

COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES

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July 14, 2023

PUBLIC HEARING NOTICE OF PENDING ACTION STANDARD COASTAL DEVELOPMENT PERMIT

The Mendocino County Coastal Permit Administrator, at a regular meeting to be held on Thursday, July 27, 2023, at 10:00 a.m. will conduct a public hearing on the following project located in the Coastal Zone at the time listed or as soon thereafter as the item may be heard. This meeting will take place at the Planning and Building Services Conference Room, located at 860 North Bush Street, Ukiah and Virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing on line on the Mendocino County YouTube page, at https://www.youtube.com/MendocinoCountyVideo. In lieu of personal attendance, the public may participate digitally in meeting by sending comments to: pbscommissions@mendocinocounty.org/government/planning-building-services/meeting-agendas.

CASE#: CDP_2021-0051 DATE FILED: 11/2/2021 OWNER: COUNTY OF MENDOCINO, DEPT. OF TRANSPORTATION APPLICANT: AT&T CALIFORNIA ATTN: BERNIE SOPP REQUEST: After-the-fact Standard Coastal Development Permit for the construction of 43 new utility poles to accommodate new aerial fiber optic cable leading to an existing cell site. Associated work includes anchors and down guys, total ground beds, and clearing of vegetation. ENVIRONMENTAL DETERMINATION: Categorically Exempt LOCATION: In the Coastal Zone, 1± mile south of the town of Albion, beginning near the intersection of State Route 1 (SR) and Navarro Ridge Road (CR 518), within the Navarro Ridge Road right of way from 33810 to 30660 Navarro Ridge Road, Albion. SUPERVISORIAL DISTRICT: 4 & 5 (Gjerde & Williams) STAFF PLANNER: JULIA KROG

The staff report, and notice, will be available 10 days before the hearing on the Department of Planning and Building Services website at: <u>https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator</u>

As you are an adjacent property owner and/or interested party, you are invited to submit comments, at or prior to the hearing; all correspondence should contain reference to the above noted case number. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah or 120 W Fir Street, Fort Bragg, California, or by e-mail to <u>pbscommissions@mendocinocounty.org</u> no later than July 26, 2023. Individuals wishing to address the Coastal Permit Administrator during the public hearing under Public Expression are welcome to do so via e-mail at <u>pbscommissions@mendocinocounty.org</u>, or telecomment, in lieu of personal attendance.

All public comment will be made available to the Coastal Permit Administrator, staff, and the general public as they are received and processed by the Clerk, and can be viewed as attachments under its respective case number listed at: <u>https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/coastal-permit-administrator</u>

The decision of the Coastal Permit Administrator shall be final unless a written appeal is submitted to the Board of Supervisors with a filing fee within 10 calendar days thereafter. If appealed, the decision of the Board of Supervisors to approve the project shall be final unless appealed to the Coastal Commission in writing within 10 working days following Coastal Commission receipt of a Notice of Final Action on this project. If you challenge the above case in court, you may be limited to raising only those issues described in this notice or that you or someone else raised at the public hearing, or in written correspondence delivered to the Coastal Permit Administrator at or prior to, the public hearing.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m.

JULIA KROG, Director of Planning and Building Services



COASTAL PERMIT ADMINISTRATOR STAFF REPORT – STANDARD CDP

JULY 27, 2023 CDP_2021-0051

<u> </u>	SUMMARY
OWNER:	COUNTY OF MENDOCINO, DEPT. OF TRANSPORTATION 501 LOW GAP ROAD UKIAH, CA 95482
APPLICANT/AGENT:	AT&T CALIFORNIA ATTN: BERNIE SOPP 305 WEST STEPHENSON ST. UKIAH, CA 95482
REQUEST:	After-the-fact Standard Coastal Development Permit for the construction of 43 new utility poles to accommodate new aerial fiber optic cable leading to an existing cell site. Associated work includes anchors and down guys, total ground beds, and clearing of vegetation.
LOCATION:	In the Coastal Zone, 1± mile south of the town of Albion, beginning near the intersection of State Route 1 (SR) and Navarro Ridge Road (CR 518), within the Navarro Ridge Road right of way from 33810 to 30660 Navarro Ridge Road, Albion.
TOTAL ACREAGE:	N/A – 3± miles of roadway
GENERAL PLAN:	N/A – Navarro Ridge Road (CR 518)
ZONING:	N/A – Navarro Ridge Road (CR 518)
SUPERVISORIAL DISTRICT:	5 (Williams)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt
APPEALABLE:	Yes, highly scenic
RECOMMENDATION:	Approve with Conditions
STAFF PLANNER:	JULIA KROG
BA	CKGROUND

PROJECT DESCRIPTION: After-the-fact Standard Coastal Development Permit for the construction of 43 new utility poles to accommodate new aerial fiber optic cable leading to an existing cell site. Associated work includes anchors and down guys, total ground beds, and clearing of vegetation.

The utility poles, new aerial fiber optic cable and associated improvements are intended to serve an existing cell site permitted under Coastal Development Use Permit U_2017-0034. The Mendocino County Planning Commission approved Coastal Development Use Permit U_2017-0034 on May 16, 2019. After approval of the subject permit, an appeal was filed with the California Coastal Commission (Appeal No. A-1-MEN-19-0046) but subsequently no substantial issue was found at the Coastal Commission hearing on August 7, 2019 and the local approval became effective. U_2017-0034 approved the construction and operation of a wireless communication facility consisting of a 135 foot tall monopine (monopole designed to resemble a pine tree) with various appurtenant equipment and ground equipment including a generator and equipment cabinet. Associated improvements included establishment of access to the site via a gravel road and trenching of power and fiber to the site location. The proposed monopine would be located within a 1,800 square-foot fenced compound.

The applicants filed an Encroachment Permit with the Mendocino County Department of Transportation to install 40± new poles with aerial fiber optic cable within the County Road right-of-way along Navarro Ridge Road (CR 518). On the Encroachment Permit Application the applicant stated the project was exempt from the need for a Coastal Development Permit due to a "utility exemption". The Applicant obtained the Encroachment Permit, TU_2020-0007, but after complaints were received from the public County staff reviewed the circumstances surrounding the issuance of the Encroachment Permit and specifically the Coastal Zone authorization. After review, the contractor was instructed to halt all activities until the Coastal Permitting component had been sorted out.

County staff determined that a Coastal Development Permit would be required for the new poles and aerial fiber optic cable. AT&T Counsel disagreed with the determination by County staff. On August 31, 2020, Mendocino County sought a determination from the Executive Director of the California Coastal Commission pursuant to Mendocino County Code Section 20.532.035(B). On November 17, 2020, Robert Merrill of the California Coastal Commission responded to County staff that

"the Executive Director has determined that (a) the development of the aerial fiber optic cable line on 40 new poles installed within the County Road right-of-way along Navarro Ridge Road is not exempt from coastal development permit requirements, and (b) the aerial fiber optic cable line wasn't authorized as part of Coastal Development Use Permit No. U-2017-0034 granted by the County for the related wireless communication facility at 30660 Navarro Ridge Road."

This after-the-fact Standard Coastal Development is intended to address the work that has been completed without the benefit of an issued Coastal Development Permit.

The applicant filed their application on November 2, 2021 and staff deemed it incomplete on November 30, 2021. Over the months that followed, the applicant prepared items in response to the incomplete letter include a biological assessment. The application was determined to be completed on November 2, 2022.

Mendocino County Code section 20.532.055(A) provides that the department must take action on a complete application within 180 days; however, it does provide that the timeline may be extended by 90 days with the agreement of the applicant. Staff contacted the applicant on March 21, 2023 to request the 90 day extension which the applicant agreed to. The review period expiration for the application under Mendocino County Code section 20.532.055(A) is July 30, 2023.

APPLICANT'S STATEMENT:

AT&T FIBER OPTIC BUILD TO THE CELL SITE; 33810 – 30660 NAVARRO RIDGE RD ALBION CA

AT&T California to construct new aerial fiber optic cable lead within the Public Utility Easement of Navarro Ridge Road in Mendocino County CA. Work functions as follows:

Structure / Excavation build work details

- AT&T to install 43 new solely owned utility poles within the PUE along the North and South sides of Navarro Ridge roadway. 16 new poles placed on the North side of the roadway and 27 new poles placed on the South side.
- Attach 10m strand messenger to 43 new AT&T solely owned utility poles, 20 existing PG&E utility poles and 8 existing AT&T solely owned poles.
- AT&T to install 38 new 1" anchors with 10m insulated down guys on the new and existing utility poles. Anchors and down guys are support bracing for utility poles when the lead starts, changes direction, makes corners, and when the lead stops.
- AT&T to install 11 new TGB's (total ground bed) in dirt to ground 10m strand messenger per AT&T Standards and Electrical Codes. See attached typical ground bed design for details.
- AT&T contactor to clear new lead and ground of tree limbs and vegetation. A 2-foot diameter of tree limb removal from new strand and fiber optic cable. Brush removal as necessary around new pole locations.

Strand, Fiber Optic Cable and Innerduct work details

 Placement of approx. 15,725 feet of 10m messenger strand with 1" innerduct lashed to it. Starting at existing Telco facilities located at 33810 Navarro Ridge Rd (AT&T pole number 698-1). Placement continues along the PUE to 30660 Navarro Ridge Rd. Placement of 17,117 feet of fiber optic cable will be placed within the lashed 1" innerduct. Additional fiber footage accounts for splice locations which require loop coils of 100 +/- feet on each side of splice points.

RELATED APPLICATIONS:

• Coastal Development Use Permit U_2017-0034 - The Mendocino County Planning Commission approved Coastal Development Use Permit U_2017-0034 on May 16, 2019. After approval of the subject permit, an appeal was filed with the California Coastal Commission (Appeal No. A-1-MEN-19-0046) but subsequently no substantial issue was found at the Coastal Commission hearing on August 7, 2019 and the local approval became effective. U_2017-0034 approved the construction and operation of a wireless communication facility consisting of a 135 foot tall monopine (monopole designed to resemble a pine tree) with various appurtenant equipment and ground equipment including a generator and equipment cabinet. Associated improvements included establishment of access to the site via a gravel road and trenching of power and fiber to the site location. The proposed monopine would be located within a 1,800 square-foot fenced compound.

SITE CHARACTERISTICS: The Project is located within the existing public utility easement associated with Navarro Ridge Road (CR 518). The Project occurs along an approximately 3 mile stretch of road that extends from west to east. The Project development occurs on both sides of Navarro Ridge Road and traverses over the roadway itself. The Project ends at the location of the existing cell tower permitted under Coastal Development Use Permit U_2017-0034.

The roadway is bounded on both sides by a mixture of residential, agricultural, and open space uses. The southern side of the roadway has portions that are designated as a Highly Scenic Area under the Local Coastal Program. The entirety of the area is designated with a High Fire Hazard severity rating and is located within a State Responsibility Area.

SURROUNDING LAND USE AND ZONING: See map attachments for surrounding land use and zoning.

<u>AGENCY COMMENTS</u>: On June 16, 2023 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comments
Environmental Health-FB	No Comment
Building Services-FBPBS	No Comment
Assessor	No Response
Air Quality Management District	No Response
Sonoma State University - NWIC	Comments
Department of Forestry/CalFire	No Response
California Department of Fish and Wildlife	Comments
US Fish and Wildlife Service	No Response
California Coastal Commission	No Response
Cloverdale Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response
Redwood Valley Rancheria	No Response
Albion Little River Fire District	No Response

LOCAL COASTAL PROGRAM CONSISTENCY

The proposed project is consistent with the goals and policies of the Local Coastal Program as detailed below.

1. Land Use/Zoning: The project falls within the County Department of Transportation right-of-way. The subject lands are presently developed with an existing two-lane travel way with appurtenant roadway

support infrastructure. The project requests after-the-fact approval for the construction of 43 new utility poles to accommodate new aerial fiber optic cable leading to an existing cell site. Associated work includes anchors and down guys, total ground beds, and clearing of vegetation. The project is consistent with the type of development one would expect to see within a roadway right-of-way.

2. Grading, Erosion and Runoff: The project includes limited grading for the total ground beds and pole installation. A total of 7 ground beds were installed with a total disturbance of 7.77 yards. A total of 43 poles were installed with a total disturbance of 45 yards. Total earth disturbance is approximately 53 yards. When the work was completed, the applicant backfilled with native soil. As proposed, the project is consistent with the requirements of MCC Chapter 20.492.

3. Habitats and Natural Resources: MCC Chapter 20.496 *Environmentally Sensitive Habitat and Other Resource Areas* carries out Coastal Element Chapter 3.1 goals and policies. The purpose of MCC Chapter 20.496 is:

to ensure that environmentally sensitive habitat and other designated resource areas ... which constitute significant public resources are protected for both the wildlife inhabiting them as well as the enjoyment of present and future populations.

After the project was initially submitted, staff consulted with the California Department of Fish and Wildlife (CDFW) regarding the scope of the requested Biological Survey from staff's incomplete letter of November 30, 2021. CDFW staff provided guidance on the survey scope on March 1, 2022 as follows:

CDFW has reviewed the after the fact incomplete permit application and agree that a biological survey should be included for the site. In the absence of a biological assessment of the project area, the presence and extent of sensitive biological resources within the project area is not known. CDFW understands that due to the nature of the linear right of way in which the poles occur that the survey technique may be amended to cover the project area. A botanical survey of the project right of way and the visual 3-5 feet adjacent to it on either side would be sufficient to establish any biological resources of concern which might occur. The biological assessment should include vegetation and rare plant surveys, conducted following Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW2018).

In addition to the botanical survey a wetland assessment should occur to address the possible presence of a Coastal Act wetland onsite. Contemporary and historical aerial imagery indicates that a potential wetland may be present on the right of way. Wetlands are under the jurisdiction of US Army Corps of Engineers (Corps) and/or the Regional Water Quality Control Board (RWQCB) and impacts may require permits form those agencies. The wetland assessment should provide information on the three parameters as described in the Corps of Engineers Wetland Delineation Manual (Corps 1987) and Arid West Supplement (Corps 2010) to determine if potential wetlands are present. The wetland assessment survey may also be amended to be appropriate for the linear project area and the visual 3-5 feet adjacent to the right of way.

The applicant submitted a Biological Resource Assessment dated September 22, 2022 prepared by North Coast Resource Management and Salix Natural Resource Management, Inc. Several recommendations were made for any future work that may be required in order to protect sensitive and rare plants including the Harlequin lotus (*Hosackia gracilis*) and the Dwarf checkerbloom (*Sidalcea malviflora ssp. Rostrata*) as well as any wetland areas that may be encountered. These recommendations are included as Conditions 11, 12 and 13.

The complete project application with Biological Resource Assessment was referred to the California Department of Fish and Wildlife for further comment. CDFW responded on June 30, 2023 recommending a condition of approval ensuring that any revegetation is done with native seed mix that does not include non-native species and any shrubs or trees planted in association with any vegetation removal be of local, native stock. Staff has included this recommendation as Condition 14.

4. Hazards Management: MCC Chapter 20.500 *Hazard Areas* implements Coastal Element Chapter 3.4 goals and policies. The *LCP Land Capabilities & Natural Hazards Map* does not associate the following hazards with existing and proposed well sites: landslides, erosion, and flood. The proposed project is

exempt from California Department of Forestry and Fire Protection requirements and will not result in an increased fire danger in any of the project locations. There are no other potential hazards associated with the proposed project.

5. Visual Resources, Special Communities and Archaeological Resources: MCC Chapter 20.504 *Visual Resources and Special Treatment Areas* carries out the goals and policies of Coastal Element Chapter 3.5. The project has portions that are located within a designated Highly Scenic Area. The Highly Scenic Area is generally the area south and west of the existing roadway beginning about 0.5± miles east of the first AT&T pole along Navarro Ridge Road.

Development in Highly Scenic Areas, such as portions of this project, must conform to both applicable policies of Coastal Element Chapter 3.5 and MCC Chapter 20.504. Staff has pulled some of the pertinent policies that relate to this project that have guided staff in their review.

Coastal Element Policy 3.5-1 states, in part, ...the scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.

MCC section 20.504.015(C)(1) states that Any development permitted in highly scenic areas shall provide for the protection of coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.

Given that AT&T poles are similar in scope to power poles, staff has used policies related to power transmission lines to guide review of this application. Pertinent policies and regulations are provided below.

Coastal Element Policy 3.5-8 provides that: Power transmission lines shall be located along established corridors. Elsewhere transmission lines shall be located to minimize visual prominence. Where overhead transmission lines cannot be located along established corridors, and are visually intrusive within a "highly scenic area", the lines shall be placed underground west of Highway One and below ridgelines east of Highway One if technically feasible. Certain lines shall, over time, be relocated or placed underground in accord with PUC regulations (see Big River Planning Area Policy 4.7-3 and Policy 3.11-9). Distribution lines shall be underground in new subdivisions.

MCC section 20.504.015(C)(11) provides that *Power transmission lines shall be located along established corridors where possible and where the corridors are not visually intrusive.*

MCC section 20.504.015(C)(12) provides that Power distribution lines shall be placed underground in designated "highly scenic areas" west of Highway 1 and in new subdivisions. East of Highway 1, power lines shall be placed below ridgelines if technically feasible.

A Visual Assessment was prepared for the application (Attachment N) at the request of Staff due to concerns of the potential visibility of the project from public vantage points along State Route 1 and the Navarro River Redwoods State Park that is south and west of the project area. The Visual Assessment found that all the poles that are visible from the Navarro River Redwoods State Park and State Route 1 are not owned or controlled by AT&T and pre-date the work completed by AT&T. There is one pole that is visible from State Route 128 and is adjacent to an existing PG&E pole.

The primary source of visual impact associated with the project are views from Navarro Ridge Road. Navarro Ridge Road is an established corridor that has unique coastal views south of the roadway and is appropriately designated highly scenic on its southern side for the majority of it. There are existing PG&E poles along Navarro Ridge Road for portions, but also a significant portion of the existing PG&E poles do not follow the Navarro Ridge Road alignment and traverse private property located to the north of the roadway.

Staff has reviewed the submitted plans and visited the project area to observe the location of the poles in relation to the highly scenic area. Much of the project has poles located on the north side of Navarro Ridge Road, outside the highly scenic area, or collocated with existing PG&E facilities. The remainder of the project has poles located on the south side of Navarro Ridge Road within the highly scenic area that, in Staff's opinion, interfere with the scenic qualities of those areas.

Many of the poles located on the south side of Navarro Ridge Road are the only utility pole in the nearby vicinity. Adjacent lands to the south contain open fields and/or low intensity residential and agricultural uses. In many roadways within Mendocino County it is common to have utility poles lining both sides of the roadway, but Navarro Ridge Road is unique in the sense that actually much of the utility infrastructure is not directly adjacent to the roadway or limited to the north side of the roadway and you may get a pocket view of the Pacific Ocean on the southern side. A particular example of this is the area of Navarro Ridge Road east of the Whitesboro Grange property.



Figure 1. Google Map Image from Navarro Ridge Road looking southwest from roadway east of Whitesboro Grange.

As stated above, MCC section 20.504.015(C)(1) provides that any development in highly scenic areas shall provide for the protection of coastal views from public areas including roadways. The poles located south of the road in the designated highly scenic area are visually incompatible with the character of surrounding areas and degrade the visual quality of the area. Staff finds that the poles located on the south side of the roadway within the designated highly scenic area are inconsistent with the highly scenic policies of the Local Coastal Program. Staff recommends that the Coastal Permit Administrator require that these poles either be relocated to the north side of Navarro Ridge Road or the lines be undergrounded in these areas (see recommended **Condition 10**).

On June 16, 2023, the application was referred to local tribes for comment and no response has been received. The application was also referred to the Northwest Information Center. The Northwest Information Center stated the area had a moderate potential for unrecorded archaeological resources but did not include a recommendation for further study. The Northwest Information Center suggested that local tribes be contacted. With the inclusion of the standard discovery clause, the project is consistent with Coastal Element Chapter 3.5 archaeological resource policies and MCC Chapter 22.12 (see recommended **Condition 8**).

6. Shoreline Access and Trail/Bikeway System: MCC Chapter 20.528 *Coastal Access Regulations and Open Space Easements* implements the goals and policies of Coastal Element Chapter 3.6. Chapter 4.9 of the Coastal Element notes that Navarro Ridge Road Inland Trail is an existing access location with pedestrian, bicycle and equestrian use. This existing access is shown on LCP Map #19 – Navarro. The project will not affect this existing access and the existing access is sufficient in the area.

7. Transportation, Utilities and Public Services: MCC Chapter 20.516 *Transportation, Utilities, and Public Services* implements Coastal Element Chapter 3.8 goals and policies. On June 16, 2023, the application was referred to agencies for comment, including the Mendocino County Department of Transportation (DOT), Division of Environmental Health (DEH), and the California Coastal Commission (Commission).

<u>Groundwater Resources</u>: The project will not create an increase in the use of groundwater resources, nor will it affect existing groundwater resources in the area. The Mendocino County Division of Environmental Health provided a no comment response on the project referral.

<u>Transportation</u>: The Mendocino County Department of Transportation responded to the referral of the project on June 27, 2023 recommending a condition of approval requiring the applicant to obtain an encroachment permit from their office for any work within the County right-of-way (see recommended **Condition 9**).

8. Environmental Determination: The Secretary for Resources has found that certain classes or projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents, and this project meets the criteria for a Categorical Exemption from the California Environmental Quality Act (CEQA) under Class 4, section 15304(f). Class 4 consists of minor public and private alterations in the condition of land, water and/or vegetation which do no involve removal of healthy, mature, scenic trees and includes minor trenching and backfilling where the surface is restored. The primary ground disturbance of the project is associated with the hole for each pole and the total ground beds at several of the pole locations. Each pole location has minimal ground disturbance and the surface has been restored. No mature vegetation was removed as a result of the project.

RECOMMENDED FINDINGS AND CONDITIONS

Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code (MCC), the Coastal Permit Administrator approves the project and adopts the following findings and conditions.

RECOMMENDED FININDGS:

- Pursuant to Mendocino County Coastal Zoning Code Section 20.532.095(A)(1), the proposed project is in conformance with the certified Local Coastal Program and its policies discussed in this report, provided that the recommended conditions of approval are adopted. Condition 10 is necessary for the project to be found consistent with Highly Scenic Area policies of the Local Coastal Program; and
- 2. Pursuant to Mendocino County Coastal Zoning Code Section 20.532.095(A)(2), access to utilities, access roads, drainage and other necessary facilities is adequate to serve the development. The project is after the fact authorization for development necessary to serve an approved cell tower; and
- 3. Pursuant to Mendocino County Coastal Zoning Code Section 20.532.095(A)(3), the proposed project is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of this Division, and preserves the integrity of the zoning district. The project is consistent with the type of development one would expect to see within a roadway right-of-way; and
- 4. Pursuant to Mendocino County Coastal Zoning Code Section 20.532.095(A)(4), the proposed project would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act (CEQA) and Class 4(f) categorical exemption is recommended. The primary ground disturbance of the project is associated with the hole for each pole and the total ground beds at several of the pole locations. Each pole location has minimal ground disturbance and the surface has been restored. No mature vegetation was removed as a result of the project; and

COASTAL PERMIT ADMINISTRATOR STAFF REPORT FOR STANDARD COASTAL DEVELOPMENT PERMIT

- 5. Pursuant to Mendocino County Coastal Zoning Code Section 20.532.095(A)(5), the proposed development will not have any adverse impacts on any known archaeological or paleontological resources. The application was referred to local tribes for comment and no response has been received. The application was also referred to the Northwest Information Center. The Northwest Information Center stated the area had a moderate potential for unrecorded archaeological resources but did not include a recommendation for further study. The Northwest Information Center suggested that local tribes be contacted. With the inclusion of the standard discovery clause, the project is found to not have any potential adverse impacts on archaeological or paleontological resources; and
- 6. Pursuant to Mendocino County Coastal Zoning Code Section 20.532.095(A)(6), other public services including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the project. The Mendocino County Department of Transportation responded to the referral of the project recommending a condition of approval requiring the applicant to obtain an encroachment permit from their office for any work within the County right-of-way.

RECOMMENDED CONDITIONS:

- 1. This action authorizing CDP_2021-0051 shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Coastal Zoning Code. The permit shall become effective after the ten working-day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and or use of the property in reliance on such permit has been initiated prior to its expiration. To remain valid, progress toward completion of the project must be continuous.
- 2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
- 3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
- 4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
- 5. The property owners shall secure all required building permits for the proposed project, as required by the Building Inspection Division of the Department of Planning and Building Services.
- 6. This permit, CDP_2021-0051, shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
- 7. This permit, CDP_2021-0051, is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the property owner shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.

1.115

- 9. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for any work within County right-of-way.
- 10. Within 180 days of the effective period of this Coastal Development Permit, all AT&T poles, lines, and facilities located on the south side of Navarro Ridge Road within the designated Highly Scenic Area shall be relocated to the north side of Navarro Ridge Road or placed underground. The only locations that may remain on the south side in the highly scenic areas are those strands that may be connected to existing utility poles that are not owned/operated by AT&T. The applicant may request a written extension of the timeline to complete this condition from the Director, but in no case shall the extension exceed an additional 180 days (360 days from the effective period of the permit).
- 11. Prior to any work which may cause disturbance to Harlequin lotus plants, plants shall be protected by erecting construction fencing between plants and project-related activity areas. Plants shall be protected from trimmed or otherwise treated material from management near the utility lines. The Recommendations of the Biological Resource Assessment prepared for the project shall be adhered to.
- 12. Prior to any work which may cause disturbance to Dwarf checkerbloom plants, plants shall be relocated and delineated with flagging. Plants shall be protected from trampling and burying within trimmed or otherwise treated material from management near the powerlines. The Recommendations of the Biological Resource Assessment prepared for the project shall be adhered to.
- 13. Any work near wetlands shall observe an Equipment Exclusion Zone (EEZ) within the wetland. Vegetation treatments shall focus on removing materials rather than depositing them within the wetland as either chips, masticated material or piles. The Recommendations of the Biological Resource Assessment prepared for the project shall be adhered to.
- 14. Any revegetation shall be with native seed mix that does not include non-native species and any shrubs or trees planted in association with any vegetation removal shall be of local, native stock.

7/14/2023

Appeal Period: 10 Days Appeal Fee: \$2674

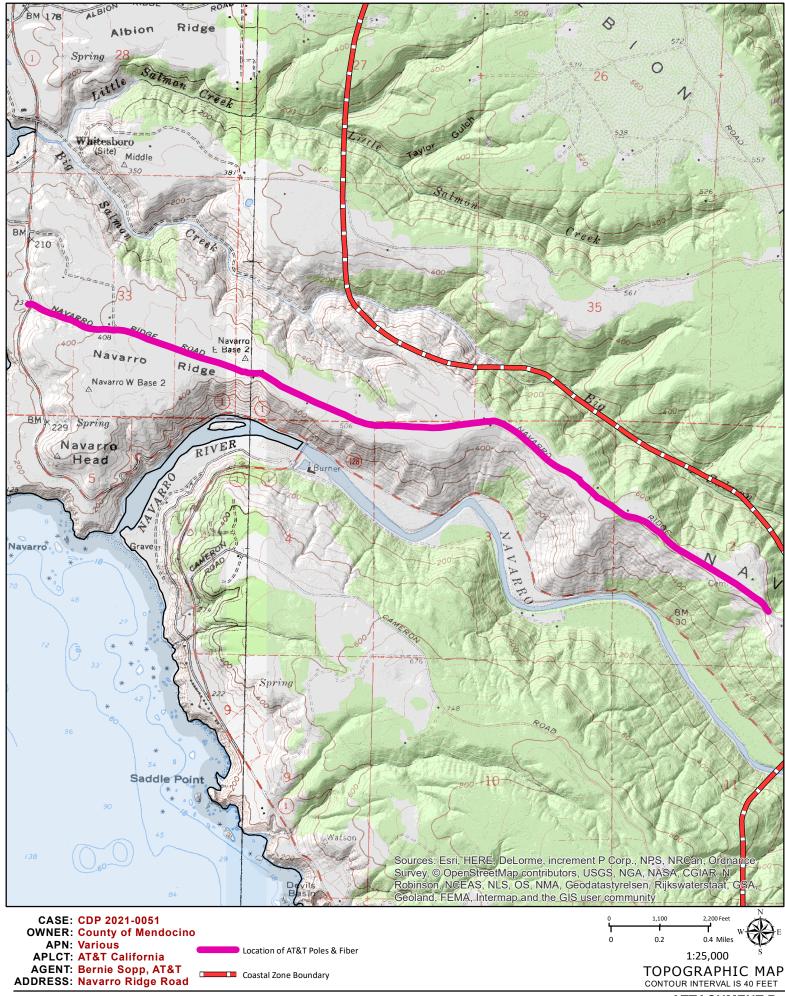
JULIA KROG DIRECTOR

- ATTACHMENTS:
- A. Location Map
- B. Topographic Map
- C. Aerial Imagery (2 pages)
- D. Project Plans (7 pages)
- E. Zoning Map
- F. General Plan Map
- G. LCP Land Use Map 19: Navarro
- H. LCP Land Capabilities and Natural Hazards
- I. Adjacent Parcels (3 pages)
- J. Highly Scenic & Tree Removal Zones
- K. Coastal Groundwater Resources
- L. Fire Hazard Zones & Responsibility Areas
- M. State Parks
- N. Visual Assessment (4 pages)

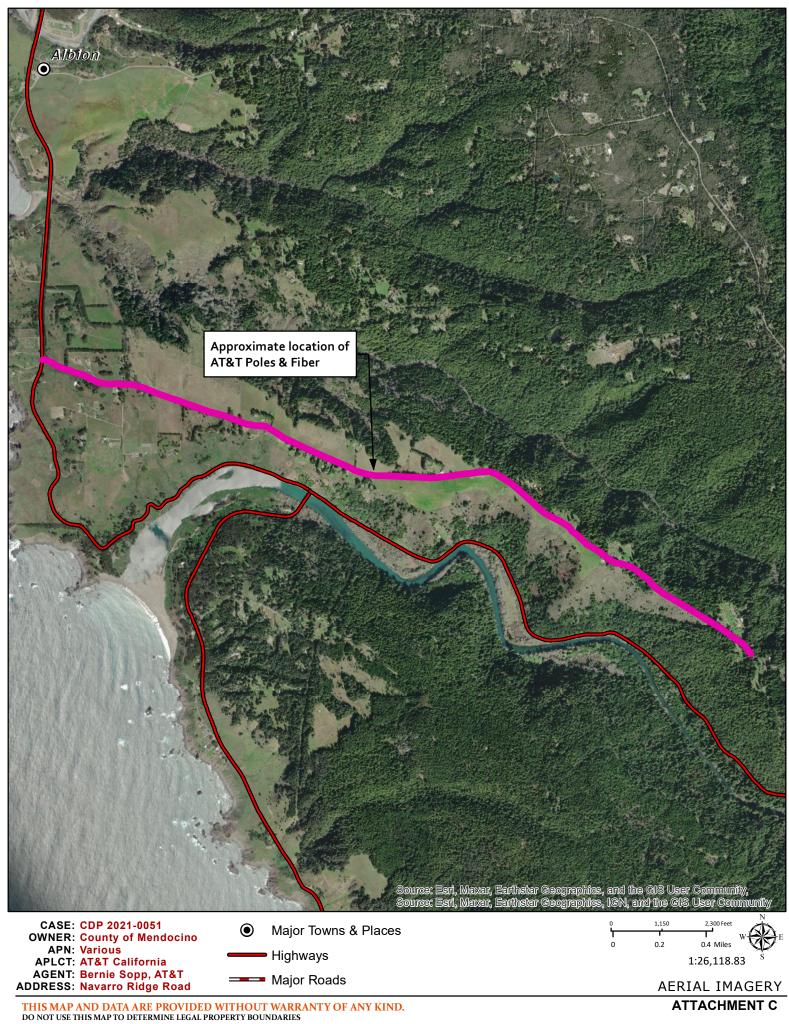


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ATTACHMENT A







WORK LOCATION: 30660 NAVARRO RIDGE RD, ALBION CA



AT&T LINECREW WILL TREE TRIM AS NEEDED AND CREATE BRUSH PILES ALONG THE ROADWAY; CONTRACT LABOR TO HAUL AWAY AND DISPOSE OF. DO NOT CHIP AND LEAVE DEBRIS IN PUE. SCHEDULE WITH CONSTRUCTION MANAGER

COMMON ID: MN000068673 CUSTOMER NAME: AT&T MOBILITY CUST ADDRESS: 30660 NAVARRO RIDGE RD, ALBION CA BU: N/A PROCESS TYPE: N/A EF OFFER ELIGIBILITY: NOT QUALIFIED FOR EF OFFER

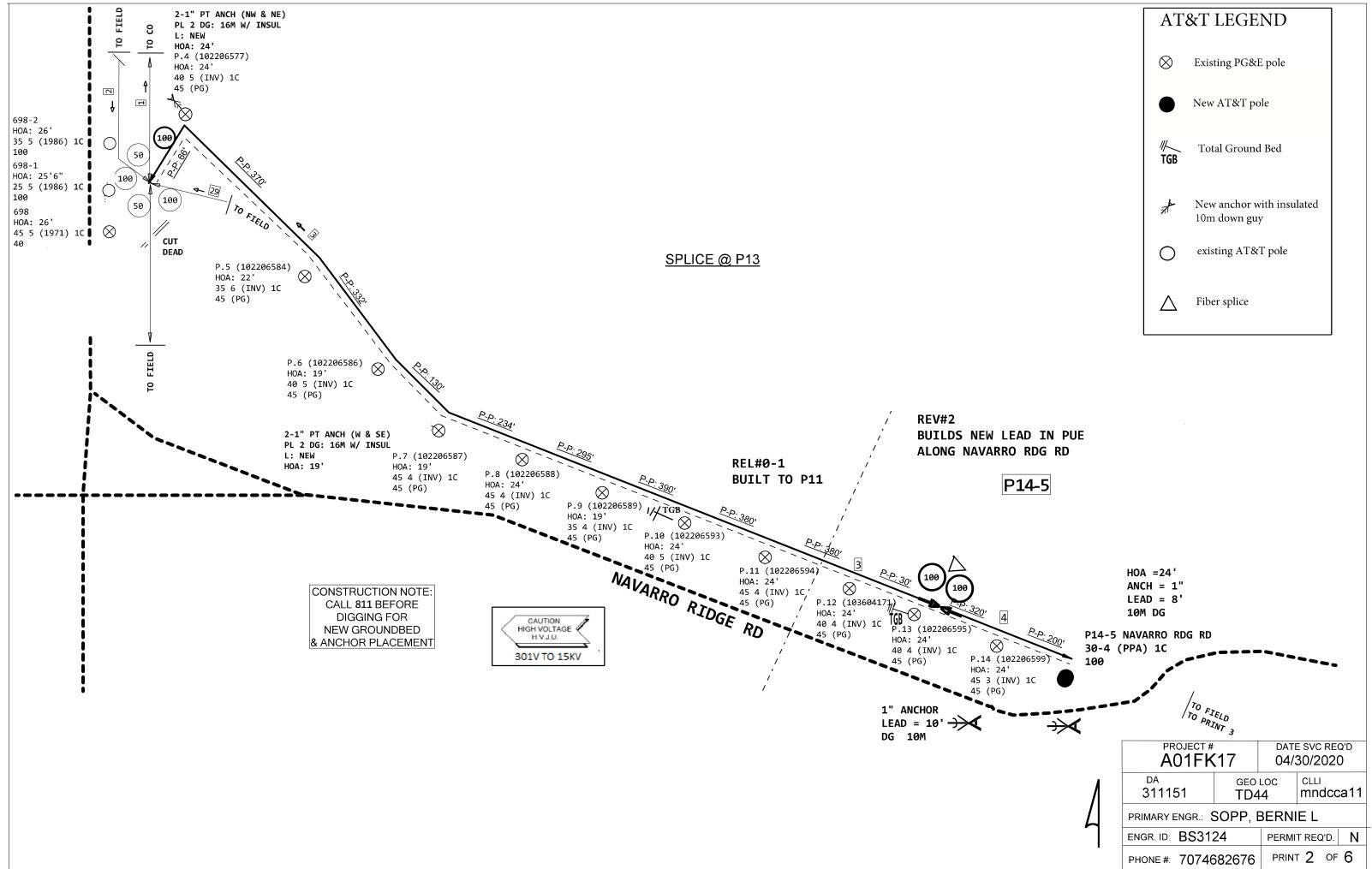
TECHNICAL DETAILS

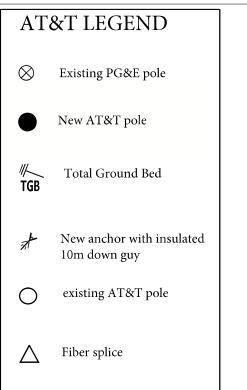
CUSTOMER CONTACT: SEAN RIGBY @ 7072957335 EMAIL: SR1242@ATT.COM ALT LCON: NOT LISTED EMAIL: NOT LISTED

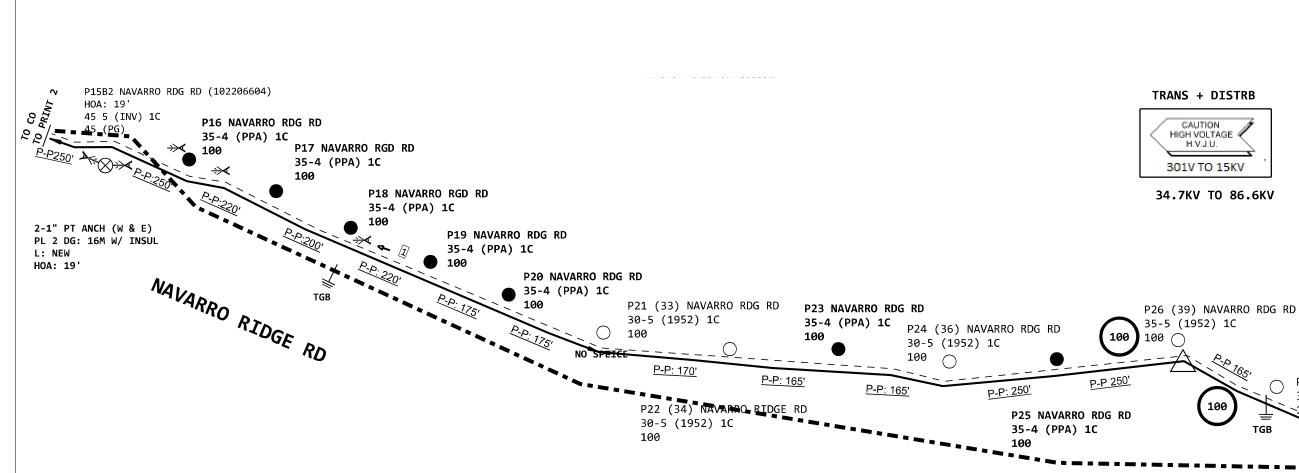
CONSTRUCTION NOTE: CUSTOMER NAME: AT&T MOBILITY CUSTOMER ADDRESS: 30660 NAVARRO RIDGE RD, ALBION CA CUSTOMER CONTACT: SEAN RIGBY @ 7072957335 PERMIT REQUIRED: NO M.O.P. REQUIRED: NO RODDING 46L: NO POLE WORK: YES HIGH VOLTAGE: YES

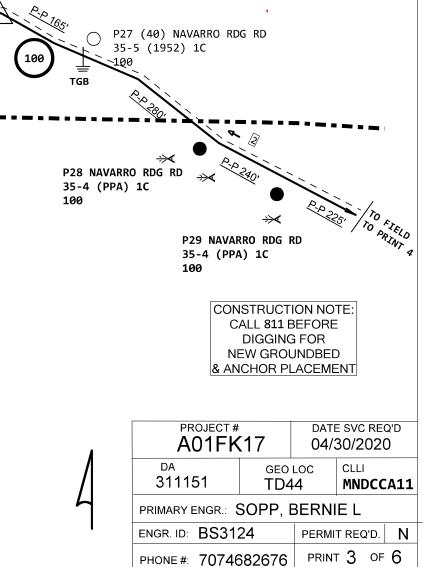
REVISION #2 46 LABOR-BRUSH REMOVAL

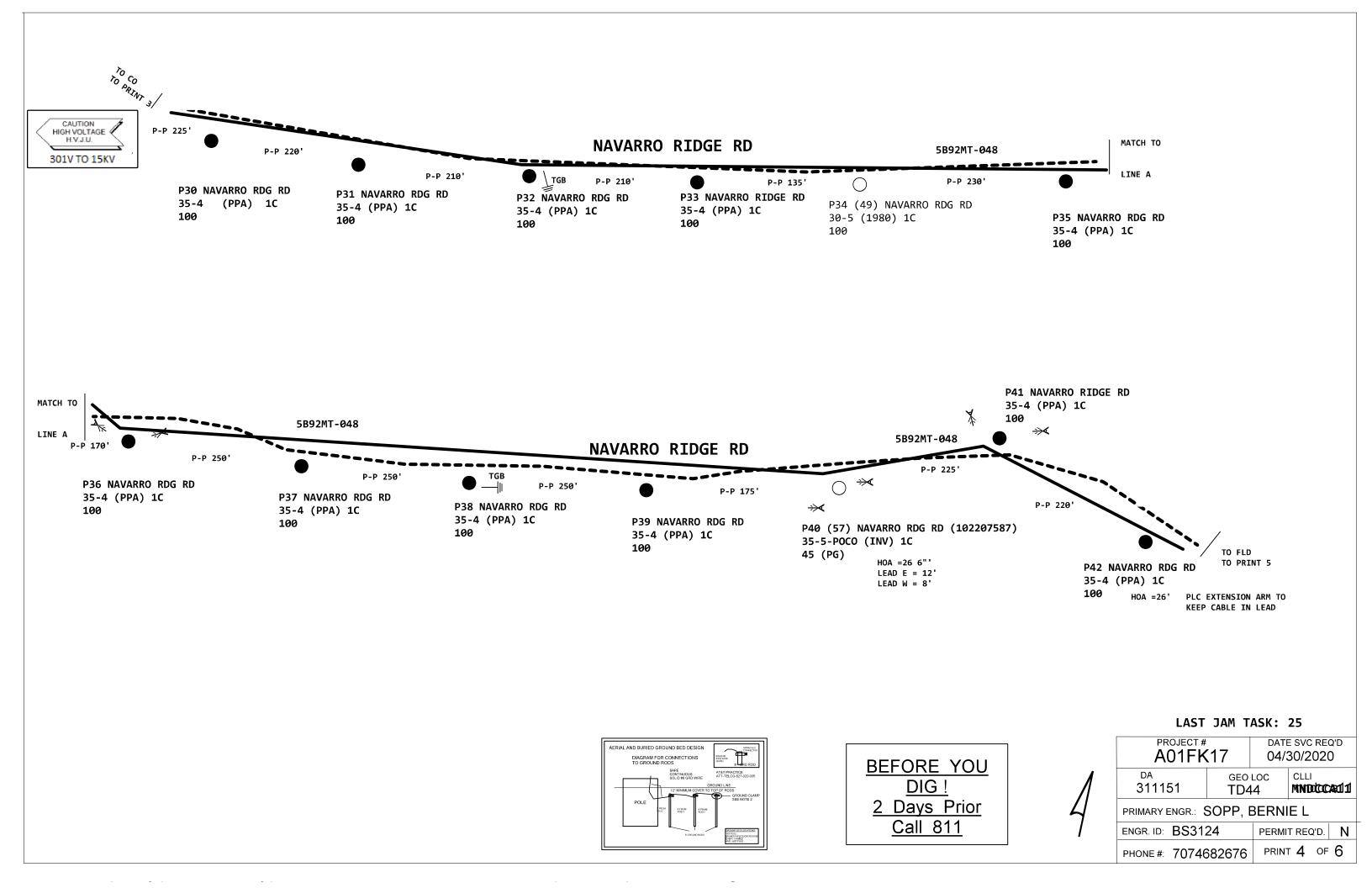
			ATTAC	HMEN	TD
	PROJECT # A01FK17		DATE SVC REQ'D 04/30/2020		
Λ	_{DA} 311151	GEO LOC TD44		clli mndcca11	
4	PRIMARY ENGR.: SOPP, BERNIE L				
I	ENGR. ID: BS312	24	PERMI	T REQ'D.	Ν
	PHONE #: 70746	82676	PRIN	г 1 ОF	6

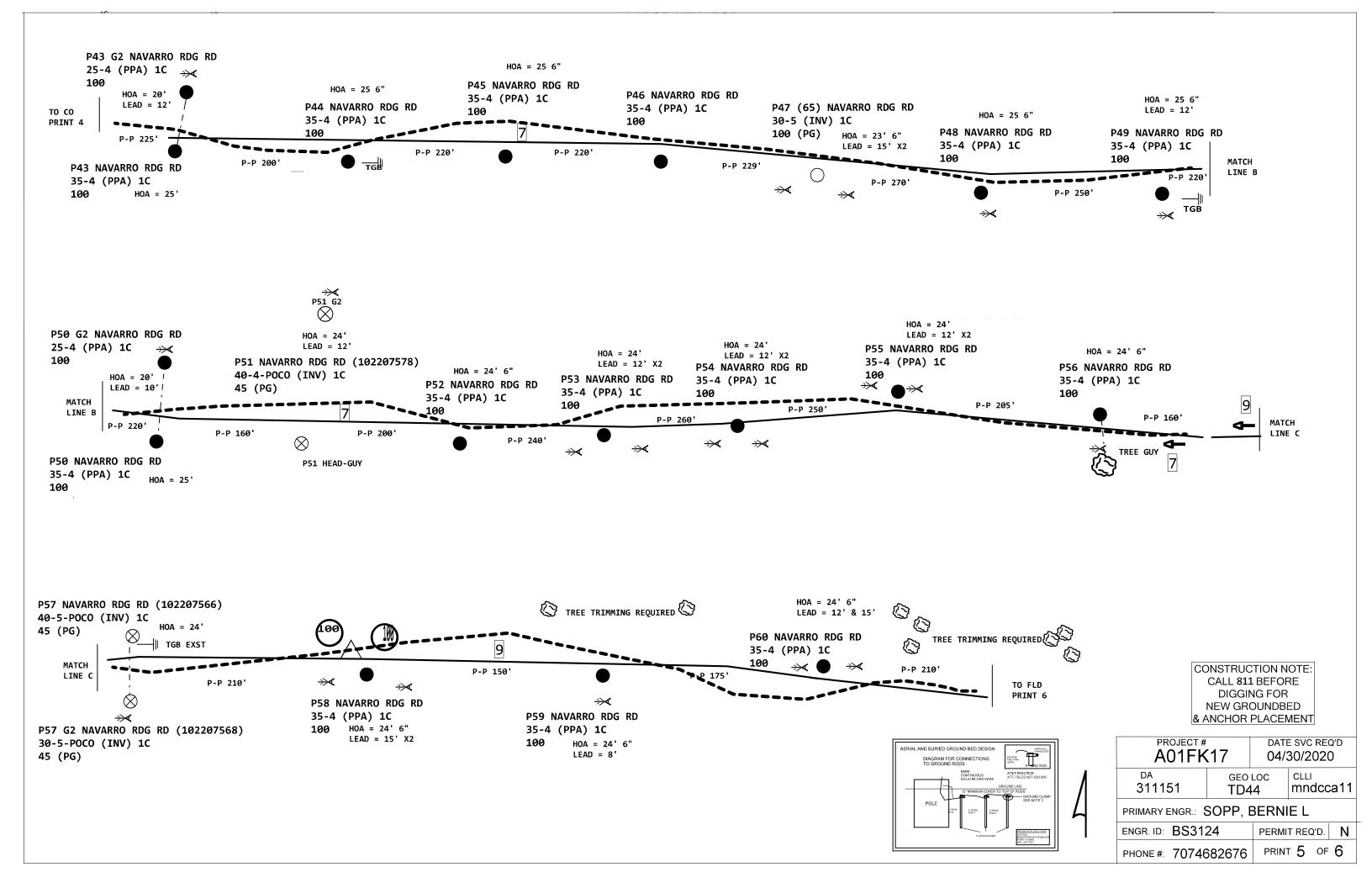


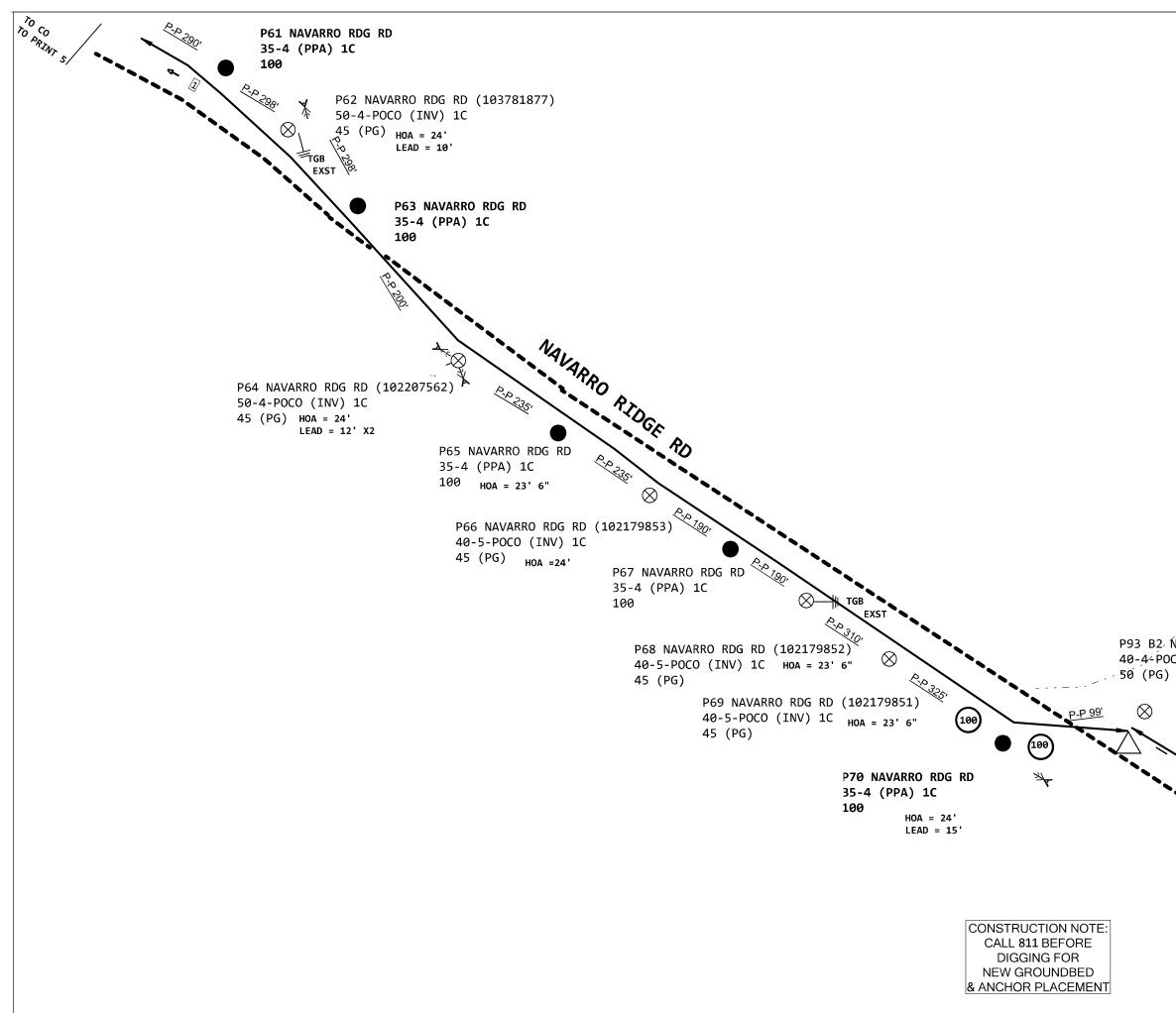


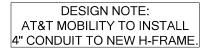














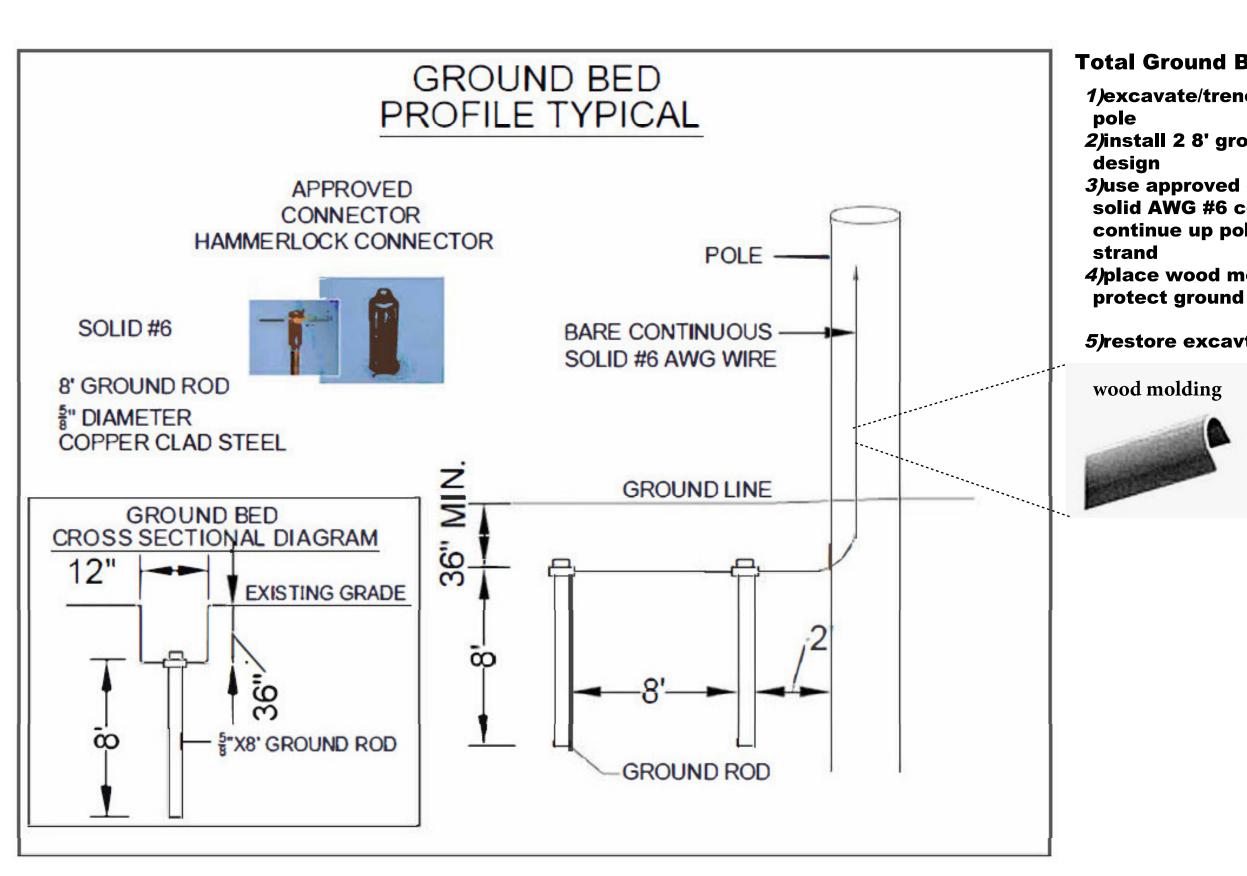
30660 NAVARRO RIDGE RD

P93 B2 NAVARRO RDG RD (102179849) 40-4-POCO (INV) 1C

VARRO RIDGE RD 85c BLDG LAST JAM TASK: 25 PROJECT # A01FK17

DATE SVC REQ'D 04/30/2020 DA GEO LOC CLLI mndcca11 311151 TD44 PRIMARY ENGR.: SOPP, BERNIE L ENGR. ID: BS3124 PERMIT REQ'D. N

PRINT 6 OF 6 PHONE #: 7074682676



PRINTS NOT DRA



Total Ground Bed installation:

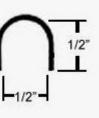
1)excavate/trench 10 linear feet from

2)install 2 8' ground rods per ground bed

*3)*use approved connectors to attach solid AWG #6 copper wire to rods and continue up pole and attach to Telco

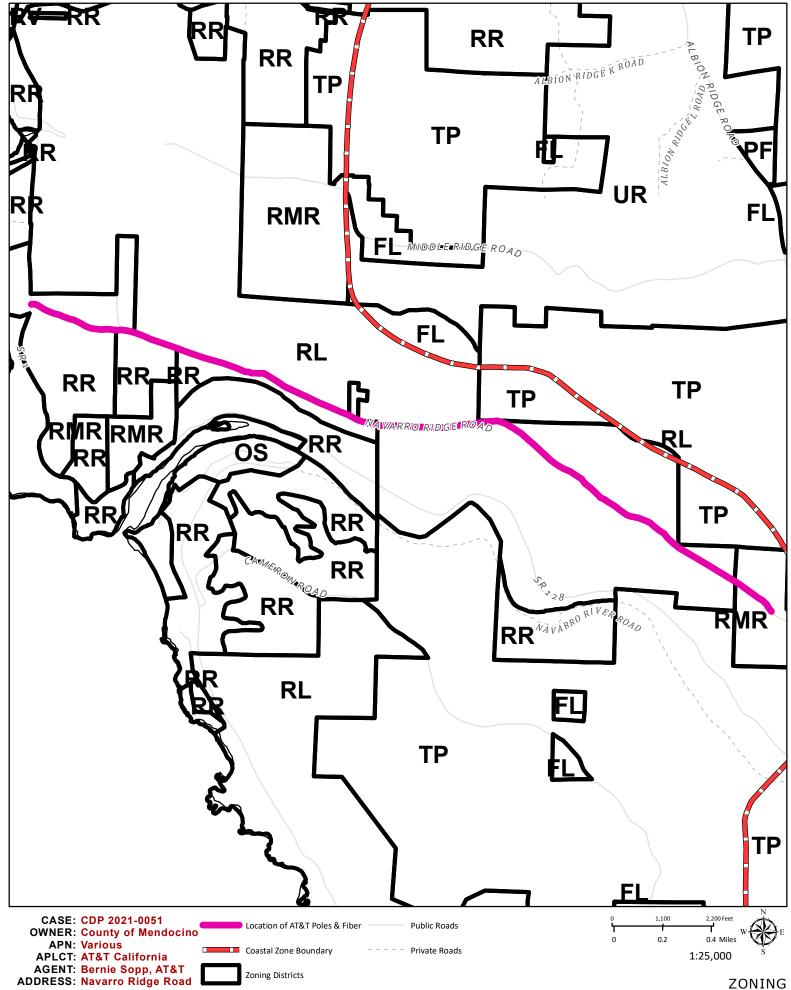
*4)*place wood molding over AWG #6 to protect ground wire from damage

5)restore excavtion/trench

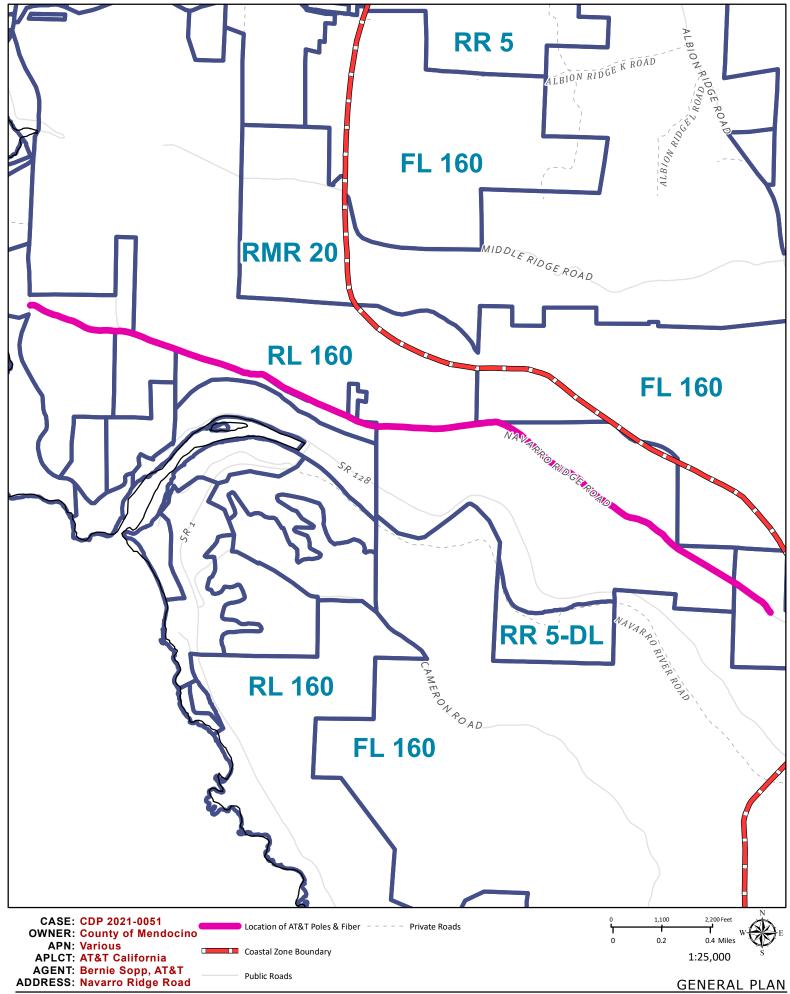


BEFORE YOU DIG ! 2 Days Prior Call 811

	PROJECT #	DATE SVC REQ'D				
	_{DA} 311151	_{GEO} TD4		CLLI mndc	ndcca11	
	PRIMARY ENGR.: SOPP, BERNIE L					
WN TO SCALE	ENGR. ID: BS3124		PERMI	IT REQ'D. N		
	PHONE #: 7074682676		PRIN	r 1 o	F 1	

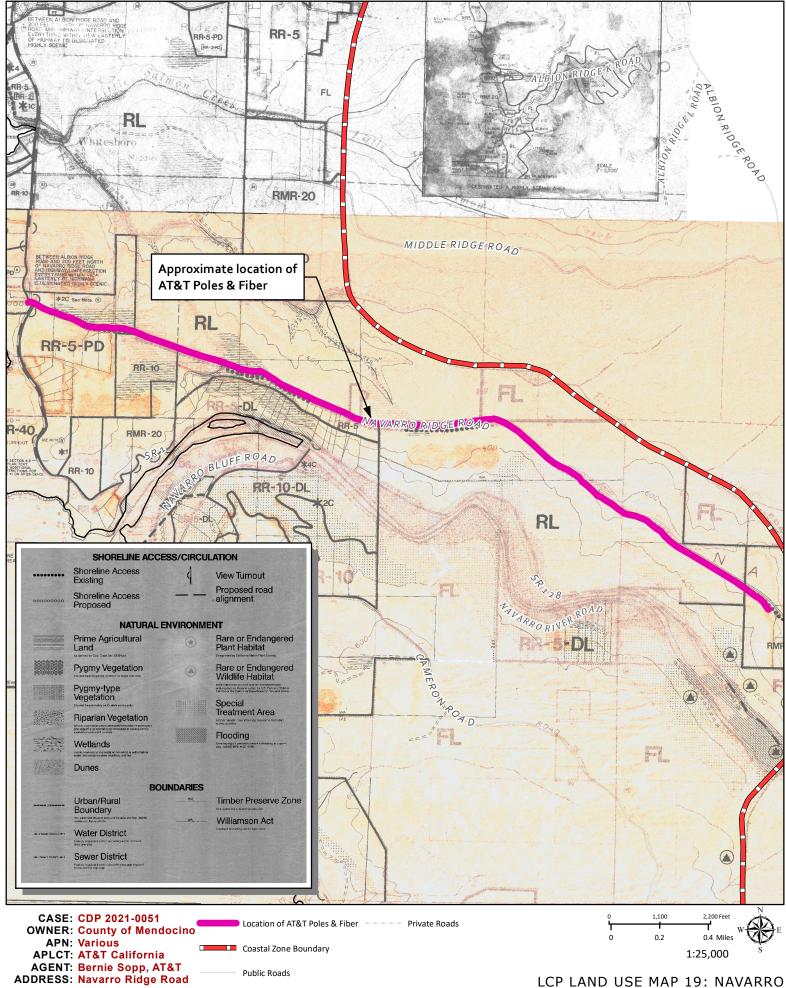


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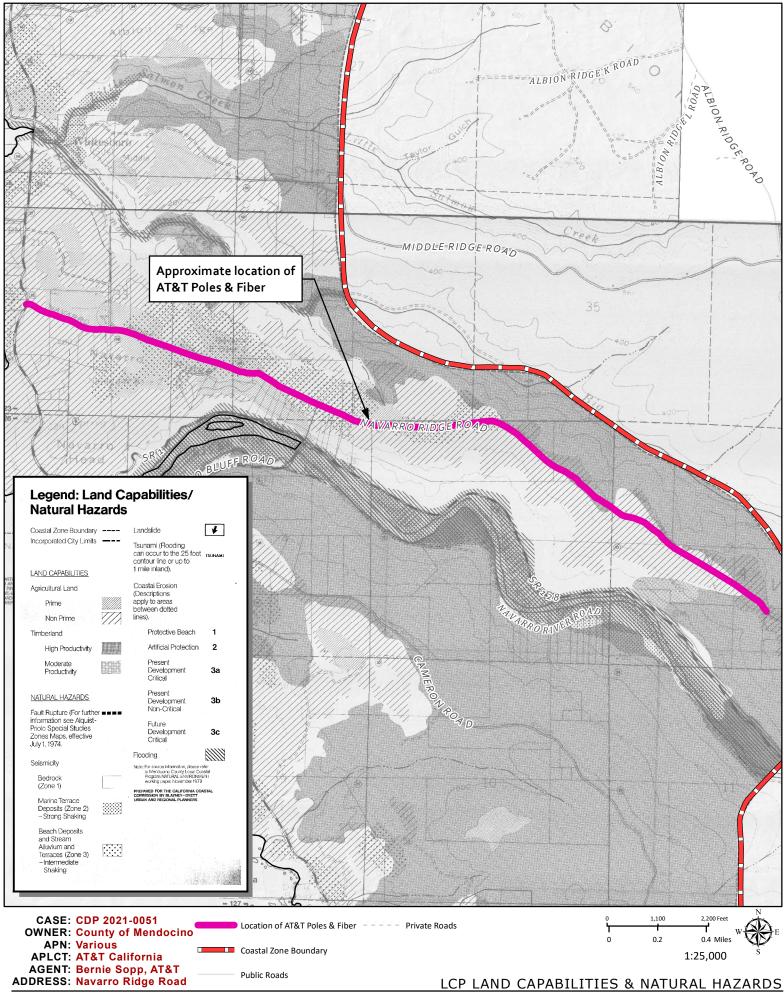


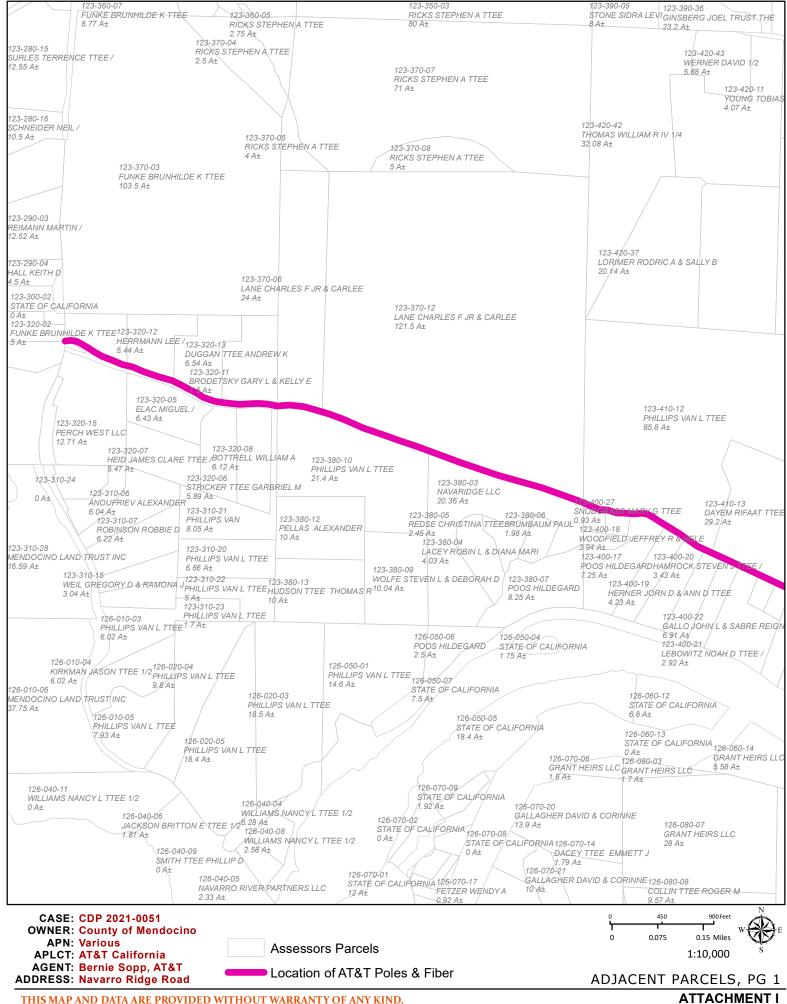
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GENERAL PLAN



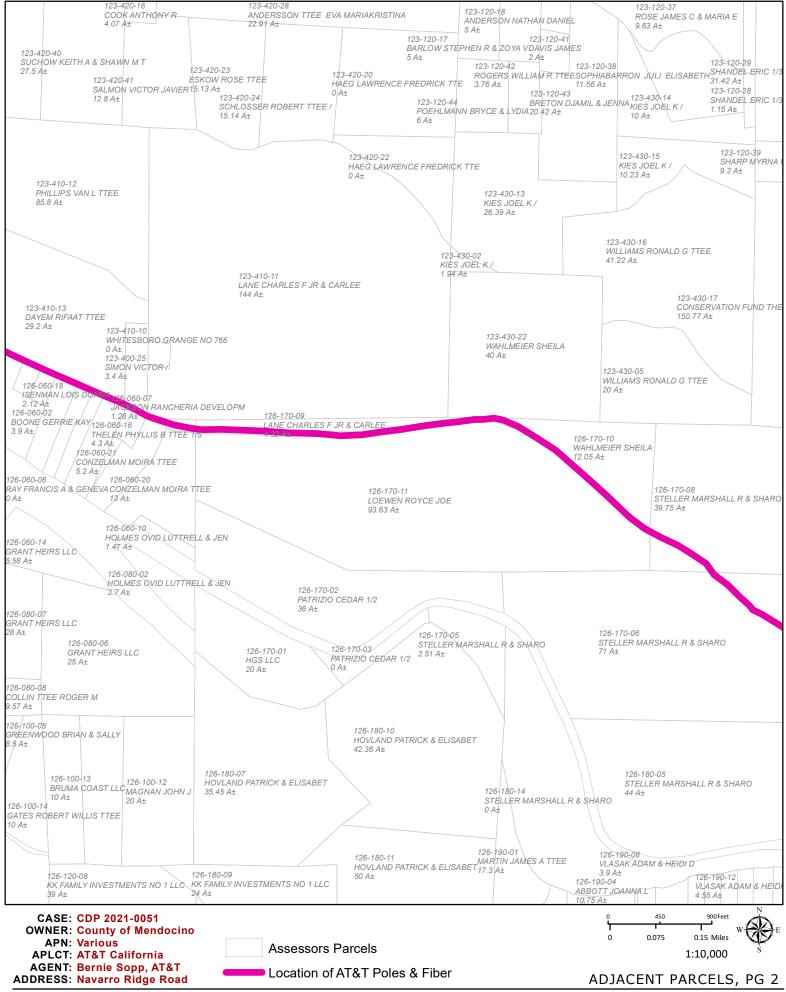
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND. DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES LCP LAND USE MAP 19: NAVARRO ATTACHMENT G





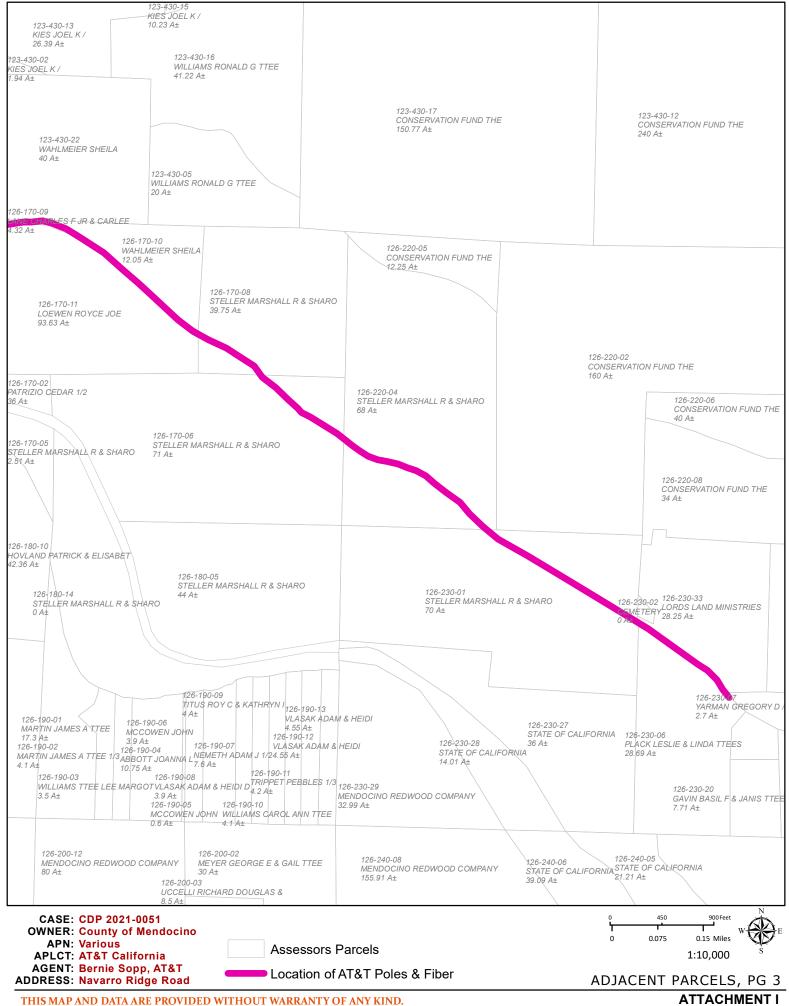
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ATTACHMENT I

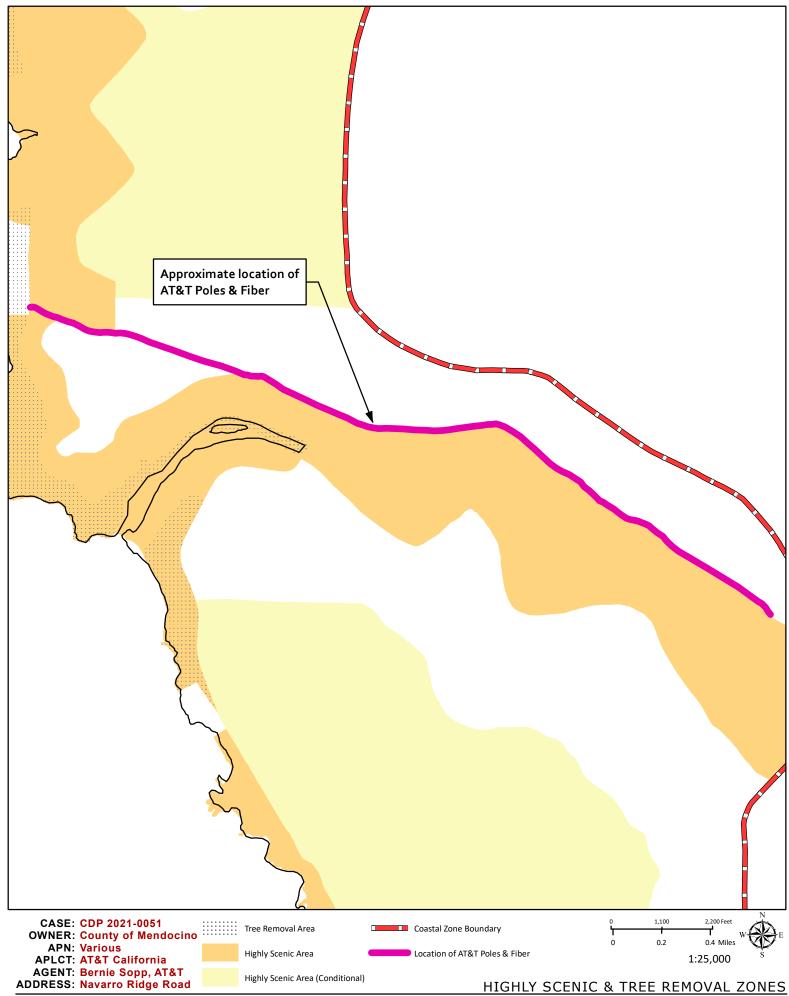


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ATTACHMENT I

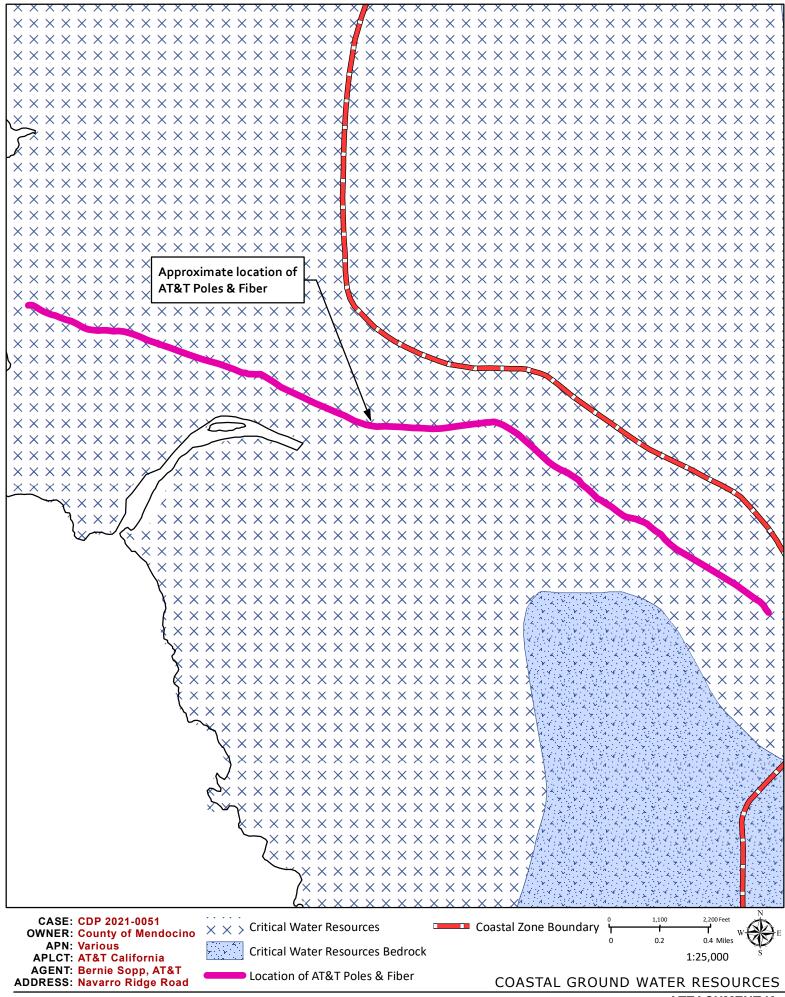


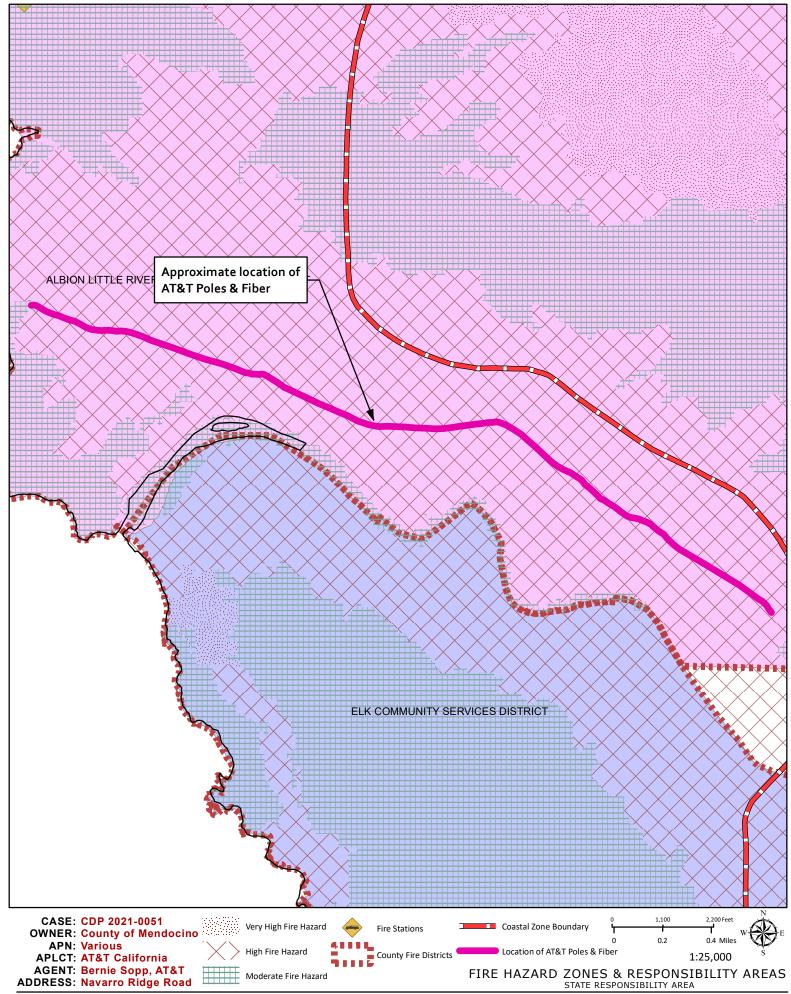
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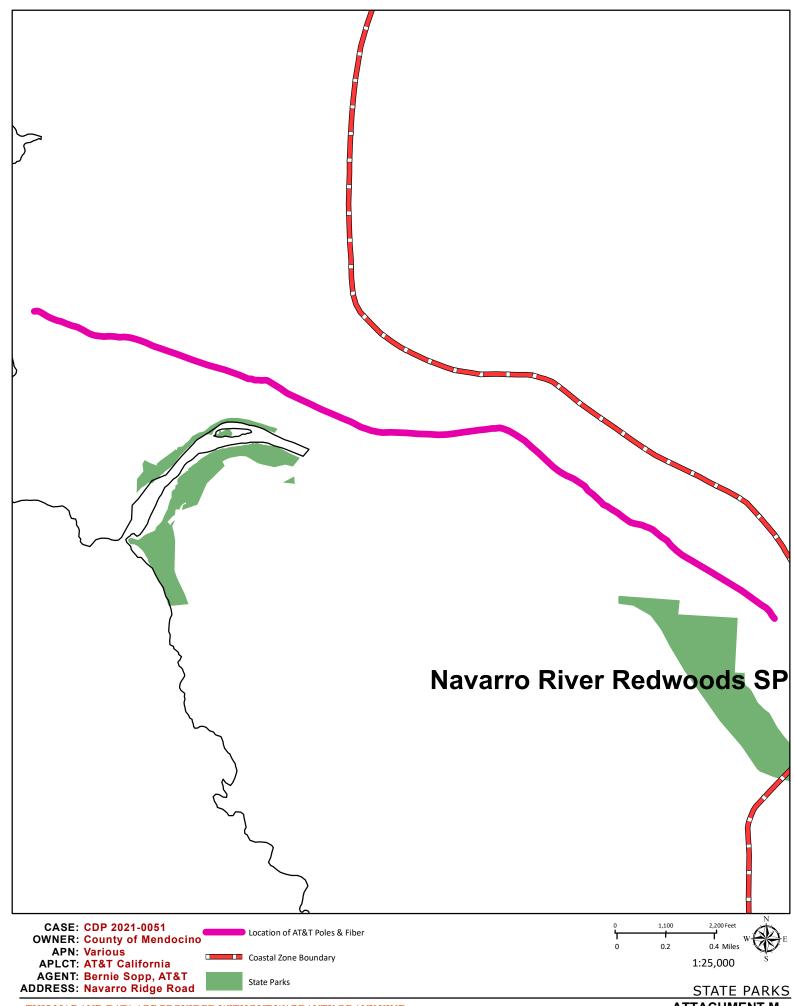
ATTACHMENT J





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ATTACHMENT L



ATTACHMENT M

AT&T Navarro Ridge Road. Visual Assessment.

The Project involves installing utility poles and associated fiber on Navarro Ridge Road that are required to provide fiber connection to the existing cell tower located at 30660 Navarro Ridge Road. As seen in the separately transmitted photos, the poles are not detectible with the naked eye from State Route 1 or from Navarro Beach. All of the poles that are visible from Navarro Beach and State Route 1 shown in the photos below are not owned or controlled by AT&T - they are poles that pre-date the AT&T work.

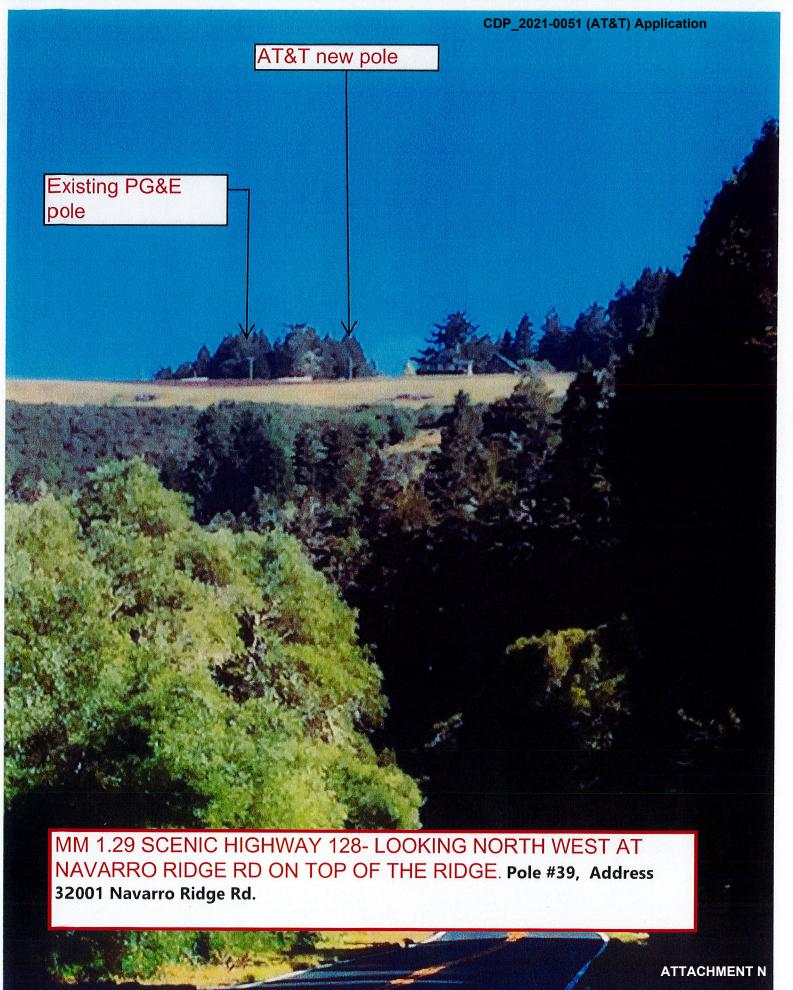




There is one AT&T pole that is visible from State Route 128, which is the only eligible scenic highway in the vicinity that could potentially have a view of the poles. This pole is located next to an existing PG&E pole and its visual impact is minimized based on the surrounding trees and vegetation as well as the existing PG&E pole to the left and house to the right of the AT&T pole.



An alternative is to underground the one pole that is visible from Highway 128, though the existing PG&E pole and other structures that surround the pole mean that undergrounding the pole would have little benefit. Because the remaining poles are not visible from public areas, no other alternatives configurations need to be examined. Because the other poles are not visible from public areas, no other alternatives configurations need to be examined.



HIGHWAY 128 MM 0.18 NO VISIBLE POLES ON NAVARRO RIDGE RD

ATTACHMENT N

Page 4 of 4