

STATE OF CALIFORNIA
MARIN EMERGENCY RADIO AUTHORITY (MERA)

In the Matter of:)
)
Special Meeting)
)

MARIN COUNTY CIVIC CENTER
BOARD OF SUPERVISORS CHAMBERS
3501 CIVIC CENTER DRIVE
SUITE 330
SAN RAFAEL, CA

THURSDAY, OCTOBER 10, 2019
6:00 P.M.

Reported by: Gigi Lastra

 ORIGINAL

APPEARANCES

GOVERNING BOARD MEMBERS AND ALTERNATES

Richard Pearce, Tiberon Fire Protection District

Mike Norton, Central Marin Police Authority

Todd Cusimano, Town of Corte Madera

Al Piombo, City of Mill Valley

Jeff Naylor, Marinwood Community Services District

Tom Gaffney, Town of Ross

Doug Kelly, Town of San Anselmo

Jim Fox, Inverness Fire Protection District

Don Wick, Marin Municipal Water District

Pam Drew, City of Novato

Steve Metcho, Novato Fire Protection District

Mark Pomi, Kentfield Fire Protection District

Ron Naso, Kentfield Fire Department

Robert Sinnott, City of San Rafael

MERA STAFF

Ernest Klock, Operations Officer, MERA

Trisha Ortiz, General Counsel, MERA

Casey Strong, Legal Counsel, MERA

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1 Counsel's Offices.

2 BOARD MEMBER HYMEL: Matthew Hymel, County of
3 Marin.

4 BOARD MEMBER KRAKAUER: George Krakauer, Bolinas
5 Fire.

6 BOARD MEMBER FOX: Jim Fox, Inverness Fire.

7 BOARD MEMBER WICK: Don Wick, Marin Municipal
8 Water District.

9 BOARD MEMBER DREW: Pam Drew, Council Member,
10 City of Novato.

11 BOARD MEMBER METCHO: Steve Metcho, Novato Fire
12 District.

13 BOARD MEMBER POMI: Mark Pomi, Kentfield Fire
14 District.

15 BOARD MEMBER NASO: Ron Naso, Kentfield Fire
16 Department.

17 CHAIR PEARCE: We have members of our staff here
18 as well.

19 Anyone from the public wishing to make a comment
20 tonight after our presentation, will you please fill out
21 one of the cards? They're available at the front desk
22 here, and over here as well, so if you could take care of

1 that, we'd appreciate it.

2 Hearing that, Ernest, we'll turn it over to you.

3 MR. KLOCK: Thank you, President, Members of the
4 Board. My name is Ernest Klock. I'm the MERA Operations
5 Officer. We have a brief presentation that takes some of
6 the highlights of the report, just to orient people.

7 The purpose of this public hearing is to receive
8 comments on the adequacy of the SEIR. All comments will be
9 recorded. All comments received will be responded to in
10 writing in the final SEIR. And the public will be given 14
11 days to review the responses to comments.

12 This is the map of the proposed MERA Next Gen
13 radio sites. There are ten existing sites, eight new
14 sites, and five decommissioned sites.

15 As a matter of orientation, sites were selected
16 to ensure adequate coverage of the new radio system. Even
17 though there are sites that are new to MERA, those sites
18 have existing improvements on them, such as water tanks or
19 other telecommunications equipment. And the lines on the
20 diagram indicate lines of sight necessary to establish the
21 microwave lengths between the sites.

22 What is a subsequent EIR? This is a subsequent
23 report to the original EIR that was conducted in 2000 for
24 the existing system. That original EIR looked at

1 aesthetics, biological resources, cultural, radio frequency
2 emissions, and land use. This subsequent EIR analyzes
3 changes to the project, new environmental settings, new
4 CEQA Regulations, significance of impacts, mitigation
5 recommendations, alternatives, and cumulative impacts.

6 All 18 sites proposed were analyzed. The
7 analysis found potential for impacts to aesthetics,
8 biology, cultural resources, tribal resources, and RF
9 exposure. It also analyzes the changes since the original
10 EIR in 2000 and evaluates changes in the environmental and
11 regulatory setting, as well as considering alternatives to
12 the proposed project.

13 This SEIR is comprised of the following chapters.

14 Chapter 1 is an introduction that explains the
15 relation between the original and subsequent EIR.

16 Chapter 2 is a summary of significant impacts and
17 recommended mitigations by communication site.

18 Chapter 3 is the location of each site, proposed
19 development, and areas of ground disturbance.

20 Chapter 4 are criteria that are used to determine
21 if an impact is significant or not.

22 Chapter 5 is a site-by-site analysis of potential
23 environmental impacts, the it focuses on potential and

1 significant impacts.

2 Chapter 6 uses a CEQA checklist to determine the
3 potential impact in all areas of the environment and
4 identifies impacts that cannot be mitigated to less than
5 significant, such as aesthetics (cultural, RF analysis and
6 biology [sic]).

7 Chapter 7 reviews potentially viable alternatives
8 to the project and compares impacts of alternatives with
9 those of the proposed project.

10 Chapter 8 is a report preparation.

11 And Chapter 9 are references.

12 There's a second volume with the appendices and
13 special reports.

14 We've chosen three representative sites,
15 examples, from the SEIR. Muir Beach (phonetic) is a new
16 MERA standalone site. This is an example of a new site but
17 it's got existing development on it. Skyview Terrace is
18 also a new MERA microwave-only site. It also has existing
19 development. And San Pedro Ridge is an existing multiuser
20 site where MERA is collocated on the tower with other
21 telecommunications facilities.

22 So this is a plan view of the Muir Beach site.
23 You can see the area of impact there in the yellow circle.

1 And that kind of just orients you to where the proposed
2 Muir Beach site is. Oh, yeah, it's located in the --
3 adjacent to the overlook parking lot at the Muir Beach
4 overlook.

5 These are visual simulations of what the proposed
6 site will look like. So you have an existing view of the
7 water tank from Seacape Drive, this is looking southwest,
8 and the future MERA tower shown there next to the water
9 tank.

10 This is a view from the overlook parking lot
11 looking towards Mount Tam. This is an example of
12 significant visual impact because the new tower breaks the
13 plane on the horizon. And so you can see through the photo
14 sim kind of how that does that.

15 Before I show the RF exposure slide, I just want
16 to go over how RF exposure is handled by the FCC. So in
17 the following diagrams about RF, you will see this shaded
18 table. And the gray area in the following diagrams is an
19 area that is less than five percent of the maximum public
20 exposure limit set by the FCC. The green area is within
21 the maximum public exposure limit and that's from 5 percent
22 to 100 percent of the allowable public exposure. And the
23 blue area exceeds the maximum public exposure limit and is
24 not suitable for the public.

1 So this is the Muir Beach site RF emission
2 diagram. What's important to note here is that the center
3 line of the RF emissions that originate in the green area
4 and the blue and the yellow area are 43 feet above the
5 ground. The public access area is the ground level
6 adjacent to the fence shown in this diagram. And so the
7 public cannot access an area that exceeds a public exposure
8 limit.

9 This is also a maximum exposure scenario where
10 all ten channels, of this being the west cell of the
11 system, are active at once. And so that's ten MERA users
12 all talking at the same time. This is an unlikely scenario
13 to happen but it's something that we're required to analyze
14 as a worst-case scenario.

15 The gray area is less than five percent,
16 basically, a non-detect for the RF emissions in this
17 scenario.

18 We'll move on to the Skyview Terrace site. This
19 is an aerial oblique view of the existing water tank at
20 Skyview Terrace. At the end of Skyview Terrace, you hit a
21 dirt road and then you head slightly up this dirt road.
22 This is a necessary microwave link for the emergency
23 operations facility to get a line of sight up to this site,
24 and then up to the Big Rock Facility.

1 This a photo simulation, existing view from the
2 MMWD water tank access road. On top is before the MERA
3 site and below is a rendering of what the proposed MERA
4 site may look like. So a future view from that same access
5 road from the water tank. It's a 35-foot monopole with two
6 microwave dishes, a radio shelter, a fuel supply, and no
7 transmit or receive antennas.

8 This is a simulation of an existing view from Los
9 Gallinas (phonetic) Avenue. You can see the existing view
10 on top and the future view on the bottom. Look very close.
11 That's because the antenna is extremely hard to see but it
12 is right here above this little bush. It's very difficult
13 to see. And this, it's also difficult to see at this
14 scale. But the point is that this facility from this view
15 is very difficult to see, so there will be not much visual
16 impact from this side.

17 But from this side, you can clearly see, pointing
18 out from the ridgeline, the proposed MERA facility. And
19 this is from the Highway 101 side. And so that's an
20 example of a significant visual impact that this site will
21 have.

22 Because this site has no transmit or receive
23 antennas, there are no RF emissions from this site. It's
24 microwave only. And so every area of the diagram is at

1 that less than five percent of the maximum public exposure.

2 So we'll move on to another representative site.
3 This is an example of a shared site where MERA shares tower
4 space with other users. This is on top of -- it's called
5 San Pedro Ridge. It's kind of at the top of China Camp
6 State Park.

7 So this is a rendering of what the new MERA
8 facilities will look like. This is the existing view on
9 the left here. It shows all the multiusers and the MERA
10 equipment here at the bottom. The new MERA equipment, you
11 can see if you compare the two renderings, is a new
12 microwave dish, several transmit and receive antennas up
13 top, and the removal of the old MERA equipment from the
14 bottom when it's all complete.

15 So this is the RF exposure diagram for the San
16 Pedro Ridge. This is the existing condition. You can see,
17 again, these are the gray, green, blue and yellow areas
18 that we're interested in. The public exposure limit is
19 below five percent in the area where the public can access,
20 so that's toward the bottom on the diagram. There's the
21 fence represented there, where the public would not be able
22 to access inside the fence.

23 And so this is an existing condition. And I'm
24 going to flip between the --

1 UNIDENTIFIED FEMALE: (Off mike.)

2 (Indiscernible.)

3 MR. KLOCK: Yeah. Yeah. This is all channels on
4 for all users. So this is -- every user that's on the
5 tower has all of their channels active at once. And so
6 this is a maximum possible condition that, hypothetically,
7 would exist. And this is why we were analyzing this as a
8 worst-case scenario in case they are.

9 The new condition or proposed condition is very
10 similar to the old condition. And so I'll just flip
11 between the two and you can see how those change very
12 slightly. What should be of particular note is that the
13 public is still safe to be outside that fenced area at the
14 less than five percent.

15 So where we are on the CEQA process here?

16 We've conducted preliminary design. We've
17 prepared a Notice of Preparation and this Draft SEIR. We
18 are here, receiving public comment in this meeting.

19 Following the close of the public comment period,
20 we will go ahead and conduct the Final SEIR.

21 That public comment period ends October 21st. We
22 will prepare written responses to all comments received
23 during the comment period. MERA will issue a Notice of
24 Availability of the Final SEIR, including responses to

1 comments. The Notice of Availability will initiate a 14-
2 day public review of the Final SEIR. And there will be a
3 MERA public meeting to consider certification of that final
4 document.

5 And at this time, I'd like to turn it back over
6 to you, Chair, for opening and public comment.

7 CHAIR PEARCE: (Off mike.) Do we have a listing
8 of who would like to make a public comment please? Sorry.

9 Do we have a listing of who would like to -- or
10 anyone fill out a list, that you'd like to make a public
11 comment? Okay. Hearing none.

12 (Off mike colloquy.)

13 CHAIR PEARCE: So my concern is, is that we had
14 an open comment time beginning at 6:00 p.m. And we should
15 probably leave that open for a period of time to provide
16 time for the constituents to make an appearance.

17 So in that, I guess we can hold it in recess for
18 a bit. Is that okay? Okay.

19 So we will be recessed for a brief period and
20 we'll reconvene. It's 6:15 now.

21 Thank you for your report.

22 (Off the record at 6:15 p.m.)

1 (On the record at 6:49 p.m.)

2 CHAIR PEARCE: Okay, we will reconvene. Thank
3 you for your patience. I think it's important that we
4 offer this time to the public for public comment.

5 At this point, I will request if there is any
6 public comment?

7 Hearing none, we'll close the public hearing and
8 we'll ask for Board comments.

9 Anyone from the Board have a comment?

10 Hearing none, I will let you know that we will be
11 receiving public comment through the 21st.

12 And if anyone has anything else, I will entertain
13 a motion to adjourn.

14 BOARD MEMBER : I move to adjourn.

15 BOARD MEMBER CUSIMANO: Second.

16 CHAIR PEARCE: Motion and a second. All in
17 favor?

18 ALL BOARD MEMBERS: Aye.

19 CHAIR PEARCE: Any opposed? Thank you.

20 (The meeting was adjourned at 6:49 p.m.)

21

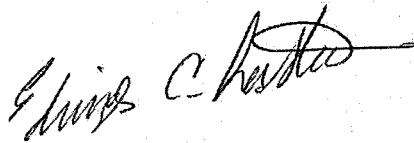
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REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of October, 2019.



Eduwiges Lastra
CER-915

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

October 13, 2019