

JUL 25 2023

To Coastal Permit Administrator Nash Gonzalez, Planning and Building Services Department, and Planning Commission,

My name is Annemarie Weibel. I live in Albion. I filed the appeal of the Coastal Development Use Permit U_2017-0034 that was approved by the County's Planning Commission on 5-16-2019 with the California Coastal Commission (CCC). At the CCC hearing on 8-7-2019 they did not find a substantial issue with the wireless communication facility at the Lord's Land three miles up Navarro Ridge Road in Albion. AT&T did not inform anyone that they will install 43 poles and install aerial fiber optic cable from pole to pole for three miles. Only the County's Department of Transportation found out. AT&T informed them that the Encroachment Permit they wanted would be exempt from a Coastal Development Permit (CDP). Only after many residents alarmed by the view of these poles and cables in the highly scenic Coastal zone contacted the County's Planning & Building Services (PBS), the County's Code Enforcement, and the CCC was a stop work order placed and AT&T was told they needed a CDP.

AT&T and their lawyers begged the BOS to let them finish the job. The BOS during closed session on 7-13-2021 unanimously approved entering into a Settlement Agreement with AT&T's lawyers regarding significant exposure to litigation relating to the installation of utility poles and cable by AT&T along Navarro Ridge Road. According to the Settlement Agreement the BOS voted that AT&T will have to apply for a post-approval and post-construction CDP. The CCC made it clear that AT&T needed to apply for a CDP first before the Stop Work Order would be lifted, but AT&T finished installing the poles and cables and filed the CDP application on 11-2-2021 (120 days later instead of 60 days later). AT&T's application was deemed incomplete as of 11-30-2021 and was not completed until 10-12-2022, and deemed complete by 11-2-2022 (roughly a year later). It is interesting to note that it took AT&T roughly 4 years to deal with this project and the public gets 10 days to respond. Also for the County to wait until 3 days before the review period ends does not leave a chance to reschedule for a subsequent hearing if issues need further clarification. The Public Hearing Notice of Pending Action was only posted at 30660 Navarro Ridge Road (across from the Lord's Land). There should have been more notices as the CDP is addressing a 3 mile area.

The Coastal Act calls for the "widest opportunity for public participation" in Coastal Planning (Section 30006). These closed session backroom deals exclude the public. With the decision by the BOS to deal with this issue in closed session this project is setting a precedent for corporations to roll over our County government.

This project from the get go was problematic. In the Coastal Development Use Permit U_2017-0034 AT&T only mentioned Trench Power/Telco (Fiber) to site location, but had no information about poles and cables. Many people were not notified about the meeting on 5-16-2019 in Ukiah as the County used old information. The CCC and PBS were informed as far back as 8-13-2019 that many Navarro Ridge residents were not notified about the project, nor the meeting in Ukiah. Trespassing by private contractors who were digging on private property was discovered approximately in June of 2019. Residents believed that based on the project description that all the work done for this project would be done within the 1,800 sq. ft. of the Lord's Land until contractors from Orland, California informed residents that in fact the work will be done on the opposite side of the road, all up and down the South side.

Epic Wireless informed residents that this is NOT a 5G project. Residents have been extremely concerned with the use of (2) future 4ft. microwave dishes on a retreat zoned property that would affect all of the residents nearby. Residents never got a full disclosure of the type of technology this is and did not feel that AT&T was honest with the project description. Residents were told by the CCC to go back to the County with that information, and that Epic Wireless could have their permit revoked. Unfortunately the County never responded to this message. CCC and PBS were also sent photos of the poles and cables.

By April of 2020 a Navarro Ridge resident contacted our Supervisor with concerns about the narrow, windy, and highly scenic Navarro Ridge Road. By then AT&T had already installed around 40 new poles and cables. He observed that these new poles have made the road much more dangerous, as well as unsightly. He wrote: "The poles are often less than 3 ft. off the pavement. Since the road is so narrow and windy, the guy lines supporting the poles are not able to be placed correctly. Since a single support is not able to be placed in the correct location, 2 and occasionally 3 support cables are being installed. More cables do not mean better support. The poles are not supported properly, the hazard is increased and there is more sight pollution. I have had the opportunity to speak with the workers installing these poles and have learned much from them. They have installed lines like this underground in Sonoma and Napa counties on small county roads. I do not understand why this line is not being laid underground. The existing phone lines are underground so the infrastructure is there. The phone lines on this road are in notoriously bad repair so upgrading the phone lines while running the fiber optic cable would make good economic and common sense. I feel like AT&T is taking advantage of an economically challenged county and community to cut corners and install the cheapest option, not taking the on site situation into account. Numerous residents of this road are finally becoming aware of what is happening and do not support the current path. We would appreciate some advice about how to proceed with encouraging AT&T to put these lines underground. We would also appreciate any support you can provide us. You can help set a precedent to keep these large corporations from taking advantage of rural and economically poor communities."

Our Supervisor expressed his concern on Facebook with the unsightly installations in the highly scenic Coastal Zone like this: "We've issued a STOP WORK order to AT&T in regards to the above ground poles/cable on Navarro Ridge. I haven't seen a Coastal Development Permit for this hideous eyesore and I can't imagine the county approving it."

Residents were told by contractors that only in Mendocino County such a project could be pulled off the way it was. In Napa, or Sonoma County these installations are placed below ground. The public still does not know how many people would be served by this wireless communication facility and how. Why do we need three of them within 3 miles of each other? What happened to co-location? Why was the stop work order poster removed on 7-10-2021, before the 7-13-2021 BOS meeting? Why does it take more than 29 weeks to get most of the Public Record Requests filled for this project? Residents believed that the tower was working since March of 2022. That was never confirmed. When will the two "future 4 ft. microwave dishes" be installed, or have they already been installed? What permit does AT&T need for that? Will the public know when this happens? When will First Net set up shop? If I understand the County's directions I am assuming that the 27 new poles placed on the South side of Navarro Ridge Road would have to be moved to the North side or placed underground. Or is it less? How many less? It is bad enough to see the existing power lines above ground, but AT&T's poles and cables truly are an eyesore. The Mendocino County Coastal Element Chapter 4 – The Land Use Plan: Descriptions And Policies For Thirteen Planning Areas from Dark Gulch to Navarro River indicates

that **“The need for preservation of visual resources also affects future development, for much of the planning area both west and east of Highway 1 has been designated as "highly scenic" where development must be subordinate to its setting.”** [Microsoft Word - Chapter 4.9.doc](#)

mendocinocounty.org) To ignore the County’s Land Use Plan is not acceptable! What is there now is not subordinate! I feel that the County has been way to lenient. Why did AT&T not connect with the existing infrastructure or place the cables underground? The existing phone lines are underground, so the infrastructure is there. I realize it costs money and would also involve the cost for the road which is not maintained by the County.

Why would a wireless facility be within 3-5ft. from the Douglas fir trees when the whole 3 mile area including the Lord’s Land is in a high fire hazard zone? Why would the 40ft. by 45 ft. fenced compound be surrounded by a 6 ft. wooden fence instead of a metal fence considering that a 15 KW DC diesel generator is in this enclosed area? Considering that Navarro Ridge Road is a dead end road for most of the year fire issues are a real threat to this area. There is emergency access for pedestrians, bicyclists, and equestrians, or 4WD at the end of Navarro Ridge Road during the Summer once the fire chief opens up the gate that leads to Flynn Creek Road in Comptche. See Navarro Ridge Road Inland Trail <https://www.mendocinocounty.org/home/showdocument?id=5378>

Apparently Cal Fire, nor the local fire departments are concerned with the fire danger. I realize that with the approval of the Coastal Development Use Permit U_2017-0034 some of these issues will no longer be considered, but they should be as we only experience drier and drier Summers.

I am including some photos that have already been sent to the Director of PBS that illustrate how unsightly these installations look if we have some stormy days. Last Winter’s storms created an ugly scene where these cables were haphazardly tied to power poles/phone poles, and trees. Please check out this mess in our highly scenic Coastal zone! These fiber optic cables need to go underground. AT&T has enough money for that. Locals and tourists should not have to live with these 43 poles and cables dangling from them. It can also be a fire hazard when these conditions exist. Photos are from February 2023.

It is a pity that this retreat center with the many historic handmade houses and with 2 cemeteries nearby will now become a danger to the families that want to worship in nature. About 60 years ago Sabine Ball bought her land on Navarro Ridge. It was renamed in 1970 to the "Lord's Land" and in 2006 the land was given to Youth With a Mission! [YWAM Mendocino Coast - Young Warriors bringing God to the darkness](#) Look for historical information under About.

I am asking the Coastal Permit Administrator, Planning and Building Services Department, and Planning Commission to please rewrite Mendocino County's Wireless Guidelines from 2015. It is frightening to see that regulations as far as wireless communication facilities are still based on the outdated FCC's regulations from 1996. Unfortunately the Precautionary Principals adopted by the BOS on June 27, 2006 is not considered when decisions are made about wireless communication. The International Agency for Research on Cancer at the WHO classifies electromagnetic fields as a possible carcinogen.

Sincerely, Annemarie Weibel

7-25-2023





