenter states an opinion that the project objectives are used in the Draft EIR “to directly disqualify alternatives.” The Draft EIR does not disqualify alternatives; rather, it analyzes them in comparison with the project as required by CEQA, including their relationships to the project objectives, as demonstrated in the text quoted by the commenter. Please see also Master Response E – Alternatives.

### **Response 146.4**

The commenter states an opinion that the project would not fulfill the project objectives as stated in Section 2.5 of the Draft EIR. This comment on the merits of the project and its relationship to the objectives is noted, but does not pertain to the analysis or conclusions in the Draft EIR.

The commenter states a preference for seeking additional alternatives to the project. This comment is noted. Please see Master Response E – Alternatives.

Letter 147

**From:** Chris and Christina Silva <[cncsilva@gmail.com](mailto:cncsilva@gmail.com)>

**Sent:** Thursday, March 2, 2017 10:15 AM

**To:** TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; [derek@strahmcom.com](mailto:derek@strahmcom.com)

**Subject:** Reject the idea of lights at NHS Football Field

Hello,

My name is Chris Silva, and I live on Buchanan street. In reference to the San Marin Football field lighting Environmental Impact Report Alternative 2 stating "installation of new lighting at Novato High School stadium instead of San Marin High School", I object greatly. The reason being, lights at NHS Football field would negatively affect our quality of life by increasing noise at night, lowering property values, increasing traffic, and diminishing the social value of our neighborhood interms of increasing the likelihood of crimes and trash in our neighborhood. I stand with a team of neighbors, friends, and family. We are willing to use other environmental reporting resources as well as legal resources necessary to fight this proposal. Feel free to contact me to discuss further.

Thank you for your time,

Chris Silva  
415-827-4727  
1437 Buchanan Street

## Letter 147

**COMMENTER:** Chris Silva

**DATE:** March 2, 2017

### **Response 147**

The commenter states opposition to Alternative 2 as discussed in Section 6, *Alternatives*, of the Draft EIR, citing concerns related to noise, lowering property values, increasing traffic, crimes and trash. This comment is noted, but does not pertain to the analysis or conclusions of the Draft EIR. The potential impacts associated with Alternative 2 in comparison with the proposed project are discussed in section 6.4 of the Draft EIR.

**From:** S D [mailto:sunsoko@yahoo.com]  
**Sent:** Friday, March 03, 2017 2:19 PM  
**To:** Environmental Report  
**Subject:** NO STADIUM LIGHTS!!!!



Letter 148

Yancy,

I would like to give my vote of a 'NO STADIUM LIGHTING" at San Marin. I live on San Carlos street and I can hear the PA system during the games and I'm glad I don't have to hear it when it gets dark. We should be concerned about the kids getting an education so they can compete in a world economy and not Sports.

Concerned neighbor,

David Sun  
212 San Carlos Way  
Novato

## Letter 148

**COMMENTER:** David Sun

**DATE:** March 3, 2017

### **Response 148**

The commenter states opposition to the project and concerns about noise impacts, but does not provide comments on the Draft EIR. For a discussion of the potential impacts related to noise, please see Section 4.5, *Noise*, of the Draft EIR. Impacts related to noise would be less than significant or less than significant with mitigation, except for a significant and unavoidable noise impact related to the L<sub>5</sub> and daily CNEL noise levels from activities on the field associated with a limited number of events during the year.



**From:** Eric Sutton-Beattie [mailto:sutton-beattie@comcast.net]  
**Sent:** Thursday, March 02, 2017 4:44 PM  
**To:** Environmental Report  
**Cc:** JIM HOGEBOOM; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEBBIE BUTLER; DEREK KNELL  
**Subject:** Draft EIR: San Marin High School Stadium Lights Project

Attention: Yancy Hawkins

By way of introduction, My wife and I are 22-year residents on San Ramon Way. Our daughter graduated from Novato High and son from San Marin.

I have listed, below, my issues with the Draft EIR, set out as clearly and simply as possible:

- 1 | 1. Alternatives. In my opinion, the first alternative should have been a site that provides a district and community wide solution, one that benefits both high school. We want both high schools to have equal opportunity for their students and athletes. A community advisory group should be set up to explore this option.
  1. The DEIR does explore alternatives in Section 6, yet dismisses virtually all because they would be cost prohibitive and/or, among other factors, not alleviating the noise impact on the nearby residents. Interesting that the DEIR refers to the cost of the alternative sites, yet does not deal with any estimations of costs for construction and operating expenses, while relying on estimates and assumption on other factors, in particular the effects of the lights.
  2. Recently, Novato High School already declined to have lights installed at their stadium due to the valid concerns of residents surrounding the school. This, then, suggests that a neutral site is the best alternative and solution.
- 2 | 2. The DEIR was lacking an essential Photometric Study. Considering the prospective effects of the lights on the residents in the surrounding 200+ homes, this is absolutely critical before any decision can be reasonably considered.
  1. No Study was completed, yet the DEIR relied heavily on assumptions, which, as we all know, are not a valid basis for any reasonable decision.
  2. The DEIR did not include the impact of increased light pollution on homes in close proximity to the stadium, some as close as 120 feet, for up to six nights per week
- 3 | 3. The DEIR did not include a Biological Study. San Marin High School is surrounded by natural environments and with increased light pollution, noise and traffic from event attendees, this too is vital.
- 4 | 4. The DEIR nominally references Public Service needs, which are essentially dismissed, even though there is a long and proven history of trespassing, vagrancy, litter, underage drinking and drug use, as extensively reported by residents at Madera Marin, Novato Chase, San Marin Drive and San Ramon Way (and related streets). The Novato Police Department should have records on all of this, as I'm fairly certain the Administration at SMHS.
  1. To indicate that staff at SMHS will be responsible for security, litter and other responsibilities is an assumption that, in itself, is irresponsible and unrealistic, especially if SMHS is hosting a game against rival schools. SMHS has a history, proven by being placed on probation, for unruly behavior during athletic events.
- 5 | 5. Noise. This is Significant and cannot be mitigated. The study measured activity over 5 days in August. This is in no way a thorough analysis based upon my experience in this neighborhood. Once the various teams using the stadium are fully utilizing the facility in the Fall, the noise level is

5 cont'd

significant, both from attendees and the sound system, and only increases during the season as various rivalries between teams develops.

1. Nearby residents could be subjected to noise levels, according to the DEIR, exceeding Heavy Traffic to Noisy Urban Streets during our evening hours
2. On many weekends, currently, athletic activities on both Saturday and Sunday can easily last anywhere from 5pm to 8pm, so now we are asked to deal with 7 days of increased noise versus two throughout weekends.
3. Further, with activity until 8:30pm during the week, 9:45pm on Friday nights and busy day schedules during the weekends at the stadium, our capacity for noise toleration will be tested.
4. The nearest residents live 120 feet from the stadium and even those living on San Felipe or further can easily hear the crowd noise currently.

6

In regard to this project, we advocate for what is right for our community and our students. This project does not provide for the athletes and students of Novato High School. This proposed project could have an immense and direct negative impact for us and the neighbors in the 200+ homes in the immediate proximity of the school with the loss of the current quiet enjoyment of our evenings for up to six days per week from October through May.

This proposed project (which has no current sources for funding or covering operating/maintenance costs) is a want and not a need. Stadium lights were a very low priority for NUSD when considering District-wide facilities needs.

Thank you for your consideration.  
Eric and Vicki Sutton-Beattie

## Letter 149

**COMMENTER:** Eric and Vicki Sutton-Beattie

**DATE:** March 2, 2017

### **Response 149.1**

The commenter states an opinion that the Draft EIR dismisses the alternatives discussed in Section 6, *Alternatives*. The Draft EIR does not dismiss these alternatives; rather, it analyzes them in comparison with the project as required by CEQA. The commenter also refers to discussions of project costs. Please see Master Response G – Project Cost. Finally, the commenter suggests a “neutral site” as an off-site alternative. This comment is noted. Please see also Master Response E – Alternatives.

### **Response 149.2**

The commenter states an opinion that the Draft EIR should have included a photometric study and instead relied on assumptions. The Draft EIR identified a potentially significant impact from the proposed lights, and includes Mitigation Measures AES-3 and AES-4, which include specific standards for limiting light impacts that must be demonstrated in a photometric study and implemented during construction and operation; therefore, the Draft EIR does not rely on assumptions in this regard.

The commenter also opines that the Draft EIR does not address the impact of increased light pollution on homes in close proximity to the project site. However, this issue is discussed at length in the Draft EIR in Section 4.1, *Aesthetics*. Impacts were found to be less than significant or significant but mitigable. The commenter does not present information or analysis in relation to the Draft EIR on which to base a more specific response. Please see also Master Response A – Lighting and Aesthetics.

### **Response 149.3**

The commenter states an opinion that the Draft EIR does not include a biological study and that increased light, noise and traffic from events could affect biological resources. Impacts related to biological resources are discussed under Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the EIR) and impacts were determined to be less than significant. Please refer also to the responses to Letter 5.

### **Response 149.4**

The commenter states concerns about public services and crime. Impacts to public services are discussed in Item XIV, *Public Services*, of the Revised Draft Initial Study (Appendix A of the Draft EIR). As discussed there, impacts would be less than significant. Please see also Master Response D – Public Services and Safety.

### **Response 149.5**

The commenter states an opinion that noise levels from events would increase throughout the year and that the noise measurements taken for the project were insufficient. The noise impact from all proposed uses of the field is discussed under Impact N-2 in terms of increases in annual average CNEL, which accounts for all activities associated with the proposed project. Table 30, Noise Level (L<sub>5</sub>) Due to Non-Varsity Football Stadium Uses, has been added to the Final EIR to clarify that proposed activities on the field other than varsity football games would also exceed the L<sub>5</sub> noise threshold.

The commenter also lists several points summarizing the project and Draft EIR findings and stating concerns about noise impacts. These comments do not challenge or question the analysis or conclusions of the Draft EIR. As discussed in the Draft EIR in Section 4.5, *Noise*, noise impacts during games would be significant and unavoidable, and no feasible mitigation for this impact was identified.

**Response 149.6**

The commenter states opposition to the project and general concerns regarding neighborhood impacts. These comments do not challenge or question the analysis or conclusions of the Draft EIR and therefore a specific response is not possible. The commenter also states concerns about project costs. Please see Master Response G – Project Cost.

Letter 150

**From:** Dorothy Thomas <[mimi.dottie@yahoo.com](mailto:mimi.dottie@yahoo.com)>  
**Sent:** Thursday, March 2, 2017 11:25 AM  
**To:** TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; [derek@strahmcom.com](mailto:derek@strahmcom.com); ROSS MILLERICK; SHELLY SCOTT; DEBBIE BUTLER  
**Subject:** EIR AND FIELD LIGHTS PROJECT SAN MARIN HIGH SCHOOL

1 | Your 1/24 Public Comment Hearing brought out strong statements concerning stadium lights and P.A. systems being considered for San Marin High School. Two that I especially recall were 1) a resident who said the 80 foot light poles would shine lights in the windows of his home, and 2) a local doctor said his special needs son would be adversely affected by the P.A. system. These point out serious environmental effects that residents would be absolutely unable to avoid IN THEIR OWN HOMES and I therefore urge Board Members to vote NO on the San Marin High School Stadium Lights Project Draft Environmental Impact Report based on these two statements alone!

2 | Those two comments related to San Marin High School, but closer to our home on Taft Court, Alternative 2 "would involve the installation of new lighting at Novato High School stadium instead of San Marin High School. This stadium would host nighttime events for both Novato and San Marin High Schools."

Our block now receives overflow traffic from Arthur Street, where some students park five days a week from 7:15 a.m., until about 2 p.m. at the end of their school day. In addition, Taft Court has Rancho School traffic from 8:15 a.m. until 2:45 p.m. when that school lets out, because our cul-de-sac has a connecting walkway through Arroyo Avichi Park.

And that isn't all - baseball starts this week and Taft Court will have player drop offs and pick ups at Arroyo Avichi Park, since Little League games are played there at Babe Silva Field, after school, evenings and during the summer months.

Obviously, traffic is on overload in our area. Novato High is on Arthur Street, has lots of parked cars and is an extremely busy thoroughfare most of the day; Washington Street has more parked cars and is also very busy; Cambridge Street becomes Johnson Street with heavy Rancho School traffic with its own cul-de-sac.

In other words, we are already overburdened with DAYTIME TRAFFIC and are not in favor of adding evening events with the possibility of 2,400 SPECTATORS IN THE BLEACHERS, 80 ft. stadium lights, and P.A. systems with running commentary that we cannot avoid hearing in our own home two blocks away!

For all of the above reasons, I strongly urge the Novato School Board members to reject the EIR and vote NO on Stadium Lights for San Marin High School and Novato High School.

Dorothy A. Thomas

## Letter 150

**COMMENTER:** Dorothy Thomas

**DATE:** March 2, 2017

### **Response 150.1**

The commenter states opposition to the project based on comments made by members of the public at a public meeting. These comments are noted. The commenter also states an opinion, unsupported by evidence or information, that nearby residents would be unable to avoid light from the proposed project inside of their houses. For a discussion of the potential impacts related to the proposed lights, please see Section 4.1, *Aesthetics*, of the Draft EIR. Impacts related to lighting would be less than significant with implementation of the identified mitigation measures.

### **Response 150.2**

The commenter states opposition to both the project and Alternative 2 based on concerns regarding traffic, lights and noise. These comments are noted but do not challenge the analysis or conclusions of the Draft EIR and therefore a more specific response is not required. Impacts related to lighting, noise and traffic are discussed in the Draft EIR in sections 4.1, *Aesthetics*, 4.5, *Noise*, and 4.6, *Transportation and Traffic*, respectively. Impacts in these topical areas would be less than significant or less than significant with mitigation, with the exception of a significant and unavoidable noise impact related to the L<sub>5</sub> and daily CNEL noise levels from activities on the field associated with a limited number of events during the year.

Letter 151

From: keep-san-marin-suburban-nospam@tuerke.net [mailto:keep-san-marin-suburban-nospam@tuerke.net]

Sent: Friday, March 03, 2017 3:45 PM

To: JIM HOGEBOOM; Environmental Report; TOM COOPER; GREGORY MACK; MARIA LUISA AGUILA; ROSS MILLERICK; SHELLY SCOTT; DEREK KNELL; DEBBIE BUTLER

Cc: coalition@savesanmarin.com

Subject: Open Letter to NUSD

This open letter appears at

<http://thomas.tuerke.net/on/tech/?thread=1488577051>

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An Open Letter to the Board of the Novato Unified School District.

TO: jhogeboom@nUSD.org; EIR@nUSD.org; tcooper@nUSD.org; gmack@nUSD.org; maguila@nUSD.org; rmillerick@nUSD.org; sscott@nUSD.org; dknell@nUSD.org; dbutler@nUSD.org;

CC: coalition@savesanmarin.com

1

STEM not STADIUM

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It is my opinion—and that of a good number of this community—that you are "blinded by the light."

You've got more important work to do. You need to look around—and turn around—because you're running the ball toward the wrong goalpost.

I Have a Need. A need for ... STEM

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I'm not just a concerned NUSD parent, but San Marin class of '81, and part of the First Graduating Class of San Ramon Elementary School. NUSD and I go back a long way.

More to the point, though, I'm a software development manager for an industry-leading company here in the Bay Area. We're in the Gartner's Magic Quadrant—essentially, the movers and shakers—for Computer Application Security. And believe me, we're on the move.

As a manager, that means I need to hire. And I need to hire the best. Literally, cream-of-the-crop best. Not tepid I-learned-Java-in-eight-weeks talent, but PhDs in Software Verification and folks who write papers on advances in cryptography. Not just folks

1 cont'd

who know programming languages, but ones who shape those languages by sitting on the standards boards.

Top Draft Picks. Because in this industry, and as an industry leader, we need that caliber of person. (Frustratingly, I have to turn headhunters away, because they can't offer that level of excellence and expertise.)

Anyway, I see a fair number of impressive resumes, and many of these candidates have surnames like Sridharan, Sikorski, and Xing.

A few even have names names like Smith.

But it's all good. As a hiring manager I'm looking for the best, and don't care how they spell their name. It's all about the expertise they bring to the job. We need that caliber of person to propel us—both the company and the country—farther "Up and to the Right"...

I do, however, have one regret. While I do not care about how a person spells his or her name, I do care that not very many resumes show an alma mater here in the US.

That bothers me. Quite a bit, actually.

It's not that overseas credentials aren't good, but rather, that they are good.

Shot Heard 'Round the World

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Say what you will about Mr. Trump, the shot's been fired. The POTUS has ordered the closing of the immigration spigot—complete with walls to be erected—on concerns of national security. Even if the spigot isn't fully closed, overseas talent may think twice about entering such a clearly hostile environment.

And that leaves me with a dearth of qualified home-grown applicants.

Why?

Well, let me ask you, since you're supposed to be the education experts: why is that?

What are you doing to ensure a steady supply of the Best and Brightest this country has to offer? (Because, honestly: I'm not seeing it.)

And by Best and Brightest, I mean Best and Brightest STEM people. You see, while the Wikipedia article on dear old San Marin High School lists eight notable alumni that went on to pursue athletic careers, and three that went on in visual arts, only one—one single "notable" alum—went on to gain any recognition in the sciences.



1 cont'd

Unfortunately, he's working as an improv comedian, so unless he can come up with some software meant to get hackers to die of laughter, I can't hire him.

Moreover, the fact that he is just one instance leads me to the conclusion that he's a statistical fluke. A lucky break. You likely had nothing to do with his noteworthy prodigal status, or his graduating at the age of 6.

There's a glut in the athletic market, and a clear shortage in STEM. Yet you persist in churning out the former. What market sense does that make?

So you're showing pretty terrible guidance, here.

### Critical Conversation

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The use of letter grades seem to have gone out of vogue, but I don't think I'm being unfair giving you an F—a Failing grade—for being unable to present to me even one notable STEM-related alum.

As a manager, this would also require me to have that dreaded "Critical Conversation" where I implement some disciplinary action. A "development plan", as they call it nowadays. In effect, "if you want to keep working here, you need to shape up ..."

Or as a parent, the conversation would have to be, "Look, I'm sorry: no electives, like a stadium, until you start showing good grades in the basics, like excellence in STEM education."

And yes, I fully expect you to hem and haw: "but we're doing this tiny bit, here. See?"

But that's not enough. Not nearly enough. The numbers back that up. The resumes in my short-list folder back that up.

Can you look me in the eye and tell me you are doing everything humanly possible to put every single possible STEM student on the best possible track?

I should tell you that the tech industry is data driven (we refer to hyperbolic prose as "marketing slime" or "BS", as in Business Speak) so please don't tell. Instead, show how spending one more penny on STEM will not provide a penny's worth more value to our children's future.

So it comes to this: you've got a million dollars to spend, and you want to spend it on some light poles? Really? How does that improve our children's education (without alienating half of the community you are meant to be serving)?

I don't think so.

1 cont'd

Moreover, America doesn't need another stadium. Not like it needs a more fuel-efficient vehicle engine, or advanced energy collection, or stronger lighter air-frames, or breakthroughs in medical science, all in order to remain at the forefront of economic relevance.

America doesn't need more of the destructive divisiveness this whole sorry episode has brought about.

America does need the Best and the Brightest to step up and fill the gap, so that America can keep its place in the forefront of the world. It needs leaders to change the message of "it's all fun and games, let's build another stadium" to "time to get our game on!"

In this technological age, it means technological leaders. The Best and the Brightest STEM you can muster.

The mantle of leadership is not a birthright. Winning last year's trophy amounts to squat if the other team wants it more this year.

America has had the trophy, and it's clearly becoming complacent. We say we're the leaders, heady with past success, but our mind is not in the game.

But not so everywhere else. They're hungry, and they want that trophy of technological preeminence, and they're working hard—far harder than we are—to get it.

The resumes I see are testimony to that.

So, team, I have to ask: are you gonna stop staring at those stadium lights, get your butts off these new bleachers, and help us win this STEM game? Or do you really want to get all flabby on the sidelines while the other team takes the trophy home?

Up in the big league, there is no trophy for second place.

EDUCATION not END RUN

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Set against that backdrop of not really fulfilling your primary charge, let's entertain this: if you were to make an investment and you had two choices, which would you put your money into?

\* Fund A: \$10 gets you \$100

\* Fund B: \$10 gets you \$400

It doesn't take a math major to figure out that Fund B is the better investment, though you could reasonably argue a diversified portfolio necessitates some investment in both.

1 cont'd

So we come to the stadium lights. There is a purported academic value in these lights. Having seen first-hand the sideline antics of soccer moms and football dads, I don't fully agree, but let's hypothesize that Team Spirit, Fair Play, and Involvement in the Community are legitimate outcomes of such activities. In our academic investment portfolio, what is the relative value here? Looking to college handbooks, the "market rate" for Physical Education seems to be 0.5 - 1 unit vs Physics: 3 or 4.

So should we be spending on Stadium Lights, or STEM? What is our return on investment for each?

Going back to our funds, let's also consider Fund A-prime: \$5 gets you \$100. We've already done the math and found B is the best fund, but for diversification, do we go with Fund A, or A-prime?

The point is that there are other, less costly and far less controversial alternatives to stadium lights—such as more fields to allow daylight use—with the same purported academic value. It should be clear that this is a far, far better use of district funds in serving its community, and I strongly urge you to favor those...

... and get on with doing more, much more for STEM.

(Unless there's an agenda other than academic dividends... are you being on the level with us?)

#### Tactical Errors

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I would like to say that I question the tactics you've employed in achieving your objectives. It smacks of hubris, not humility. It speaks of disrespect for the community you allegedly serve.

You yourselves define bullying as "aggressive or unwanted and unwelcome behavior by an individual or groups of individuals" and lists many behaviors. But are you yourselves not being bullies? Certainly, that is how you are being perceived, not the least of which is by exempting yourselves from the norms our community has agreed to live by.

You ostensibly exist to serve the community, but place yourselves apart from it—even above it. In doing so, you alienate it, significantly undermining the value you purport to offer. Do you expect this community to come to your aid later if you so cavalierly decide to ignore it now? (Or do you honestly think such a time will never come?)

To wit:

You attempt to minimize the collateral damage you will inflict on the community.

2 | \* You deem the place URBAN: Merely being within city limits does not make a place urban. I  
work in an urban setting. I choose to live in San Marin precisely because it is not urban.

3 | \* You ignore true experts, such as the Audubon Society, because they present a contrary, if  
inconvenient, view.

4 | \* Most offensively, you downplay the acoustical and visual impact of night games, but I cannot  
let you off easy there. I have lived near a church that would play loud music many times a week,  
late into the night.  
Despite being an indoor venue, the percussive reverberation could be heard a significant  
distance away. This would deny me the use of my back yard during those hours, and drove me  
indoors where the percussion could still be heard. There is no evidence of any sort to support  
your claims, and plenty of empirical evidence to the contrary: this will deny families in close  
proximity to your venue the use of their properties as they have become accustomed to—and  
as they have a right to continue to do.

5 | Remember, you exist to serve this community, and you undermine your service by engaging in  
this activity that is clearly so divisive, spending great quantities of money for at best dubious  
academic benefit, in a time where the need for academic emphasis rests elsewhere.

We call those who do good—with good in their hearts—"heroes".

We call those who do ill—with good in their hearts—"fools".

We call those who do ill—with disdain for others in their hearts—"evil".

Don't be fools. Don't be evil. Stop staring at the lights, and gaze instead into your hearts. Look  
long and hard into the eyes of those around you, and see there what you need to do.

EDUCATION, not END RUN.

STEM, not STADIUM.

## Letter 151

**COMMENTER:** Thomas Tuerke

**DATE:** March 3, 2017

### **Response 151.1**

The commenter discusses a number of topics related to education priorities, funding priorities, politics, immigration and other topics. The commenter also states opposition to the project and suggests providing additional fields to allow more daylight use. These comments are noted but do not challenge or question the analysis or conclusions of the Draft EIR and therefore do not require a specific response here.

### **Response 151.2**

The commenter states an opinion that the project site and adjacent neighborhood are not “urban.” Please see responses 5.1, 5.3 and 80.2.

### **Response 151.3**

The commenter states an opinion the NUSD ignores the Audubon society, but does not provide information to support this statement; therefore, a specific response is not possible. Please see also responses to Letter 5.

### **Response 151.4**

The commenter states concerns about potential noise impacts, but does not provide specific comments on the analysis or conclusions of the Draft EIR. Please see Master response B – Noise.

### **Response 151.5**

The commenter states opposition to the project. These comments are noted but do not pertain to the analysis or conclusions of the Draft EIR.

Letter 152

From: Kate Turner [mailto:turner.kate@comcast.net]  
Sent: Thursday, March 02, 2017 9:51 PM  
To: TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; derek@strahmcom.com; Environmental Report  
Subject: EIR for San Marin Stadium Lights Project

Dear NUSD Trustees:

1 | I live next door to the San Marin football field. I found the EIR had no information on how the LED lighting will impact the surrounding area, I am concerned that the intense LED lighting will harm our plants and wildlife. And I am concerned that having this bright light shining on my house will make it hard for me and my family to wind down and go to sleep.

2 | Same with the noise. I get up at 5:00 am to work in San Francisco, I go to sleep between 9:00 and 10:00 pm. There is no mention of how sound will be monitored and how games will be wrapped up. If events end at 9:30 will it really only take 15 minutes for everyone to leave and the lights to be turned off? Who will oversee that? Will people hang out in the parking lot after games and party?

For the record, I do care about the school and the kids. My son attends San Marin High School.

Thank you.

Katherine Turner

205 Alder Place

Novato, CA

## Letter 152

**COMMENTER:** Kate Turner

**DATE:** March 2, 2017

### **Response 152.1**

The commenter states an opinion that the Draft EIR does not include information on how the proposed lights would impact the surrounding area, but otherwise does not provide specific comments on the analysis or conclusions of Draft EIR. Impacts related to the proposed lights are discussed in detail in the Draft EIR in Section 4.1, *Aesthetics*, under Impacts AES-3 through AES-5.

The commenter also states concerns that the proposed lights would harm plants and wildlife, but does not provide specific comments on the Draft EIR. Please see Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the Draft EIR) for a discussion of impacts to biological resources. Please see also the responses to Letter 5 for additional information on this topic.

### **Response 152.2**

The commenter states an opinion that the Draft EIR does not include information on noise impacts and mitigation or schedule of events, but otherwise does not provide specific comments on the analysis or conclusions of the Draft EIR. Please see Section 2, *Project Description*, of the Draft EIR regarding the proposed schedule of events and Section 4.5, *Noise*, of the Draft EIR where impacts related to noise are discussed at length.

The commenter also asks who will oversee event attendees leaving campus after events. This will be overseen by NUSD. Please see also Response 57.4.

## Letter 153

**From:** Kate Turner [mailto:kate@ilm.com]

**Sent:** Friday, March 03, 2017 1:35 PM

**To:** Environmental Report; TOM COOPER; ROSS MILLERICK; GREGORY MACK; SHELLY SCOTT; MARIA LUISA AGUILA; DEBBIE BUTLER; derek@strahmcom.com

**Cc:** turner.kate@comcast.net

**Subject:** EIR Letter # 2

Hello Turstees.

- 1 | I am writing a second letter because I have information I was not aware of when I wrote my first letter.  
  
It has come to my attention that the lights proposed in the EIR for San Marin are 125% brighter than the lights in the stadium that was visited in San Mateo. San Mateo has .8 foot candles, The EIR is for 2.0 foot candles. Why is that? Why does San Marin which is a more rural environment next to Mount Burdell have proposed lights 125% brighter than San Mateo which is much more of an urban area? This seems excessive and not in keeping with practices to be a "good neighbor". This fact only serves to reinforce concerns I have that the whole project will be mismanaged and those of us near the school will be left with a big mess. Therefore I have more questions.
- 2 | We are told that teens in Novato don't have anything to do on weekend nights and that is one of the reasons we should have lighted games. Since when is NUSD in the entertainment business? Why is this a problem for the the school district to solve?
- 3 | How do we know school games and practices will be the only events held under the lights? Many of us are concerned that the stadium will be rented out to other groups for use. The money will just be too attractive once people realize this whole enterprise of lighted games isn't free and the school wants more money. What impact would that have on the neighborhood and the lovely Mount Burdell open space?
- 4 | One argument for the lights is that many other schools in California have them. Marin is a unique county where residents appreciate living next to open space with wild animals, natural beauty and peaceful evenings. This is not an urban area with bright lights and people jammed into every block. If people want that kind of experience they can find it in most of the other Bay Area counties. Why transform Novato into just another Alameda or San Mateo type county?  
  
You might ask, well, why don't I move then? I can't afford to move, Even if I sell my home and then buy a new one for the same price, my new property taxes would be assessed at the new, higher home price. Not to mention all the costs I would incur going through the sale and moving,
- 5 | I am the parent of a San Marin student. I do want the school to be a success and have nice facilities for all the kids. The passage of Measure G means more fields will soon be available for practicew, Families can attend Saturday games during the day as they always have, Lighted



5 cont'd fields at San Marin is not a necessity. The negative consequences over all out weigh a few Friday night thrills for a few people, High School lasts four years. Many of us would have to live with the noise, glare of lights and other impacts for a long time, Possibly the rest of our lives,

Sincerely,

Katherine Turner  
205 Alder Place  
Novato, CA 94945

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## Letter 153

**COMMENTER:** Kate Turner

**DATE:** March 3, 2017

### **Response 153.1**

Contrary to the commenter's assertion, the Draft EIR does not report the illumination design level for the proposed project. Clarifying information has been added to Section 2.4.1.1 of the Final EIR, *Lighting*, to state that the design illumination for San Marin High School would be 40 foot-candles, the same as Hillsdale High School. As described under the heading *Methodology* in Section 4.1.2 of the Draft EIR, *Impact Analysis*, the threshold of significance for potential illumination impacts was based on a previously adopted District threshold (*PBC Parcels 1A and 1B Mitigated Negative Declaration*, Novato Unified School District, 2006) and is consistent with other California school districts' standards for light trespass. No changes to the Draft EIR are warranted.

### **Response 153.2**

The commenter states an opinion that NUSD should not be responsible for entertaining students on weekend nights. This comment is noted, but does not pertain to the analysis or conclusions of the Draft EIR.

### **Response 153.3**

The commenter states an opinion that non-school groups could use the athletic field for night activities. Please see Response 19.5.

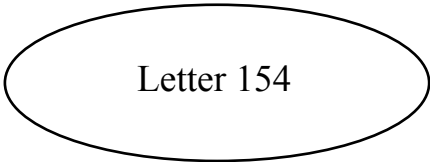
### **Response 153.4**

The commenter states opposition to the project. These comments are noted, but do not pertain to the analysis or conclusions of the Draft EIR.

### **Response 153.5**

The commenter again states opposition to the project, and states general concerns about noise and glare, without including specific comments on the Draft EIR. Please see master responses A – Lighting and Aesthetics and B – Noise.

**From:** Jeffrey Vaillant [mailto:jeffreyvaillant@hotmail.com]  
**Sent:** Wednesday, March 01, 2017 9:57 AM  
**To:** Environmental Report  
**Subject:** San Marin Football Field Lights EIR



There are several issues left unanswered that lead to unintended consequences many of which have to do with funding.

- 1 | 1. There is no plan for the extra cost for security and additional clean up. Even if a plan had been stated the costs for such a plan have not been defined.
- 2 | 2. What is the funding source to pay for the lights and other additional services?
- 3 | 3. Where in the EIR is the plan/contract with the Novato Police Department to provide security and what costs are associated with the NPD plan?
- 4 | 4. The EIR ignores public services impact by saying there is no impact?!
- 5 | 5. Are “school hours” extended to the last student leaving the property? It appears the school liability ends at the curb so after that point the community is responsible.
- 6 | 6. Who “enforces” students and others to vacate the field at the end of a contest?
- 7 | 7. Why are the lights under implied manual control rather than on timers?
- 8 | 8. The noise protocol is based on only 5 days of measurement done at the end of August. That is grossly underwhelming and called “long term monitoring”!. What are the measurements in December or April or more days/weeks??
- 9 | 9. Since the City of Novato noise ordinance applies to construction and since the NUSD need not conform to local or county noise ordinances, how can the NUSD assure neighbors that there would be noise control?
- 10 | 10. It is anticipated that a new sound system will be quieter. Quieter than what measured against what?
- 11 | 11. The capital costs funding for the entire project have not been defined. Who pays and how much?

Thanks for your considerations on these points.

**Jeffrey Vaillant, President**  
**Sonoma County Genealogical Society**  
[www.scgsonline.org](http://www.scgsonline.org)

## Letter 154

**COMMENTER:** Jeffrey Vaillant

**DATE:** March 1, 2017

### **Response 154.1**

The commenter asks about costs related to the proposed project. Please see Master Response G – Project Cost. The commenter also asks where a “plan/contract with the Novato Police Department” may be found in the Draft EIR. The Draft EIR does not include such a plan or contract, nor is such a plan or contract required under CEQA to address a significant environmental impact. Please see also Master Response D – Public Services and Safety.

### **Response 154.2**

The commenter states an opinion that the Draft EIR ignores public services impacts. On the contrary, impacts to public services as re discussed in Item XIV, *Public Services*, of the Revised Draft Initial Study (Appendix A of the Draft EIR). As discussed there, impacts would be less than significant. The commenter does not provide information or analysis related to potential public services impacts. Please see also Master Response D – Public Services and Safety.

### **Response 154.3**

The commenter asks who is responsible for students after they leave school property, and who enforces how and when students leave campus after events. Guardianship and responsibility for students off-site is not a component of the proposed project, nor is it related to an environmental impact analyzed in the Draft EIR. Implementation of the proposed project would not alter the nature of the school’s responsibility for students on- or off-site. No changes to the Draft EIR are warranted. Please also see Master Response D – Public Services and Safety.

### **Response 154.4**

The commenter asks whether the proposed lights would be under manual or automatic time control. This question is noted, but the commenter does not make a connection between the question and an environmental impact. The commenter does not provide comments on the analysis or conclusions of the Draft EIR. No further response is required.

### **Response 154.5**

The commenter implies that longer-term noise measurements should have been taken for the Draft EIR, but does not provide information or analysis related to this issue; therefore, a specific response is not possible. The noise measurements were adequate to evaluate potential project impacts as discussed in the Draft EIR in Section 4.5, *Noise*.

### **Response 154.6**

The commenter asks how NUSD can ensure noise control from the project. NUSD would be responsible for ensuring control of noise from the proposed PA system. As discussed in the Draft EIR in Section 4.5, *Noise*, noise impacts during games would be significant and unavoidable, and no feasible mitigation for this impact was identified.

**Response 154.7**

The commenter asks what the proposed PA system would be quieter than. It would be quieter than the existing PA system as heard off-site. Also please note that Mitigation Measure N-1 (which has been re-numbered as Mitigation Measure N-2 in the Final EIR) would limit the sound level from the PA system to 55 dBA at the surrounding residences to the extent possible. Please also see Master Response B – Noise.

**Response 154.8**

The commenter asks about costs related to the proposed project. Please see Master Response G – Project Cost.

Kenneth Levin  
5 Santa Yorma Ct  
Novato Ca 94945  
klein11011@comcast.net  
415-493-0319

Letter 155

March 2, 2017

Thomas Cooper, President Board of Trustees  
Debbie Butler, Vice President  
Maria Aguila, Trustee  
Derek Knell, Trustee  
Greg Mack, Trustee  
Ross Millerick, Trustee  
Shelly Scott, Trustee  
Jim Hogeboom, Superintendent  
Mr. Yancy Hawkins, Assistant Superintendent  
Leslie Benjamin, Communications Director  
Novato Unified School District  
1015 7th Street  
Novato, California 94945

1 | Dear President Cooper, Board of Trustees, Mr. Hogeboom, Mr. Hawkins and Ms. Benjamin,

I submit this letter as an EIR comment for the record along with two others already sent, one prior email summarizing my visit to Hillsdale High and another email regarding the noise element.

I believe the Draft Environmental Impact Report ("DEIR" or "EIR") dated 12/16/16 is both defective and deficient. I offer the following comments in support of my conclusions:

**1) Project objective 1**, to provide extended availability for sports fields during the winter months, is no longer relevant.

When San Marin and Novato coaches voted to move Soccer to a Winter sport they created a conundrum for their schools because reduced daylight hours in winter months restricts the number of hours fields can be used for soccer practice.

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Soccer would not have been moved to Winter if both San Marin and Novato voted against the MCAL proposal making this a self-inflicted problem. The proposed lights project is an expensive proposed solution to this self-inflicted problem, and it is a solution with immitigable, serious, impacts to both the community and students. Other solutions exist that are less costly and do not come with serious impacts.

The justification for field lights was, according to NUSD's published (link below and attached) documents, based on this conundrum. However, a plan created by NUSD staff in August 2015 indicated that lighted fields were not necessary to accommodate winter practice schedules. (see highlighted sections on pages 1 and 3)

[http://www.learnmoreusdbond.com/nusd\\_fieldneeded\\_no.pdf](http://www.learnmoreusdbond.com/nusd_fieldneeded_no.pdf) → also attached

In spite of its staff report and common sense, NUSD wants field lights at a cost of about \$1Million while less costly and less impactful alternatives exist (and were dismissed in the DEIR).

Measure G was passed by voters in November 2016, after the August 2015 Staff Report was written. Measure G provides funding for a new turf playing field at San Marin High. The math used to justify the need for field lights, everywhere in the DEIR, is now outdated as the second field simply wasn't considered. The mitigations, environmental impacts of alternatives are defective because they compare the current single unlighted field with all alternatives (DEIR Alternatives letters (a) through (i)) without considering the new turf field.

Consider that the DEIR Section 6.1 (Infeasible Alternatives) cites traffic, noise, facility availability and more based on the need to supplement San Marin High's single unlighted field with several close-by alternatives. Nowhere is a comparison made of the reduced need for supplemental fields considering San Marin's second field. In August of 2015, NUSD's staff said field lights were not needed, and this was said when there was no additional Measure G field in the works. In spite of this, the (defective) DEIR claims lighted fields are needed. The DEIR does not address the alternative discussed by NUSD's August 2015 staff report. No study considers the impact of an additional playing field (provided by Measure G funds) on the current proposal and NUSD's staff report's alternative. The additional playing field provided by Measure G makes the ideas in the August 2015 Staff Report more practical, less expensive and elevates its value as a practical alternative with far less cost.

2

**2) Project objective 2** is incomplete. Objective 2 indicates that increased ticket revenue is a benefit of the project. However, there are no profit/loss estimates on project economics and no

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balance sheet showing depreciation of the assets over time. Will increased revenue cover the increased maintenance costs? What about increased policing costs? What are the revenue and cost projections and what assumptions are used to derive the conclusions? How do these assumptions compare to other schools and best practices? Under what pretext is it NUSD's mission to sell tickets to sporting events? What are the consequences to noise, traffic, crime and other attendance-dependent environmental impacts from a policy that tries to significantly grow attendance?

3

**3) Project Objective 3** presumes that night games will be conducted in a safe, alcohol-free environment which is contrary to the experience of other communities with lighted fields and contrary to San Marin High's experience with sporting events on its fields.

The City of San Francisco banned the use of most of its lighted sports fields over 50 years ago due to crime, alcohol use by minors and hooliganism by attendees. Novato's own retired Police Captain Reggie Lyles spoke specifically about existing and expected crime during more than one community meeting regarding the lights, and his practical, down-to-earth recommendations and concerns are ignored in the EIR.

The EIR makes, at most, a half effort to discuss crime by pointing to other communities that may or may not compare (realistically with San Marin High). Several Novato police officers and several police officers that work in other communities but live in Novato have testified at several public meetings about their crime concerns; these are expert opinions with local expertise and were ignored in the EIR.

Crime in San Marin is real. A local business that is very close to the High School, located in a shopping center often visited by students during lunch breaks, was recently (in February 2016) held up at gunpoint. Students and their families will likely visit this center before or after games. Police reported serious vandalism (in February 2016) at San Marin High when a vehicle trespassed on school property at night causing significant damage.

Common sense and personal experience say that crime is more likely when people congregate, especially young people that become overly invested in the success or failure of their sports team or that want to use the event as an opportunity to use controlled substances.

Night games, because they are at night, and especially because of increased attendance, would pose a far greater and more serious risk of crime requiring additional (and expensive) police resources. Captain Lyles previously referenced existing problems with drinking, glass bottles being left on public walkways (and streets), gang violence, added fire risk and more. There is



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every reason to expect that night games will exacerbate existing problems and that the draft EIR's conclusion there will be no crime impact is defective.

Crime is more likely when young people congregate at a spirited sporting event, especially a competitive event, where two rival schools are dueling for a hotly disputed title. We all know that school dances, graduation celebrations, shopping malls all require increased police presence. Football games, especially lighted night games, are no exception. Novato is no stranger to gang violence; it is imperative that the EIR recognize and study the risk to the public, school property, adjacent neighborhoods, and parks due to the congregation of people at night games. Local parks will be a magnet for drinking and drug use before, during and after spirited night games, all potentially significant impacts.

The search engine built into Adobe Reader didn't find a single occurrence of the word 'crime' in the EIR pdf document. The only reference I found to mitigation said this: "Section XIV, *Population and Housing*, of the Initial Study, Appendix A: public services are evaluated in Section XIV, *Public Services*, of the Initial Study." An obtuse reference to writings in the Appendix. I don't believe the idea that crime will be a problem is adequately addressed in the EIR; the issue is largely ignored.

4

**4) Project objective four** which purports to improve athlete safety due to improved lighting during practice and games does not offer evidence of its claims and does not compare adequate lighting if practices and games are held during daylight hours. Recall, this is what staff recommended in August 2015. Now, the EIR can additionally consider the August 2015 Staff Report's recommendations along with the additional turf field funded by Measure G. This objective is unsubstantiated; it exists in its vacuum without reason or justification. No EIR comparison is made if games are held on Saturday instead of at night during the work week.

5

**5) Project objective five** which claims there will be a safety benefit because of a lower risk that lacrosse balls may hit runners on the track. The EIR fails to address if runners will be prohibited from using the track during lacrosse practices if lights are approved. The EIR fails to compare these risks with alternative practice plans proposed by staff in August of 2015 and that might result due to an additional turf field (financed by Measure G). This is an empty claim with no proof or justification.

6

Each proposed benefit is defective, incomplete, unjustified and inadequately compared with alternative plans. Alternative plans proposed, ignore NUSD's staff recommendations (made in August 2015). Alternative plans proposed also ignore the additional turf playing field funded by Measure G. The EIR is defective on its face.

7 | The EIR claims student health benefits but fails to address health risks created by practicing under blue LED lights, a risk acknowledged by the American Medical Association in June 2016 (document link is below and the AMA document is also attached - this subject is discussed in more detail later in the document).

[http://learnmoreusdbond.com/lights/amacommunityguidance\\_june2016.pdf](http://learnmoreusdbond.com/lights/amacommunityguidance_june2016.pdf) → which is also attached to this submission.

Reliable sources indicate that LED lights dim over time and lose their (blue-light) protective coatings over time. These sources indicate LED lights, for safety, should be replaced every 15 to 20 years. These ideas are not discussed in the DEIR nor are the costs associated with LED bulb replacement discussed. The DEIR presumes the lights are safe when initially installed which is a presumption challenged by this writer and other experts.

8 | The EIR fails to address health risks that arise as the school day is extended into the evening and students get less sleep due to late(r) night homework sessions.

9 | The EIR fails to discuss the potential for increased vandalism and other deleterious consequences due to serializing practices on a single playing field. This will require students stay at school waiting for their team's practice since games/practices will be stacked.

10 | We all hope students use the quiet time between school and practice to get a head start on homework. However, we know these are teenagers and that students will use this time for social activities on and off the campus. Because the school will be less populated with teachers and administrators, vandalism, bullying, and other crimes are more likely. Does anyone doubt that at least one student will use illegal substances on campus while waiting for his or her team's practice? One-third of instructors at San Marin, in a recent self-assessment related the school's recent academic probation, stated in-class discipline was a problem; is there any doubt that misbehavior will be a problem when teachers aren't present since it is already a problem when they are present?

The EIR incorrectly presumes that stacked practices where teams practice serially on a single lit field (and where students will get home at later hours) are superior to practicing during daylight hours on a second on-site field and possibly one or more alternative fields during daylight hours. Some of those locations are on NUSD property and located adjacent to San Marin High. The EIR dismisses these alternatives because it presumes bleachers are needed, lights are needed but fails to recognize that bleachers are not needed for practices and lights are not needed for practices conducted during the day. Bus services might be needed. However, the

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need was not established because a carpooling study was not performed and bus services would not be needed for fields located within walking distance of the main High School campus.

Adding idle time during the day and delaying the time when practice starts puts added time pressure on student athletes' already hectic schedules and further reduces quality family time. Students will be getting home from school in the evening instead of during the afternoon and will be eating and doing homework later than students in past years. The social, educational and family impacts need to be studied as it affects students, families and potentially the environment.

The EIR fails to deal with the developmental consequences of students who will have less family time due to the much longer school day, will be going to sleep later at night, will be asked to do homework later at night and will gain more unsupervised time on-campus while waiting for practice for serially used fields. The EIR fails to address the consequences of lost family time for students in a critical stage of social development.

### **Areas of Controversy**

11

This section of the EIR fails to identify a concern of mine that is shared by many voters in Novato. I (we) believe NUSD can't afford this project in light of other, more important, priorities. NUSD identified \$500 Million in facility needs in its Voter Pamphlet Arguments submitted for a \$222 Million bond, Measure G. Jim Hogeboom personally told me the District feels \$300 Million of the \$500 Million represents critically important needs. That means Measure G leaves our District with a \$78 Million shortfall vis-à-vis current needs and Measure G, which uses up 80% of our District's credit limit, provides no funding for needs identified in the future, the time between now and the end of 2051 when Measure G is finally paid off.

Novato schools are academically challenged, performing poorly compared to other schools in Marin. Fifty-Eight Percent (58%) of San Marin High Juniors failed their standardized State of California math achievement tests in 2016. This, and much more is documented on a website (link below), which I fully incorporate into these EIR comments.

<http://www.learnmorenusdbond.com/lights/index.html>

12

We are concerned, in spite of the dismissive statements in the EIR, about crime. We are especially concerned since the District plans to police night games with teachers, not police, who are not trained to police rowdy teens, especially teens from other schools. One-third of San Marin High teachers, in a self-assessment associated with San Marin High's recent

12 | academic probation, stated that classroom learning suffers because of misbehavior in the  
cont'd | classroom. How can teachers, who can't control their classrooms, be expected to control teens  
from multiple schools? School rivalries will boost spirit to high-pitched levels. When alcohol  
potentially emboldens, normally well-behaved students, to act in ways that may cause damage  
to property and persons?

13 | Sound systems designed to keep sound 'in the arena' won't stop yelling, cheering, band  
instruments, and other noisemakers from interfering with neighbor's ability to quietly enjoy  
their residences. The EIR claims sound at my residence, on Santa Yorma Ct, will be lower during  
games than during times when there are no games. I've measured sound levels during current  
daytime games with a dB meter and have found sound levels to be much louder than what was  
indicated in the EIR, and I confirm those sounds were annoying; the EIR's conclusions are not  
consistent with facts I have personally observed. As an engineer, I am capable of using and  
reading the results of a sound meter. I recall readings over 80 dBa at my residence during a  
daytime game.

14 | In spite of all of the environmental controversy, of which there is plenty, the economic  
controversy clearly speaks loudest and most clearly: we can't afford this project.

**Alternatives**

15 | The EIR discounts out of hand without considering its impact on other calculations the impact  
of a new turf field to be funded by Measure G funds. All of the justification, comparisons of  
impacts and alternatives compare a single unlit field at San Marin High versus a single lit field at  
San Marin High. I did not see any accounting for the idea that there will be a second field which  
this writer believes eliminates the need for lights, but at a minimum reduces the need and  
reduces the impact of off-campus alternatives. The EIR is defective. Approval of this EIR without  
such an analysis constitutes a prejudicial abuse of discretion.

The EIR fails to consider NUSD's Staff report from August 2015, which states:

*"With the new soccer schedule recently published, NUSD will be able to accommodate JV and Varsity games without the need for field lights. The track fields at San Jose and Sinaloa are being replaced with new sod and are being watered with recycled water from the North Marin Water District. These new fields will be available for practice and games."* [Bold Added]

16 | The EIR fails to seriously address the possible use of lighted fields at IVC College which would  
permit night games to be played by both San Marin and Novato High Schools. Project objectives  
2 and 3 (if those objectives are accepted as legitimate - they are both defective) are met by this

16 | option. If IVC fields are used for practice then (disputed) objectives 1, 4 and five are also met,  
cont'd | and six becomes irrelevant.

**Table 1 Summary of Impacts**

17 | The impacts are described, in each case, with biases, built into the impact descriptions. The impact description should be unbiased and neutral; opinions should be limited to conclusions and should be based on evidence.

**Impact AES-1 and 2.** AES-2 states "light poles would not conflict with the visual character of the stadium's vicinity and would have a negligible effect on overall visual quality." The conclusion is offered as an opinion without evidence of any kind. The only way to know if this impact is significant is to survey residents with proforma drawings and to erect story-poles at the site so residents and interested citizens can comment on the visual impacts. This resident, who is a neighbor of the project, believes the visual impacts will be significantly deleterious, especially given the rural nature of the areas around San Marin High (much of which is dedicated permanent open space).

Impact AES-1 can similarly be determined, not by opinions without evidence, but only with story-poles and drawings to scale shown to residents, neighbors, and interested parties.

18 | **Impact AES-3** provides quantitative guaranties of..." estimates" without actually making a statement about the *actual* luminance. This impact should require NUSD to adjust the position, intensity and hours of operation of lights that interfere with any properties adversely affected by the project, regardless of the property's location. Qualified lighting consultants make mistakes and can only offer excellent results if assumptions are excellent; there is no guaranty assumptions will be accurate until tested. The assumption that upward facing lights will only be lit as needed during games for very short periods is naïve. Who will monitor this at every night time game? Who will pay for this service? What if this person is unavailable due to sickness or travel schedules; will there be a backup person? In San Mateo, upward facing lights were on all of the time. Will the coaches turn on upward facing lights and turn off those lights, so neighbors are not disturbed more than what is contemplated by this EIR? I suspect coaches will be focused on winning games and won't give any concern to upward facing lights and angry neighbors.

19 | **Impact AES-4** says nothing about glare for property owners whose property lines do not face the stadium. The EIR concedes that illuminance standards apply at the property line but glare impacts apply wherever they exist. AES-r should address *any* property owner adversely

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affected by excessive glare (candelas) from the project. I dispute that 10,000 candelas are a reasonable standard; the actual number must be subject to revision if the project is approved, such that a reasonable person living in an affected residence shall not be adversely affected by the project's lighting in an unreasonable way. A process to determine what constitutes a reasonable objection should be established and should rely on community adjudication as part of its definition.

That 10,000 candelas figure is just a number, and there is no assurance that this number is reasonable until it is tested. The 10,000 candelas number is based on the idea that our neighborhood is in light Zone E3. The rural nature of San Marin clearly mandates we should be classified as Zone E2, where the standard is E2. In Zone E2 only 7500 candelas are permitted instead of 10,000. Regardless, 7500 or 10,000 are only numbers, and there is no assurance those numbers are reasonable, for this project, unless they are fully tested. If glare is a problem, then the light intensity and aiming should be adjusted so glare is no longer a problem.

20

I dispute that light intrusion of the sort contemplated by AES-4 is less than significant to the persons adversely affected by the impact. Note a separate letter I sent to the Board of Trustees summarizing my visit to Hillsdale High in San Mateo on February 27. During that visit, I documented that there were significant light and glare spillage that interfered with surrounding properties. That project, in San Mateo, was designed with an illumination standard of 40 foot-candles ("fc") whereas the project contemplated for San Marin will have 125% more illumination, 50 fc.

### **Section 6 - Alternatives**

21

The Alternatives section 6.1 dismisses several practical alternatives after ignoring the impact of an additional turf field at San Marin High. After dismissing construction impacts of the proposed project elsewhere in the EIR, similar impacts with Alternatives are determined to be serious and adequate justification to avoid considering the alternative. If the impact is serious enough to avoid an alternative, then the impact should be serious enough to avoid the project, right? Alternatively, short-term construction impacts can be mitigated by limiting the hours of construction, using best practices and should not be dispositive when evaluating an alternative, yet that is exactly what is done in the EIR.

One specific alternative was dismissed because: "... *additional traffic, traffic noise, and mobile air pollution and greenhouse gas (GHG) emissions compared to the proposed project.*"

However, the comparison didn't consider the impact of a second field at San Marin High paid

21 | for by Measure G which might reduce the need for off-site fields to a much lower number, or  
cont'd | even zero if the August 2015 NUSD Staff Report is considered.

22 | One project objective is to improve parents and interested family attendance at games. The EIR  
| does not discuss the idea of moving Friday night games to Saturday day games. Saturday  
| games a) reduce lost classroom time (compared to Friday games), b) make it easier for parents  
| and grandparents to attend, c) reduce stress during the school day for student-athletes on  
| Fridays, d) permit practice use of fields on Friday (better utilization), e) reduce environmental  
| impacts, f) reduce costs (as the project would not be necessary) and..... the option was never  
| evaluated. It doesn't make sense. Saturday games are easier for working parents to attend,  
| much easier than Friday night games for commuting parents. Noise impacts will be less  
| bothersome and light impacts non-existent if games are played on Saturday instead of Friday  
| evenings. And don't forget, if there are no lights the District can use the \$1Million on academic  
| projects, something that might help improve education metrics at our schools.

23 | Dismissed alternative (a). San Andreas site: The EIR considers this site as an alternative for  
| lighted fields, but not as an additional playing field for day use. The EIR fails to consider the  
| reduced development needs if the site is simply used for daytime practice. The EIR fails to  
| consider the reduced need, or perhaps zero need, of this site when an additional playing field is  
| added at San Marin High (paid for by Measure G). The EIR claims development of this site  
| would cost prohibitive, but no documentation is provided. I can't accept the conclusions  
| without the ability to verify the methods used and calculations made to reach those  
| conclusions.

24 | Dismissed alternative (b). Hamilton Site: Other than, perhaps, roadway improvements the  
| balance of the discussion do not apply based on the same reasons given in (a) above. Again, no  
| backup documentation is provided so interested parties can double-check the assumptions and  
| calculations of Rincon, which is being paid a big fee to service the goals of NUSD's Board of  
| Trustees.

25 | Dismissed alternative (c). Sinaloa or San Jose Middle Schools: Dismissed because the fields and  
| infrastructure are not conducive to large events, the EIR fails to consider that the main  
| objective of the project is not to hold large events, but to permit lighted practice due to the  
| change of soccer to a Winter sport. These fields were not evaluated as additional practice  
| fields, only as alternative lighted fields.

26 | Dismissed alternative (d). College of Marin Indian Valley Campus. Dismissed because of  
| "construction-related" impacts. It seems hypocritical to this writer why construction related

26  
cont'd

impacts at IVC, where there are fewer adjacent residences, for a short period are worse than long term, permanent impacts, such as noise, that are immitigable. No documentation is given why agreements between the City of Novato and NUSD could not be reached. This writer has seen studies showing the cost of proper drainage to a natural grass field to improve its usability to equal or exceed turf fields. Natural grass fields are routinely used in Florida and other states where rain occurs throughout the year; those fields are in excellent condition, in spite of heavy rain. Money spent improving these fields improves the utility of an existing resource and avoids long term permanent impacts that can't be mitigated in the proposed project.

Oh yeah, I forgot: the short-term construction impacts make use of IVC impossible (this is an attempt at sarcasm - the real point being that construction activities would be of short duration and hours and methods of construction can be regulated).

27 | Dismissed alternatives (e), (f) and (g). College of Marin IVC Lot 1, Lot 2 and Hill Recreation. Again, short-term construction impacts are deemed to be more important than long-term permanent impacts that can't be mitigated. Again, the sites are being considered for lighted fields to support large events when they may only be needed for some (perhaps none) daylight practices. No allowance is made for the additional San Marin Field (paid for by Measure G) and no allowance for the plan proposed by NUSD Staff in August 2015.

28 | Dismissed alternative (h). O'Hair Park. Similar failings discussed for items (a) through (g) above. Morningstar Farms is a community treasure and should not be disturbed, and the dog park is utilized by many residents. I didn't see any documentation why an additional natural grass practice field, with proper drainage, could not peacefully co-exist with these uses. Long-term greenhouse gas concerns and transportation concerns would not exist with this option, and temporary greenhouse gas impacts would be reversed over the long term if a natural grass field were used.

29 | Dismissed alternative (i). Additional field paid for by Measure G on San Marin's campus. The EIR concludes: "*Even with two practice fields, there would not be enough daylight hours in the winter to accommodate four athletic teams.*" How does this compute when compared with NUSD's staff report from August 2015 (cited above) that claims lighted fields are not needed to accommodate Soccer's move to a Winter Sport? That report contemplated a single field at San Marin High. Where are the calculations, where is the detail to back up conclusions that seem to come out of nowhere? Show us the math and the assumptions, so interested parties can help the district avoid spending \$1Million on a project that is not needed and will harm student's family life more than the status quo.



29 cont'd No evidence is given that this option will not solve the project's objectives. Every indication is that this alternative (a second field as provided for by Measure G) will cost less and provide superior family experience for student-athletes who will get home at an earlier hour. No consideration or discussion is made how this option, along with Saturday day games (vs. Friday night games) would save the District \$1Million and ongoing maintenance expense associated with the lights project.

30 Dismissed alternative (j). Reduced events. The conclusion, that the number of events can't be reduced fails to consider the additional playing field to be built at San Marin High, the judicious use of alternative locations (that won't then need electricity or 'big event' infrastructure), the use of adjacent properties with natural grass fields (that are properly drained as they are in other states with far more rain than California) and more. The project objectives, as stated earlier in this letter, are defective and biased.

### Health Effects

31 As referenced above, there are health impacts from high intensity LED lighting, and this subject is not addressed in the EIR. Musco, the company that manufacture's the lights confirmed to me in a private conversation, that the field lights will be brighter (lumens) than a high-intensity LED street light.

Last year (as already mentioned above), in June 2016, the AMA came out with community guidance to reduce the harmful environmental effects of high-intensity LED street lighting. Musco's information is disturbing as light intensities more than that provided by LED Street Lights have probably not been studied.

It is clear these LED lights will have a deleterious health effect on athletes, coaches and game attendees beyond levels contemplated by the AMA. Athletes who practice under the lights every weekday will have much higher exposure than others. These health effects need to be identified and studied in the EIR - and the effects of this lighting on animals (bats, birds, horses, pets, etc.) needs to be identified and studied.

The AMA says this on the website page I reference in this letter: " physicians at the Annual Meeting of the American Medical Association (AMA) today adopted guidance for communities on selecting among LED lighting options to minimize potential harmful human and environmental effects."

Dr. Joseph Mercola, a physician, and internet blogger with over one million followers discusses the deleterious effects of blue light here:

<http://articles.mercola.com/sites/articles/archive/2016/09/19/foods-improve-vision.aspx> → search for: "Even More Important: Avoid Artificial Blue Light."

31  
cont'd

Briefly: Mercola discusses how the eyes have specific receptors for blue light and these receptors interact with the brain in ways that are only now becoming understood. Research shows these cells impact our biological clocks and have an impact on mental health (even after moderate withdrawal). Science or science fiction? Ignorant people might say science fiction.

The AMA and Dr. Mercola (and others) are concerned because of scientific research. At a minimum, this subject should be studied and discussed in the EIR so interested parties can review the information and comment.

### **Conclusion**

32

This EIR fails to address realistic alternatives, NUSD's staff reports, the additional playing field funded by Measure G. It dismisses many alternatives because of short-term construction impacts at the expense of long-term proposed project impacts, many of which cannot be mitigated.

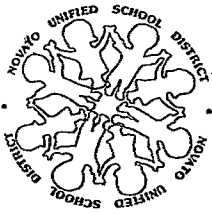
This EIR is defective because: (1) it fails to take into consideration defects in its project objectives, (2) dismisses out-of-hand practical alternatives for bogus reasons without documentation (in some cases by weighing short-term construction impacts as more serious than long-term impacts that can't be mitigated), (3) fails to consider its own staff reports concluding lighted fields are not necessary, (4) fails to mitigate noise impacts that the EIR admits can't be mitigated, (5) fails to evaluate the impact on an additional playing field to be paid for by Measure G, and (6) fails to consider alternative sites as additional practice only fields but only considers these sites are full alternatives for the field at San Marin High (as if it no longer exists).

If this project is approved, NUSD will have committed an act of prejudicial abuse of discretion.

Sincerely



Kenneth Levin



# NOVATO UNIFIED SCHOOL DISTRICT

1015 SEVENTH ST. • NOVATO, CALIFORNIA 94945 • TEL: (415) 897-4211 • FAX: (415) 897-4221

**Achievement for All – Our Call to Action**

Jim Hogeboom  
Superintendent

May 4, 2016

Compare paragraph surrounded by red box on page 1 with paragraph surrounded by red box on page 3

Dear Neighbors of San Marin High School,

We would like to take this opportunity to give you an update on the proposal to install stadium lights on the field at San Marin High School.

Compare with attached

This year, the move of soccer from a fall (boys) and spring (girls) sport to a winter sport became effective under MCAL (Marin County Athletic League). This change triggered the need for all four soccer teams – boys and girls varsity and junior varsity – to practice and use fields at nearly the same time due to limited daylight in the late fall/winter months. A community conversation regarding stadium lights began in conjunction with possible solutions to this change in seasons.

In addition last year more than 1,000 signatures were gathered on a change.org petition started by San Marin students. In addition, San Marin student responses to a 2015 Survey included comments about wanting lights on the field at San Marin.

In the summer of 2015, a grass roots effort spearheaded by parents of San Marin students and leaders of San Marin Youth Football began organizing and raising money to install lights on the San Marin football field. This group also started meeting with me and other district administration in the fall to keep the district informed of the fundraising efforts and support for lights at San Marin. We encouraged the group to reach out to the local neighbors to hear and learn of their concerns. A community meeting was held on January 27 and approximately 25 community members were in attendance.

On February 3, the Superintendent met with 12 neighbors of San Marin and Novato High School that had concerns of the brightness of the proposed lights, noise, traffic, cost of maintaining lights, security, and effect of proposed lights on property values.

On April 5, 2016, the NUSD Board of Trustees approved the staff recommendation to hold a competitive selection process for a firm to prepare an EIR under CEQA. Staff recommended that the Board pursue a CEQA process because it is the best way for all voices and concerns on both sides of this issue to be raised and heard.

The CEQA (California Environmental Quality Act) process also referred to as an EIR (Environmental Impact Report) is a public process to evaluate all the impacts of the installation and maintenance of stadium lights at San Marin High School, such as, but not limited to, visual analysis, noise, traffic, and air quality.

*Achievement for All – Our Call to Action*

Five firms responded to the Request for Proposal and will be interviewed by a panel composed of two school board members, the San Marin Principal and athletic director, the superintendent and public information officer, the NUSD construction manager, one San Marin neighbor and one representative from Lights for San Marin. The interviews will take place on Friday, May 6.

The recommended firm will be presented to the Board of Trustees for approval at the May 17 board meeting. The CEQA EIR process is comprehensive and takes about 8-10 months to complete and includes a 45-day public review process in which questions and/or comments brought up during this period will be addressed. These questions and comments will be included in a Response Addendum that is part of the Final EIR along with a Mitigating Monitoring Plan. The purpose of the Mitigating Monitoring Plan is to provide possible parameters in the event approval of stadium lights is made in the future. To be clear, stadium lights have not been approved for San Marin High School at this time.

Please let us know if you have any questions or comments. Thank you.

Respectfully,

  
Jim Hogeboom  
Superintendent

  
Adam Littlefield  
Principal  
San Marin High School



Received 8/27/15 from Steve Hogeboom

## Board Meeting Highlights August 11, 2015

Board Members welcomed to new Superintendent Jim Hogeboom!



The Board of Trustees were excited to announce that Kris Cosca will be the new Assistant Superintendent, Human Resources. His official start date is September 1. Mr. Cosca comes to NUSD from Napa Valley Unified School where he is Executive Director, Human Resources. He experience includes Director of Curriculum and Student Support Services, Principal, Vice Principal and elementary teacher. He holds a BA from San Diego State University, MA in Educational Leadership from Sonoma State University, and an Educational Doctorate in Organizational Leadership from the University of La Verne



### STAFF REPORTS

Compare with  
8/28  
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Karen Maloney provided the Board with an update on the impact of the MCAL soccer season change on NUSD fields. (Board report can be found [here](#), Item 12a.) With the new soccer schedule recently published, NUSD will be able to accommodate JV and Varsity games without the need for lights. The track fields at San Jose and Sinaloa are being replaced with new sod and are being watered with recycled water from the North Marin Water District. These new fields will be available for practice and games.

### DISCUSSION/ACTION

- Karen Maloney and Nancy Walker presented the 45-day revision to the approved budget. (Board report can be found [here](#), Item 14c.) Changes to expenditures include: negotiated 6% salary increase to CSEA and Unrepresented Groups (NFT 6% increase was included in approved budget), upgrade to Core System Project, projects savings due to changing natural gas

provider and higher than projected property and liability insurance costs. The Combined General Fund ending fund balance is projected to be \$12,437,338 or 16.01% of the Combined General fund expenditures and transfers out. The updated combined expenditures total \$77,131,055. Board approved the revised budget.

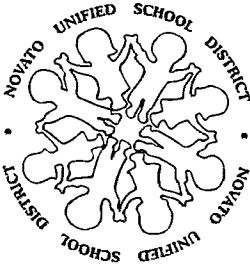
- Julia Kempkey presented NUSD's response to the Grand Jury Report entitled, "Every Child Counts: English Learners in Marin County Public Schools." (Board report can be found here, Item 14e.) Highlights of the response include: NUSD is committed to meeting the needs of our English learner (EL) students, has hired an EL District Coordinator, has increased bilingual liaisons at school sites, recognizes that English learners (EL) are graduating at a lower rate, EL graduation rates fluctuate from year to year depending on the cohort of students, NUSD's Local Control and Accountability Plan specifically addresses ELs and will include the graduation rate as a data point. Board approved the response to the Grand Jury.
- Julia Kempkey presented proposed changes to Board Policy and Administrative Regulation 5121 Grades-Evaluation of Student Achievement. (Board report can be found here, Item 14g.) This was a first reading to change current progress reports at the secondary level from every 6 weeks (2 per semester) to 1 at 9 weeks and adding two additional notification periods every 4-5 weeks to send notification to parents if their students has a grade of D and F. The policy was also updated to align with NUSD's current practice ensuring students do not lose credits for unexcused absences or that students' grades are not artificially impacted based on attendance. Board members suggested getting teacher and parent feedback on proposed changes before final approval.
- Debbie Butler, President NUSD Board of Trustees, sought approval from the Board to change the Open Session time of Board meetings from 6:30 pm to 7 pm to be more accommodating for the community, parents, and staff. In addition, Closed Session meeting times would also change from 5:30 pm to 6:00 pm. Board approved the change in starting times.

## CONSENT AGENDA

- Superintendent Jim Hogeboom pulled Consent Item E 2016-17 School Calendar (Board report can be found here, Item 15e.) off the Board agenda. Assistant Superintendent, Human Resources, Kris Cosca, will convene a Calendar Committee comprised of staff, teachers and parents to review the 2016-17 school calendar.

## UPCOMING BOARD MEETINGS

- August 18, 5:30 pm, District Office Room 107, Special Board Meeting to discuss District priorities and goals for the next year. Staff and the community are invited to attend.



Novato Unified School District

## NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

### **San Marin High School Stadium Lights Project**

The Novato Unified School District (NUSD) is the lead agency requesting input regarding the preparation of an Environmental Impact Report (EIR) for the proposed Stadium Lights Project, a project pursuant to the California Environmental Quality Act (CEQA). The purpose of this notice of preparation is to solicit input on the scope and content of the draft EIR for the proposed project, pursuant to CEQA *Guidelines* Section 15082.

**Project Title:** San Marin High School Stadium Lights Project

**Project Applicant:** Novato Unified School District

**Project Description:** San Marin High School currently does not have lighting and an upgraded PA system at its athletic track and field stadium. The absence of lighting limits the availability of practice time on the athletic field and results in early dismissal from class for student athletes to compete in games. The proposed project would address these issues with the installation of new stadium lighting and upgrades to the existing public address (PA) system at San Marin High School.

Current stadium lighting technology allows stadium lights to provide focused light with minimal glare. The lighting installation would consist of two sets of poles (a total of 20 poles.) The first set of poles would support lighting fixtures for illuminating the field during sports competitions, practices, and other events. These poles would be approximately 80 feet tall and would be installed at eight locations within the stadium, arranged as four poles spaced evenly along each long side of the athletic field. The second set of poles would support lighting fixtures for illuminating the field during post-event egress, clean-up, and potentially during sports team practices. These poles would be approximately 25 feet tall and would be installed at up to 12 locations throughout the stadium to provide adequate lighting for safe egress.

The existing public address system would be upgraded to provide more even, consistent, and directed sound amplification within the stadium. The upgraded public address system would consist of speakers mounted on up to 12 additional poles, each approximately 25 feet tall. These poles would be located behind the bleachers on either side of the athletic field. The speakers would be directed towards the spectators and the field, and they would be designed to minimize the amount of sound that would leave the stadium. The system would be set to limit the sound level to 65 dBA at the property line or to a level specified in the local noise ordinance, whichever is lower.

The new stadium lighting system would allow for nighttime activities in the stadium. These activities would generally end no later than 9:30 p.m.

**Project Location:** The project location is the athletic field area in the northeastern portion of the San Marin High School campus, located at 15 San Marin Drive, just north of its intersection with Novato Boulevard, in the city of Novato.

**Probable Environmental Effects:** NUSD has determined that an EIR will be prepared for the

proposed project. Based on preliminary analysis in a draft Initial Study, the probable environmental impacts that will be analyzed as part of the EIR are in the issue areas of aesthetics (including light trespass and glare), air quality and greenhouse gas, cultural resources, noise, and traffic. If the Draft Initial Study is not included with this notice, it may be reviewed at District offices, 1015 7<sup>th</sup> Street in Novato, by appointment (call (415) 897-4259) or online:

<http://nUSD.org/departments/maintenance-operations-and-facilities/development-projects/san-marin-high-school-stadium-lights/>.

Pursuant to CEQA Guidelines Section 15082(b), your comments regarding the scope and content of the environmental analysis must be submitted no later than 30 days after receipt of this notice. The public review period is from August 25, 2016, until September 25, 2016. Please send your comments no later than 5:00 p.m. on September 25, 2016, directly to:

Leslie Benjamin  
Director, Communications & Community Engagement  
Novato Unified School District  
1015 7<sup>th</sup> Street, Novato, CA 94945

Fax: (415) 897-4259  
Email: [lbenjamin@nUSD.org](mailto:lbenjamin@nUSD.org)

**The district is holding a public scoping meeting at 7 pm on Wednesday, September 7, in the Library at San Marin High School.** The meeting will provide an opportunity to disseminate information, identify issues, and to discuss the scope of review and alternatives to be included in the EIR. For more project information contact Leslie Benjamin, Director, Communications & Community Engagement, at 415.897.4259 or [lbenjamin@nUSD.org](mailto:lbenjamin@nUSD.org).



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## AMA News Room



- [2016](#)
- [2015](#)
- [2014](#)

June 14, 2016

# AMA Adopts Community Guidance to Reduce the Harmful Human and Environmental Effects of High Intensity Street Lighting

**For immediate release:**  
June 14, 2016

CHICAGO - Strong arguments exist for overhauling the lighting systems on U.S. roadways with light emitting diodes (LED), but conversions to improper LED technology can have adverse consequences. In response, physicians at the Annual Meeting of the American Medical Association (AMA) today adopted guidance for communities on selecting among LED lighting options to minimize potential harmful human and environmental effects.

Converting conventional street light to energy efficient LED lighting leads to cost and energy savings, and a lower reliance on fossil-based fuels. Approximately 10 percent of existing U.S. street lighting has been converted to solid

state LED technology, with efforts underway to accelerate this conversion.

"Despite the energy efficiency benefits, some LED lights are harmful when used as street lighting," AMA Board Member Maya A. Babu, M.D., M.B.A. "The new AMA guidance encourages proper attention to optimal design and engineering features when converting to LED lighting that minimize detrimental health and environmental effects."

High-intensity LED lighting designs emit a large amount of blue light that appears white to the naked eye and create worse nighttime glare than conventional lighting. Discomfort and disability from intense, blue-rich LED lighting can decrease visual acuity and safety, resulting in concerns and creating a road hazard.

In addition to its impact on drivers, blue-rich LED streetlights operate at a wavelength that most adversely suppresses melatonin during night. It is estimated that white LED lamps have five times greater impact on circadian sleep rhythms than conventional street lamps. Recent large surveys found that brighter residential nighttime lighting is associated with reduced sleep times, dissatisfaction with sleep quality, excessive sleepiness, impaired daytime functioning and obesity.

The detrimental effects of high-intensity LED lighting are not limited to humans. Excessive outdoor lighting disrupts many species that need a dark environment. For instance, poorly designed LED lighting disorients some bird, insect, turtle and fish species, and U.S. national parks have adopted optimal lighting designs and practices that minimize the effects of light pollution on the environment.

Recognizing the detrimental effects of poorly-designed, high-intensity LED lighting, the AMA encourages communities to minimize and control blue-rich environmental lighting by using the lowest emission of blue light possible to reduce glare. The AMA recommends an intensity threshold for optimal LED lighting that minimizes blue-rich light. The AMA also recommends all LED lighting should be properly shielded to minimize glare and detrimental human health and environmental effects, and consideration should be given to utilize the ability of LED lighting to be dimmed for off-peak time periods.

The guidance adopted today by grassroots physicians who comprise the AMA's policy-making body strengthens the AMA's policy stand against light pollution and public awareness of the adverse health and environmental effects of pervasive nighttime lighting.

###

**Media Contact:**

AMA Media and Editorial  
Pressroom: (312) 239-4991  
Email: [media@ama-assn.org](mailto:media@ama-assn.org)

## Letter 155

**COMMENTER:** Kenneth Levin

**DATE:** March 3, 2017

### **Response 155.1**

The commenter states an opinion that the project objective to “provide extended availability for sports fields during the winter months, is no longer relevant.” The commenter then opines that a second turf field that would be constructed using Measure G funds would achieve Objective 1 without implementation of the proposed project, and at a lower cost. The opinion that a second turf field may achieve objective 1 by providing additional field space does not negate the validity of that objective for the proposed project. As described in the Draft EIR and Master Response E – Alternatives, installation of an additional on-site turf practice field would not achieve most of the project objectives and therefore is not considered a feasible alternative to the proposed project. The additional turf practice field, although planned, was not yet considered by the Board at the time of publication of the Draft EIR and therefore was not considered an existing component of the proposed project setting. For a discussion of the cost of the proposed project, please see Master Response G – Project Cost. Please also see Response 80.9.

### **Response 155.2**

The commenter states an opinion that Objective 2 is incomplete and questions the assumption that implementation of the proposed project would increase ticket revenue. The commenter also questions whether the increase in ticket revenue would cover the operational costs of the proposed project. The commenter also questions NUSD’s “mission to sell tickets” and asks about the impacts related to noise, traffic, and crime related to increased attendance. The assumption that the proposed project would increase ticket revenue is based on NUSD observation of experiences at other schools that have installed stadium lights. The Draft EIR does not claim that increased revenue from ticket sales would pay for the cost of installing and maintaining the lights. The Draft EIR does not claim that it is the “mission” of NUSD to sell tickets, but rather that increased ticket revenue is an objective of the proposed project. For a discussion of project cost, please also see Master Response G – Project Cost. For a discussion of noise, traffic, and crime impacts related to increased attendance, please see Master Response B – Noise, Master Response C – Traffic, and Master Response D – Public Services and Safety.

### **Response 155.3**

The commenter questions the ability of the proposed project to achieve Objective 3 by providing an alternative to unhealthy recreational activities in an alcohol-free environment. The commenter states an opinion that crime would increase with implementation of the proposed project. Impacts to public services are discussed in Item XIV, Public Services, of the Revised Draft Initial Study (Appendix A of the Draft EIR). As discussed there, impacts would be less than significant. Please see also Master Response D – Public Services and Safety.

### **Response 155.4**

The commenter questions whether Objective 4, to improve athlete safety, could be achieved through implementation of the proposed project. The commenter further states an opinion that the project objectives should be considered in light of a new additional turf field on campus and that athlete safety should be compared for daylight activities versus nighttime activities. Objective 4 is to improve athlete safety during “evening practices and sports events.” This objective is unrelated to nighttime activity and

instead is focused on activities during twilight hours. Under current conditions, practices and games often extend into twilight hours, when ambient light levels decrease and athlete safety is diminished. While evening or twilight conditions permit practices and games under current conditions, the visibility of the field and objects on the field during this timeframe decreases, thus decreasing athlete safety. Implementation of the proposed project would provide consistent lighting during evening hours and therefore would improve athlete safety during that timeframe. Please see Response 155.1 and Master Response E – Alternatives for a discussion of the additional turf field. While the commenter's disagreement with the project objectives is noted, this comment does not challenge the environmental analysis or the conclusions of the Draft EIR. No changes to the Draft EIR are warranted.

**Response 155.5**

The commenter questions whether Objective 5, to improve safety by minimizing incompatible uses from sharing the field, could be achieved through implementation of the proposed project. The commenter then states an opinion that the Draft EIR fails to address whether runners would be prohibited from using the track during lacrosse practices. Objective 5 is to minimize incompatible uses, not necessarily eliminate them. Therefore, the Draft EIR need not address a prohibition against track runners' use of the field during lacrosse practices. Further, while the commenter's disagreement with the project objectives is noted, this comment does not challenge the environmental analysis or the conclusions of the Draft EIR. No changes to the Draft EIR are warranted.

**Response 155.6**

The commenter reiterates their concerns with the project objectives generally and states an opinion that alternatives were not adequately analyzed in the Draft EIR. Please see Responses 155.1 through 155.5. Please also see Master Response E – Alternatives.

**Response 155.7**

The commenter states concerns regarding health risks associated with LED lighting technology. Please see Master Response A – Lighting and Aesthetics regarding the potential for health effects related to LED lights.

**Response 155.8**

The commenter states concerns regarding health risks associated with extending the school day. The commenter does not present evidence to support the opinion that implementation of the proposed project would result in less sleep for students. While these comments are noted, they do not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

**Response 155.9**

The commenter states concerns regarding increased vandalism associated with implementation of the proposed project. Please see Master Response D – Public Services and Safety for a discussion of vandalism. While these comments are noted, they do not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

**Response 155.10**

The commenter states general concerns regarding vandalism, bullying, and other crimes. Please see Master Response D – Public Services and Safety for a response to these comments. The commenter also

states an opinion that alternatives, including an additional turf field and other off-site alternatives, were not adequately analyzed in the Draft EIR. Please see Master Response E – Alternatives for a discussion of alternatives analysis in the Draft EIR. The commenter also states an opinion that implementation of the proposed project would result in reduced “family time” for students. While these comments are noted, they do not challenge the analysis or conclusions of the Draft EIR and no changes to the Draft EIR are warranted.

**Response 155.11**

The commenter states concerns regarding costs related to the proposed project and associated NUSD budget prioritization. Please see Master Response G – Project Cost.

**Response 155.12**

The commenter states concerns regarding crime. Please see Master Response D – Public Services and Safety.

**Response 155.13**

The commenter states that the proposed upgraded PA system would not control crowd noise. This is correct. The Draft EIR identifies a significant and unavoidable impact related to crowd noise in Section 4.5, *Noise*. The commenter also opines that the Draft EIR states that sound levels in the neighborhood would be lower during games than during times when there are no games. This concept is illogical and is not stated in the Draft EIR.

The commenter also “recalls” seeing a sound measurement of 80 dBA at his property during a game and states an opinion that this is inconsistent with the Draft EIR analysis. Please see responses 138.9 and 138.10.

**Response 155.14**

The commenter states an opinion that economic concerns about the project are greater than environmental concerns. Please see Master Response G – Project Cost.

**Response 155.15**

The commenter appears to suggest that the project is not needed and therefore the analysis of alternatives in Section 6, *Alternatives*, of the Draft EIR is deficient. The commenter’s opinion regarding the need for the project is noted. Please see also Master Response E – Alternatives.

**Response 155.16**

The commenter appears to express support for an off-site alternative at IVC and also suggest that use of such a field would meet the project objectives. The commenter’s support for an IVC-based alternative is noted. Please see also Master Response E – Alternatives.

**Response 155.17**

The commenter states an opinion that the Draft EIR uses biased language in the impact statements, but does not provide examples upon which to base a specific response. This opinion is noted however, on the contrary, the impacts are described in clear language without “biased” language, and are based on evidence presented in the EIR analysis.

**Response 155.18**

The commenter states an opinion that there is no guarantee how lights would perform until they are tested. This is precisely the reason for Mitigation Measures AES-3 and AES-4, which require that the District adjust the positioning of light fixtures alongside the football field, their shielding or intensity, or other design features to meet the identified standard to reduce impacts.

The commenter further opines that the District may not abide by the proposed program for use of lights. This opinion is noted, but the Draft EIR correctly analyzes the project as proposed, rather than engaging in speculation that the project sponsor would not abide by its own policies.

**Response 155.19**

The commenter states an opinion that the glare threshold used in the Draft EIR should apply to all properties outside of the project site. The standard used in Mitigation Measures AES-4 to ensure that discomfort glare does not exceed 10,000 candelas at residential property lines facing the stadium is appropriate and would also indirectly apply to other properties, as glare would generally be reduced at property lines farther from the source. As stated in Section 4.1.2 of the Draft EIR, *Impact Analysis*, under the heading *Methodology*, “the degree of discomfort glare decreases the further that a viewer is located from a light source, due to the dispersion of light across distance.” Please see Response 6.22 and Master Response A – Lighting and Aesthetics.

The commenter further opines that the 10,000 candela threshold is not appropriate. Please see Response 102.6.

**Response 155.20**

The commenter refers to comments provided in his other letters, which are included above as letters 137 and 138. Please see the responses to letters 137 and 138.

**Response 155.21**

The commenter states an opinion that the Draft EIR dismisses alternatives and dismisses impacts of the proposed project such as construction impacts. However, the Draft EIR does neither; it evaluates and discloses impacts and supports conclusions about impact levels, and evaluates alternatives for feasibility and impact levels in relation to the project. (This response also applies to several comments below in which the commenter asserts that the Draft EIR “dismisses” alternatives.) An exception is those alternatives considered but rejected based on infeasibility or other valid reasons. Please see Master Response E – Alternatives for a discussion of the additional on-site turf field.

It should also be noted that construction impacts are compared to those of the project in discussions of the impacts of alternatives in Section 6, *Alternatives*. For example, implementation of the project on the San Andreas site and several other alternative sites that were considered would require full development of a stadium and parking as well as infrastructure improvements and utility connections, rather than installation of lights at an existing stadium as proposed. Impacts from construction would be greater at these sites, which the Draft EIR accurately notes.

The commenter also states an opinion similar to that in comment 155.15. Please see Response 155.15.

**Response 155.22**

The commenter suggests having games otherwise proposed for Friday nights on Saturdays during the day. This suggestion is acknowledged but does not challenge the analysis or conclusions of the Draft EIR.

It should also be noted that this comment is describing a component of the No Project Alternative, which is analyzed in Section 6.3 of the Draft EIR, *Alternative 1: No Project*.

**Response 155.23**

The commenter states an opinion that the San Andreas site could be used for daytime activities, reducing the need for the project. This suggestion is noted but does not challenge the analysis or conclusions of the Draft EIR. The commenter also questions one of the bases for rejecting this alternative: cost. As noted above, this alternative would require full development of a stadium and parking as well as infrastructure improvements and utility connections, rather than simply installing lights and an upgraded PA system at an existing stadium. Please see Master Response E – Alternatives for a discussion of the additional on-site turf field.

**Response 155.24**

The commenter appears to challenge the discussion in Section 6, *Alternatives*, about the Hamilton site for the reason stated in Comment 155.23 regarding the San Andreas site. See Response 155.23. The commenter generally challenges the discussion of this site, but does not provide specific information or analysis on which to base a specific response.

**Response 155.25**

The commenter states that the Sinaloa and San Jose Middle School sites were not evaluated as additional practice fields, only as alternative lighted fields. This is correct; the evaluation of alternatives primarily considers ways to reduce impacts while meeting some or all of the project objectives. Distributing athletic events at multiple sites in the region would likely accomplish neither to a sufficient degree to warrant such an alternative. As described in Section 6.2 of the Draft EIR, *Alternatives Considered but Rejected as Infeasible*, residential uses are located adjacent to both the Sinaloa and San Jose Middle School sites, and implementation of the project at those alternative sites would result in similar noise impacts as the proposed project. Please see Master Response E – Alternatives for a discussion of the reasonableness of the range of alternatives analyzed in the Draft EIR.

**Response 155.26**

The commenter appears to state support for the IVC alternative, and disagrees with the Draft EIR discussion of this alternative regarding construction impacts. Please see Response 155.21 and Master Response E – Alternatives.

**Response 155.27**

The commenter appears to challenge the discussion in Section 6, *Alternatives*, about several off-site alternatives for the reasons stated in comments 155.21 and 155.23 regarding the San Andreas site. See responses 155.21 and 155.23. The commenter generally challenges the discussion of these sites, but does not provide specific information or analysis on which to base a specific response. For a discussion about the additional on-site turf field, please see Master Response E – Alternatives.

**Response 155.28**

The commenter appears to challenge the discussion in Section 6, *Alternatives*, about the O’Hair Park site for the reasons stated in comments 155.21 and 155.23 regarding the San Andreas site. See responses 155.21 and 155.23. The commenter also appears to state support for this alternative, which is noted.

**Response 155.29**

The commenter states opinions about the District’s needs for athletic fields, apparently based on a District staff report from August of 2015, in relation to the discussion of rejected alternative “Additional On-site Turf Fields.” These comments are noted; however, the District’s current (2017) evaluation of its facility needs is assumed to be generally accurate and up to date. The comment does not affect the analysis or conclusions in the Draft EIR. For a discussion about the additional on-site turf field, please see Master Response E – Alternatives.

**Response 155.30**

The commenter summarizes their prior comments regarding rejected alternatives, including opining that using other off-site facilities would reduce the need for night time events at the project site. Please see responses 155.21 through 155.29 and Master Response E - Alternatives. The commenter also states an opinion that the project objectives are “defective and biased,” but does not provide details or specifics on which to base a specific response.

**Response 155.31**

The commenter states concerns regarding health effects of LED lights, citing a report to the American Medical Association. This issue is addressed in Master Response A – Lighting and Aesthetics.

**Response 155.32**

The commenter summarizes his prior comments. Please see responses 155.1 through 155.30. The commenter also states that the Draft EIR “fails to mitigate noise impacts that the EIR admits can't be mitigated.” Please see Response 129.1. Please see also the responses to the commenter’s other letters, letters 137 and 138.



## 8.3 Comments and Response on the Draft EIR – Public Meeting

The District held a Public Comment Hearing on January 24, 2017, at a Special Board meeting of the Board of Trustees at 6:00 PM in the NUSD Board Room, 1015 7th Street, Novato. During this Public Comment Hearing, 30 commenters offered verbal comments on the Draft EIR or the project. The comments are summarized below followed by the responses.

### Public Meeting Comment Summary

Commenters expressed concerns regarding the project including light; noise; GHG emissions; public safety; traffic; alternatives; wildlife; property values; and project cost. Commenters stated specific concern regarding the lights, such as the height of the lights; potential health impacts; distance to surrounding residences; schedule of proposed events that would use the lights; and completion of the photometric study. The potential impacts of noise from spectators, traffic, and the PA system were also of concern due to the increase in lighted nighttime events. One commenter stated concern regarding GHG emissions. In addition, multiple commenters had concerns about safety, including crowd control, general unsafe behavior, and garbage and litter. Several commenters also expressed concern regarding traffic, including parking. In addition, some commenters expressed concerns about alternatives. For example, one commenter stated that an alternative scenario that should have been included is a joint-use field funded by Novato High School and San Marin High School. A few commenters also expressed concern regarding potential impacts to wildlife, including migratory birds. Some commenters additionally stated concern regarding their property values and funding for the potential added costs associated with maintenance of the project, including the electricity for the lights and technicians to maintain them. With the exception of one commenter's stated general concern about the GHG emissions associated with the proposed project, all of the verbal comments summarized above are addressed in the preceding responses to written comments, including the master responses listed below. Section 4.4 of the Draft EIR, *Greenhouse Gas Emissions*, analyzed the potential greenhouse gas impacts associated with the proposed project and found those impacts to be less than significant. The commenter does not challenge the analysis or conclusions of the Draft EIR regarding greenhouse gas emissions. No changes to the Draft EIR regarding the analysis of greenhouse gas emissions are warranted.

The commenters' concerns are noted. Please see Master Response A – Lighting and Aesthetics; Master Response B – Noise; Master Response C – Traffic, Master Response D – Public Services and Safety; Master Response E – Alternatives; Master Response F – Property Values; and Master Response G – Project Cost. In addition, please see Section 4.4, *Greenhouse Gas Emissions*, included in the Draft EIR and Item IV, *Biological Resources*, of the Revised Draft Initial Study (Appendix A of the Draft EIR) for information regarding GHG emissions and wildlife, including migratory birds, respectively.