

EXHIBIT 10

Peer Review of Project Noise Study, Dated 4/12/2016

ILLINGWORTH & RODKIN, INC.
||| Acoustics • Air Quality |||

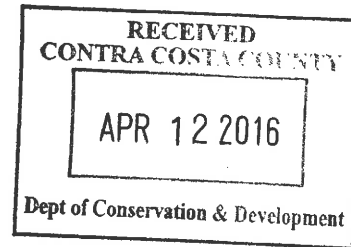
1 Willowbrook Court, Suite 120
Petaluma, California 94954

Tel: 707-794-0400
www.illingworthrodkin.com

Fax: 707-794-0405
illro@illingworthrodkin.com

April 12, 2016

Gary Kupp
Planner II
Contra Costa County
Conservation & Development
30 Muir Road
Martinez, California 94553



VIA E-MAIL: Gary.Kupp@dcd.cccounty.us

SUBJECT: Review of Diablo MX Ranch Noise Studies

Dear Gary:

At your request, we have reviewed two noise studies prepared for the Diablo MX Ranch project proposed in Contra Costa County, California. The first study was prepared by the appellant's acoustical consultant, Charles M. Salter Associates, Inc. (Salter), in October 2015, and the second study was prepared by the applicant's acoustical consultant, Wilson Ihrig (WIA), in March 2016. The Salter study documented ambient noise levels through a comprehensive noise monitoring survey at several locations surrounding the motocross facility and provided a list of questions that the consultant thought should be addressed in the noise evaluation of the project. The WIA study similarly included a comprehensive ambient noise monitoring survey. The WIA study also included noise measurements of simulated race and practice events and predictions of noise levels under several operating scenarios. The WIA study concluded that the project, as proposed, would produce noise levels that would comply with the Contra Costa County General Plan.

Our peer review of these reports included an assessment of the two separate noise monitoring surveys, an assessment of the predictive methods utilized in the WIA analysis, and an assessment of the conclusions reached by WIA relative to applicable standards. The key issues are that the correct significance criteria have been used and that project-generated noise has been properly evaluated.

Charles M. Salter Associates, Inc. Study

The Salter study first references project standards and then summarizes the results of a comprehensive noise monitoring survey made to document ambient noise conditions near the Diablo MX Ranch project site. Ambient day-night average noise levels (L_{dn} or DNL), in the absence of motocross-related noise, were generally 50 to 60 dBA. Daytime hourly average noise levels typically ranged from approximately 40 to 45 dBA L_{eq} . These data were reviewed and demonstrate that the site and vicinity are subject to relatively low levels of ambient noise. The study then asks several

questions relating to the project's potential to generate noise levels exceeding allowable limits and whether or not the project would result in a substantial increase in noise above ambient conditions. These questions are not answered in the Salter report. It is our understanding that the questions posed by Salter relating to the project's potential to generate noise levels exceeding allowable limits and whether or not the project would result in a substantial increase in noise above ambient conditions would only be applicable if the project were undergoing CEQA review. We understand that the proposed project is not subject to CEQA; therefore the questions posed by Salter are not applicable in the assessment of project-generated noise.

Wilson Ihrig Study

The WIA study presents a description of the proposed project, a summary of Contra Costa County's noise guidelines, and noise measurement data collected to establish ambient noise conditions and noise levels produced by simulated race and practice events. The ambient noise levels documented by WIA were reviewed and found to be similar to those documented by Salter. The noise survey of simulated practices and events also appeared to be reasonable. Predictions of noise levels under several operating scenarios are then made and noise levels are compared to the General Plan's 75 dBA L_{dn} "Normally Acceptable" standard for land zoned for agriculture. Our review indicates that the methodology used in the noise analysis was appropriate, and the calculated noise levels were reasonable based on assumptions detailed in the noise study. The study concludes that the project would not exceed the noise limit established for parcels zoned for agriculture as described in the Contra Costa County General Plan.

Comments

The primary difference between the two studies is the noise level threshold that should be used to evaluate project generated noise. The Salter study references a "60-dBA Noise Control" standard which is assumed to apply at the property line. The Salter study also references the General Plan's 60 dBA L_{dn} "Normally Acceptable" standard, and the State of California Model Community Noise Ordinance standards, which are normally applied to residential land uses. In contrast, the WIA study cites the County General Plan's 75 dBA L_{dn} "Normally Acceptable" standard for land zoned for agriculture and evaluates noise produced by the project with respect to this standard. It is our understanding that the County supports the 75 dBA L_{dn} threshold used in the WIA study because the subject property and surrounding parcels are zoned for agriculture and the proposed use would be consistent with the uses allowed in the agricultural zoning district.



This concludes our comments. Please feel free to contact us, should you have any questions.

Sincerely,



Michael S. Thill
Principal Consultant
ILLINGWORTH & RODKIN, INC.
(16-067)