

Dear Mr. Ehlers:

I understand that the MC Stadium Lights Project (the Project) is now under merits review. I recommend that the CDA deny the application if it does not meet Design Review requirements. Despite this, if the CDA does proceed with merits review, then the preparation of an EIR is required for CEQA compliance.

### **The Project Is Not Consistent with Design Review Findings**

The Project should be denied because it is not consistent with necessary Design Review findings and a reasonable review of expected negative impacts on neighboring properties.

One, the Project "scale" is not "is appropriate to and compatible with the surroundings and community". The Greenbrae/Kentfield area is generally dark and quiet after 7 PM and particularly quiet and dark after 8 PM. The Project would change the character of the community in ways that are not compatible with necessary Design Review findings.

Two, the Project will result in light pollution. The Project will cause light emissions to be visible for neighbors of the Project.

Three, the Project will cause changes in noise of 5 dBA or greater that are not compatible with the surroundings and community.

Four, the Project will cause increased traffic along Sir France Drake inconsistent with the Kentfield/Greenbrae Community Plan (KGCP). The KGCP notes that "Kentfield/Greenbrae is profoundly affected by the traffic volume through this corridor." This increased traffic is not compatible with the surroundings and community.

Five, the cumulative impacts of all of these issues render the project incompatible with the existing community and environment.

### **The Project Requires an EIR If Merits Review Proceeds**

The Project is not appropriate for a categorical exemption from CEQA nor reliance on a mitigated negative declaration to avoid an EIR for several reasons.

One, a Class 1 exemption is not appropriate for the Project. The installation of four 80-foot poles is a fundamental change relative to the existing facilities at Marin Catholic. These new facilities would also enable a change of use relative to the existing baseline of use as defined under CEQA as it would otherwise not be possible to host evening sporting events at the stadium.

Two, a Class 3 exemption is not appropriate for the Project. The proposed four 80-foot poles could not be reasonably described as “small” structures nor are the proposed structures consistent with examples of typical Class 3 exemptions.

Three, none of the other classes of categorical exemptions from CEQA are relevant to the Project.

Four, an “initial study” would be very likely to identify potential significant negative impacts related to a number of issues, including mandatory findings of significance. An Initial Study conducted for San Marin High School identified numerous potential significant negative impacts related to issues identified by the following questions:

- Have a substantial adverse effect on a scenic vista?
- Substantially degrade the existing visual character or quality of the site and its surroundings?
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- Expose sensitive receptors to substantial pollutant concentrations?
- Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- Disturb any human remains, including those interred outside of formal cemeteries?
- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- A substantial permanent increase in ambient noise levels above levels existing without the project?
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and

relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?

- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The breadth of potential significant negative impacts identified by this Initial Study indicate that the Project is likely to lead to potential significant negative impacts.

Five, similar projects required EIRs and those EIRs did identify significant negative impacts related to those projects. For instance, the Final EIR for San Marin High School identified significant negative impacts related to noise and stated that these impacts would be “unavoidable” such that a mitigated negative declaration is inappropriate for such a project.

Six, San Marin High School was not unique in preparing an EIR in relation to such a project. Other recent projects requiring an EIR include:

- Los Altos High School (<https://ceqanet.opr.ca.gov/2020010296/3>)
- Carmel High School (<https://ceqanet.opr.ca.gov/2021050293/2>)

Overall, it is clear that, should merits review proceed, then an EIR is necessary.

## **Conclusion**

Overall, the Project should be denied. It is incompatible with the existing community and further environmental analysis will only uncover further significant negative impacts confirming this conclusion.

Thank you for your consideration of these comments.

Kind regards,  
John