

Attachment A

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**Attachment A
DRAFT RESOLUTION**

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

In the matter of the application of:

PACIFIC GAS & ELECTRIC CO (AT&T MOBILITY) (PLN200128)

RESOLUTION NO. ----

Resolution by the Monterey County Board of Supervisors:

1. Denying the appeal of Nina Beety from the October 29, 2020 Zoning Administrator decision approving a Coastal Development Permit [Planning File No. PLN200128 – PG&E (AT&T Mobility)];
2. Finding the project is limited development consisting of co-location of wireless communication facility and ground-based support equipment which qualifies as a Class 3 Categorical Exemption per section 15303(a) of the CEQA Guidelines and none of the exceptions under section 15300.2 apply; and
3. Approving a Coastal Development Permit to allow the co-location construction of a 12-foot tower extension for new wireless communications facility on an existing 130.5-foot PG&E lattice tower, increasing the height to 142.5 feet, adding 12 antennas, 15 remote radio units, 3 surge suppressors, an equipment shelter, and a backup generator in a new fenced adjacent compound; subject to twelve (12) conditions of approval.

745 Dolan Road, Moss Landing, North County Land Use Plan (APN: 131-054-010-000)

The Pacific Gas & Electric Co (AT&T Mobility) application (PLN200128) came on for a public hearing before the Monterey County Board of Supervisors on January 12, 2021. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS** – The County has processed the subject Combined Development Permit application [Planning File No. PLN200128 –

Pacific Gas & Electric Co (AT&T Mobility)] (“Project”) in compliance with all applicable procedural requirements.

- EVIDENCE:**
- a) On June 1, 2020, pursuant to MCC section 20.80, Tom Johnson (applicant) filed an application for a Coastal Development Permit to allow the co-location construction of a 12-foot tower extension for new wireless communications facility on an existing 130.5-foot PG&E lattice tower, increasing the height to 142.5 feet, adding 12 antennas, 15 remote radio units, 3 surge suppressors, an equipment shelter, and a backup generator in a new fenced adjacent compound. The project is located at 745 Dolan Road, North County Land Use Plan area of the unincorporated area of the County. (Assessor’s Parcel Number: 131-054-010-000).
 - b) The project was initially set for a duly noticed public hearing at the Monterey County Zoning Administrator on September 24, 2020. The Zoning Administrator conducted the hearing and continued the hearing to October 8, 2020 to enable staff to provide responses his questions related to public comment received. Staff requested a continuance to October 29, 2020 to provide complete responses. Notice of the public hearing was published in the Monterey County Weekly on September 10, 2020; posted at and near the project site on September 15, 2020; and mailed to vicinity property owners and interested parties on September 8, 2020.
 - c) On October 29, 2020, the Monterey County Zoning Administrator conducted the public hearing, found the Project categorically exempt under CEQA, and approved a Coastal Development Permit for the Project (Monterey County Zoning Administrator Resolution No. 20-041).
 - d) Pursuant to MCC section 20.86.030, Nina Beety timely filed an appeal from the October 29, 2020 Zoning Administrator decision. See Finding No. 7 (Appeal) for a summary of the Appellant’s specific contentions and the County’s responses to them.
 - e) Pursuant to MCC section 20.86.030.C, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority has been mailed to the applicant. Zoning Administrator Resolution No. 20-041 was mailed to the applicant on October 30, 2020. The appeal was filed with the Clerk of the board of Supervisors on November 8, 2020, within the 10-day timeframe prescribed by Title 20. The appeal hearing is *de novo*. A complete copy of the appeal is on file with the Clerk of the Board, and is attached to the January 12, 2020 staff report to the Board of Supervisors with in-line responses as Attachment B.
 - f) Notice of the Board of Supervisors’ hearing on the appeal and Project was published on December 24, 2020, in the Monterey County Weekly; notices were mailed on or about December 23, 2020 to all property owners and occupants within 300 feet of the project site and emailed or mailed to persons who requested notice; and at least three notices were posted at and near the project site by January 2, 2021. The Board conducted the public hearing on January 12, 2020, at which time the applicant, appellant, and all interested persons had the opportunity to appear and be heard.

- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development can be found in Project File No. PLN200128; see also Clerk of the Board of Supervisors' file(s) related to the appeal.

2. **FINDING:** **CONSISTENCY** – The project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) During review of this application, the project has been examined for consistency with the text, policies, and regulations in:
- 1982 Monterey County General Plan;
 - North County Land Use Plan;
 - Monterey County Zoning Ordinance (Title 20, Title 10)
- No conflicts were found to exist. No communications received during review of the project altered this conclusion.
- b) The property is located at 745 Dolan Road, Moss Landing (APN 131-054-010-000), North County Land Use Plan, Coastal Zone. The project is location in the section of the parcel zoned Rural Density Residential with a maximum gross density of five acres per unit, coastal zone [RDR/5(CZ)]; that is the dominant zoning of the parcel and a small corner of the parcel is zoned Resource Conservation (RC). Wireless communication facilities are a conditional use with a Coastal Development Permit in the RDR/5(CZ) zoning district. Therefore, the project is consistent with the zoning.
- c) The project would sit upon a flat area of the parcel that requires minimal grading. The project is not expected to result in any impacts to biological or archaeological resources. The location is associated with typical Burrowing Owl habitat type, so the project has a condition of approval to conduct Burrowing Owl surveys prior to construction.
- d) The subject site is on a legal lot shown as described in Bolsa Nueva y Moro Cojo Rancho R461 page 666 lying northly of Dolan Road and indicated as lot 10 on 1964 Assessors Map Vol. 131 page 5-04.
- e) The subject property of the existing lattice tower is in compliance with Monterey County Code (MCC) rules and regulations pertaining to zoning uses, subdivisions, and any other applicable provisions, and all zoning violation abatement costs, if any, have been paid.
- f) The project meets regulations for the siting, design, and construction of wireless communication facilities pursuant to MCC section 20.64.310. The development of the proposed co-located wireless communications facility will not significantly affect any designated public viewing area, scenic corridor, or any identified environmentally sensitive area or resources. The site is adequate for the proposed development of the co-located wireless communications facility, and the applicant has demonstrated that it is the most adequate for the provision of services as required by the Federal Communications Commission (FCC). MCC section 20.64.310(H)(b) encourages co-location of facilities and the North County Land Use Plan Visual Resources Policy 2.2 protects the integrity of visual resources. As the tower will be raised 12 feet with minor additions, staff has found that this new facility will not substantially alter the visual impact of the existing lattice tower, when

viewed from Dolan Road. Photographic simulations provided by the applicant illustrate that there is not a significant increase to the visually-perceived bulk or height of the existing tower. A twin set of overhead power lines on lattice towers run parallel to Dolan Road a quarter mile north and a quarter mile south of the proposed co-location. The proposed telecommunication facility will not create a hazard for aircraft in flight. The project does not penetrate a FAR Part 77 Imaginary Surface. The project site is located approximately 9.5 miles from Watsonville Municipal Airport, the nearest public use airport. If deemed necessary by the FCC, warning lights would be located on top of the structure to prevent conflict with any aircraft when visibility is limited. The proposed co-located wireless communication facility complies with all applicable requirements of MCC section 20.64.310.

- g) The proposed project is not exempt from adhering to the MCC for siting and design because it does not meet the wireless communication facility types listed in MCC section 20.64.310.D.
- h) The location, size, design, and operating characteristics of the proposed facility will not create unusual noise or other conditions that may be objectionable, detrimental or incompatible with the surrounding land uses. The proposed equipment associated with the telecommunication structure operates with only occasional noise, when the electricity of the tower connection and the AT&T Mobility batteries no longer support the system, at maximum 66 decibels at a distance of 29 feet from the FD030 onsite backup generator. The noise would also be buffered by the equipment shelter. The 1982 Monterey County General Plan classifies this level of noise as level II, conditionally acceptable, for low density residential areas. The conditions are that the generator will come on only when the primary source of power for the project, the power cables, are out of service and the secondary source of power, battery packs, are also drained of electricity. The very occasional noise is conditionally acceptable. Furthermore, MCC section 10.60.040 prohibits noise that is “plainly audible” at night, specified as noise at a level of 45 decibels or greater measured from 50 feet away. The project conditions of the generator use are considered reasonable by County staff, and the project will comply with the noise ordinance.
- i) The Zoning Administrator was the Appropriate Authority to decide on new wireless communications facilities proposed on existing structures as it is interpreted that the proposed wireless facility will change the existing use of the PG&E transmission tower pursuant to MCC section 20.64.310.I.
- j) The project was referred to the North County Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on September 16, 2020, voted unanimously (6 to 0, with 2 absent) to support the project as proposed.
- k) The application, project plans, and related support materials submitted by the project applicant to Monterey County Planning for the proposed development can be found in Project File PLN200128.

3. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: Planning, North County Fire Protection District, HCD-Public Works, HCD-Environmental Services, and the Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified no potential impacts to Historical sites, Archaeological Resources, Soil/Slope Stability, Biological Resources, or environmental constraints that would make the site unsuitable for the proposed wireless communication facility.
 - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development can be found in Project File PLN200128.

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by Planning, North County Fire Protection District, HCD-Public Works, HCD-Environmental Services, and the Environmental Health Bureau. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities are available. There is an existing dirt access road to the site that is proposed to have a twelve-foot wide non-exclusive access easement. The existing power pole will provide electricity. As an unmanned wireless communication facility, the proposed project will not require the use of water or sewer.
 - c) A Radio Frequency (RF) engineering analysis was prepared for the project (“RF report”). The RF report finds that the facility will comply with prevailing Federal Communications Commission (FCC) standards for limiting human exposure to RF energy.
 - d) The Federal Telecommunications Act (TCA) preempts the County’s authority to regulate the placement of a wireless facility based upon impacts of RF emissions. The TCA provides: “no State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.” (47 U.S.C § 332(c) (7)(B)(iv).)
 - e) During the public notice period for the September 24th Zoning Administrator hearing, four members of the public shared concern for the health of persons with electromagnetic sensitivity passing by the wireless communications facility. The emails all forwarded the same letter written by Ms. Nina Beety, on or about September 23, 2020. Ms. Beety also wrote an email to the Zoning Administrator, dated September

30, 2020. Ms. Beety requested that the project be denied based on her sensitivity to electromagnetic emissions and belief that the RF emissions generated by the project would impact her freedom of movement. Therefore, the comment letter argued, the project would violate the ADA. County replied that it is preempted by federal law from regulating the placement, construction, and/or modification of wireless service facilities based upon RF emissions, so long as facility land use applications demonstrate that they shall comply with the FCC's regulations concerning such emissions (47 U.S.C. § 332(iv)). In response to the argument that the project would cause limited access to the adjacent roadway, County replied that the project is not in County right-of-way, but is on a parcel owned by PG&E. In reviewing land use permit applications, the County's ADA compliance review relates to parking and physical access as prescribed for commercial and public facilities. The ADA is not implicated by local land use decisions regarding the environmental effects of RF emissions (see finding 7, evidence a). Additionally, staff concluded that Ms. Beety's communications did not provide substantial evidence sufficient to justify denial of the project. In her second communication (dated September 30, 2020), Ms. Beety contended that emissions from the proposed project would be greater than the RF report modeled based upon Ms. Beety's own roadside measures of similar facilities. Per the RF report, staff explained that worst-case predictive models were run by the analysts who prepared the report. Those models predicted that the site would have no areas at ground/street level that would exceed either the FCC's occupational or public exposure limits. Additionally, beyond confirming compliance with FCC RF emission regulations, County lacks authority to deny the project based upon purported health concerns stemming from RF emissions. Further, Ms. Beety included several other purportedly applicable sources of primary law sections of public codes in these correspondences (e.g., the California Public Utilities Code, ADA, and other sections of the TCA). Staff did not address these authorities because it concluded that TCA preemption controlled. (See 47 U.S.C. § 332(c) (7)(B)(iv).) Ms. Beety also submitted an National Institute of Building Sciences (NIBS) report to the Zoning Administrator. The NIBS report recommends that certain areas in buildings be designated free from cellular phones, two-way radios, and wireless equipment. However, the NIBS report did not address the installation of wireless communication facilities, so it is not pertinent. Prior to the October 29, 2020 Zoning Administrator hearing of this project, Ms. Beety subsequently sent another email on October 28th, reiterating her ADA concerns and related arguments and seeking the County Health Officer's input on the project, which was not included in the staff report. The email also questioned the naming of the project applicant, and the particulars of indemnification agreements (addressed in Finding 7, evidence b). County responded to these health questions during the hearing, including through testimony from the County Health Office's Planning, Evaluation and Policy Manager, Krista Hanni. County explained that it is bound by the TCA and its express preemption of the regulation of personal wireless services facilities

based on the environmental effects of radio frequency emissions. County further explained that the ADA did not alter this result. County noted that the indemnification agreement to be signed by AT&T Mobility would be reviewed by County Counsel to ensure legality in name and form. County Health Planning, Evaluation and Policy Manager Krista Hanni gave testimony that her literature review of this issue brought up two reports, one systematic review in 2011 and another specific paper in 2019, neither of which show a connection between wireless communication facilities on towers and electromagnetic sensitivities.

- f) The RF report recognizes that some effects from the AT&T antennae could be experienced by workers when working at the same level as the antennae (81 to 84 feet up the tower) at a distance within 20 feet. For that, the report recommends the applicant comply with FCC regulation by installing a yellow caution (2) sign be posted at the base of the transmission tower near the climbing ladder. At ground/street level, the RF report modeled the maximum power density generated by the antennas to be approximately 0.2 percent of the FCC's public limit. The limit is for continuous exposure, not for short windows of time as would be experienced by a walker or driver on the adjacent roadway.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Planning for the proposed development found in Project File PLN200128.
- h) Testimony concerning health and safety was received during the Zoning Administrator Meeting on September 24 and October 29, 2020.

5. **FINDING:** **NO VIOLATIONS** - The subject property complies with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County Planning and Building Services Department records and is not aware of any violations existing on subject property.
 - b) There are no known violations on the subject parcel.

6. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the applicable Local Coastal Program requires public access (Figures 4 and 6, Public Access, in the North County Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

- d) Staff conducted a site inspection on July 24, 2020, to verify that the proposed project would not impact public access.
- e) The Carmel Area Land Use Plan Policy 6.4.G.1 and 2 protects public visual access and requires that structures and landscaping shall be sited and designed to retain public views of the shoreline. The subject property is located east of Highway 1 and does not obstruct public views of the shoreline from the Highway 1, therefore installation of the wireless communications facility will not obstruct public visual access.

7. **FINDING:** **CEQA (Exempt)** – The project is categorically exempt from environmental review, and no unusual circumstances were identified. California Environmental Quality Act (CEQA) Guidelines section 15303 categorically exempts the construction and location of new small facilities or structures.

- EVIDENCE:**
- a) This project co-location construction of a 12-foot tower extension for new wireless communications facility on an existing 130.5-foot PG&E lattice tower, increasing the height to 142.5 feet, adding 12 antennas, 15 remote radio units, 3 surge suppressors, an equipment shelter. The ground-level equipment shelter and other support equipment will be located in a fenced area of 600 square feet. Because the wireless facility is considered a small facility and the support structures are also small, they qualify for a categorical exemption as described in section 15303 of the CEQA Guidelines.
 - b) No adverse environmental effects were identified during staff review of the development application. None of the exceptions under CEQA Guidelines section 15300.2 apply. The project is not located on a hazardous waste site, near a scenic highway or historical resource. The incremental effect of this project is not “cumulatively considerable” as defined in section 15065(a)(3) of the CEQA Guidelines. This project, given its minimal impacts, will not contribute a significant incremental effect in connection with the effects of other past, current or probable future projects.
 - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County Planning for the proposed development found in Project File PLN200128.

8. **FINDING:** **APPEAL** - Pursuant to MCC section 20.86.030, the Appellant, Ms. Beety, timely appealed the October 29, 2020 decision of the Zoning Administrator’s approval of the project. The appeal challenged the Zoning Administrator’s categorical exemption and approval of the project. A summary of each of Appellant’s contentions and the County’s responses to those contentions are set forth in Evidences a, b, c, and d below. The Board’s hearing on the appeal is de novo. Where the phrase “substantial evidence” is used, it denotes relevant information and reasonable inferences stemming from such information and based upon facts. Argument, speculation, and unsubstantiated opinion are not substantial evidence. Further, as the relevant question is the project’s potential impacts, evidence not tied to the specific project and/or area in question (Moss Landing) is not of limited relevance and hence, is not considered substantial evidence. Upon consideration of the documentary

evidence, the staff report, the oral and written testimony, and all other evidence in the record, the Board make the following findings with respect to the Appellant's contentions, summarized as follows:

EVIDENCE: a) *Contention No. 1: This project should be denied because it blocks access under ADA for a person who contends that they are disabled due to electromagnetic emission sensitivity.*

Response No. 1: The Federal Telecommunications Act (TCA) specifically provides: "no State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." (47 U.S.C. § 332 (c)(7)(B)(iv).) The TCA does not include any exemption from this edict, either for the ADA or any other state or federal law. Further, assuming for sake of argument that Ms. Beety had presented substantial evidence that the facilities at issue directly impacted her, the ADA does not authorize the County to regulate a private activity that arguably has a greater impact on persons with disabilities. The transmission of wireless signals is private activity. The ADA does not apply to private activity regulated by the County under its zoning laws. Additionally, the TCA was enacted after the ADA. Had the federal Congress wished to, it could have excepted RF emissions from this section, but it did not. Finally, Ms. Beety is not without a remedy. The TCA merely prohibits state and local governments from regulating in this area; it gives plenary regulatory authority to the FCC. Consequently, the FCC is the appropriate body to address Ms. Beety's concerns. Monterey County Code section 20.64.210, "Regulations for the Siting, Design, and Construction of Wireless Communication Facilities," adheres to TCA limits (for more on the County Code's application to and the review of this project, see Evidence b). Moreover, even if the TCA did not prohibit the County from regulating in this area, Ms. Beety has not produced substantial evidence of either legal thresholds applicable for electromagnetic frequency emissions (EME) for sensitive groups or that the specific wireless communication facilities at issue should be regulated for distance accommodate for people with RF (aka EME) sensitivities. Substantial evidence of both points is, at a minimum, necessary to meet Ms. Beety's burden on appeal.

b) *Contention No. 2: The project should not be approved because the documentation of the application is flawed, and the findings of the Resolution are not supported correctly.*

Response No. 2: County's review and recommendation for approval of the project stems from careful review of the site plan, elevations, photo simulations, RF report, and analyses of such in relation to the zoning district, Zoning Code, Noise Ordinance, and the North County Land Use Plan. As to the zoning district in general, the development is allowed with a Coastal Development Permit. Further, the project conforms to each requirement of the relevant section of the Monterey County Code, i.e. sections 20.16.050 and .060 (Finding 2, evidence a, b and c) and section 20.64.310 (Finding 2, evidence c, f, g, and i.) As to the North

County Land Use Plan, the project meets its Visual Resources Policies (Finding 2, evidence f); no other Coastal policies relate to the project's location or design. The project is consistent with the County noise ordinance and the 1982 General Plan (Finding 2, evidence h). Views from State Route 1 (a scenic highway) are protected, consistent with the North County Land Use Plan and MCC section 20.64.310 (Finding 2, evidence f). The visual impact of the co-location on the rear steel lattice tower on parallel PG&E power lines was assessed by staff and the North County LUAC and found to be insignificant. County staff found the company name chosen for the Planning project name satisfactory, understanding that County has effective administrative and legal procedures in place to identify permit holders and signatories of indemnification agreements. (See Finding 2 Consistency for specific code sections and consistency.)

- c) **Contention No. 3:** *The project is not categorically exempt because it is large (as measured by the emissions area) and will likely have significant human health effects and effects on wildlife.*

Response No. 3: The appellant contends this project is not categorically exempt from CEQA because it is large (as measured by the emissions area), rather than small and meeting Class 3 exemption status. Ms. Beety further contends that the project does not fall within one of the exceptions from categorical exemptions set forth in CEQA Guideline section 15300.2 due to the project's potential impacts to the environment. As to the former contention, CEQA Guidelines section 15303, the Guideline upon which the County relies, expressly applies to small *structures*. There is no indication in that section that the purported size of a project's *emissions area* is relevant to the determination whether an exemption applies. Ms. Beety has produced no evidence to rebut the County's conclusion that the project is a "small structure" within the meaning of CEQA Guidelines. As to the latter claim, the project will not have a significant effect on the environment. The RF report that was prepared meets FCC standards and was signed by Michael McGuire, a certified electrical engineer. Pursuant to MCC section 20.64.310.C, *Regulations for the Siting, Design and Construction of Wireless Communication Facilities*, County found that the project would comply with applicable FCC rules, regulations, and standards. The project's RF report, which the County accepts as persuasive evidence, indicates that the proposed project would not have a significant impact on human health. The project is consistent with all County zoning regulations, as discussed in more detail in Finding 2, evidences b, c, e, f, g, h, and i. The incremental effect of this project is not "cumulatively considerable" as defined in section 15065(a)(3) of the CEQA Guidelines, there are no historical resources and no hazardous waste sites involved. There is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.

- d) **Contention No. 4:** *The appellant contends that County exhibited bias against the appellant in the process of public review and decision on the project.*

Response No. 4: To demonstrate prejudicial bias under applicable law, Ms. Beety would need to show either actual bias, based on clear evidence, or an unacceptable probability of actual bias on the part of the Zoning Administrator. (*Petrovich Development Co., LLC v, City of Sacramento* (2020) 48 Cal.App.5th 963, 973-974.) Ms. Beety has not provided substantial evidence on either point. Ms. Beety has not produced the necessary “concrete facts” demonstrating a conflict of interest or personal bias of the Zoning Administrator with respect to either her or her condition. Similarly, Ms. Beety has not shown that this situation resulted in an intolerable probability of actual bias on the part of the Zoning Administrator. Moreover, the Zoning Administrator provided Ms. Beety with a full and fair opportunity to appear at the hearing and present her arguments, both orally and in writing. County noticed all public hearings on this project. Further, the Zoning Administrator invited public comment in written and oral form. Those comments were presented to the decisionmaker. Indeed, Ms. Beety testified at the September 24th and October 29th, 2020 hearings and Ms. Beety’s September 23 and 30, 2020 emails were attached to the October 29 staff report as Exhibit H. Additionally, Staff responded to written comments in writing and as part of the staff presentation at the hearings. The Zoning Administrator indicated that he seriously considered the evidence presented, indicating that he “weighed heavily on this ADA issue” but, without substantiating evidence, he could not find any reason to deny the project.

9. **FINDING:** **APPEALABILITY** – The decision on this project may be appealed to the California Coastal Commission.
Coastal Commission. Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it is a project involving development that is permitted in the underlying zone as a conditional use. The project site is not located between the sea and the first through public road paralleling the sea (Highway 1), located within 300 feet of the inland extent of any beach or of the mean high tide line of the sea, or located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Board of Supervisors of the County of Monterey does hereby:

1. Deny the appeal of Nina Beety from the October 29, 2020 Zoning Administrator decision approving a Coastal Development Permit [HCD Planning File No. PLN200128 – Pacific Gas & Electric Co (AT&T Mobility)];
2. Find that the project is limited development consisting of co-location of wireless communication facility and ground-based support equipment which qualifies as a Class 3

Categorical Exemption per Section 15303 (a) of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and

3. Approve a Coastal Development Permit to allow the co-location construction of a 12-foot tower extension for new wireless communications facility on an existing 130.5-foot PG&E lattice tower, increasing the height to 142.5 feet, adding 12 antennas, 15 remote radio units, 3 surge suppressors, an equipment shelter, and a backup generator in a new fenced adjacent compound; in general conformance with the attached plans and subject to twelve (12) conditions of approval, both being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED upon the motion of Supervisor _____, seconded by _____, and carried this 12th day of January, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book _____ for the meeting on January 12, 2020.

Date:

File Number:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 5-14-2014

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN200128

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Coastal Development permit (PLN200128) allows co-location construction of a of a 12-foot tower extension for new wireless communications facility on an existing 130.5-foot PG&E lattice tower, increasing the height to 142.5 feet, adding 12 antennas, 15 remote radio units, 3 surge suppressors, an equipment shelter, and a backup generator in a new fenced adjacent compound. The property is located at 745 Dolan Road (Assessor's Parcel Number 131-054-010-000), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the HCD Chief of Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "A Coastal Development Permit (Resolution Number _____) was approved by the Board of Supervisors for Assessor's Parcel Number 131-054-010-000 on January 12, 2021. The permit was granted subject to twelve (12) conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the HCD Chief of Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Prior to the issuance of grading and building permits, certificates of compliance, or
Monitoring commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Action to be Performed: shall provide proof of recordation of this notice to the RMA - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation If, during the course of construction, cultural, archaeological, historical or
Monitoring Measure: paleontological resources are uncovered at the site (surface or subsurface resources)
work shall be halted immediately within 50 meters (165 feet) of the find until a qualified
professional archaeologist can evaluate it. Monterey County HCD - Planning and a
qualified archaeologist (i.e., an archaeologist registered with the Register of
Professional Archaeologists) shall be immediately contacted by the responsible
individual present on-site. When contacted, the project planner and the archaeologist
shall immediately visit the site to determine the extent of the resources and to develop
proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or The Owner/Applicant shall adhere to this condition on an on-going basis.
Monitoring

Action to be Performed: Prior to the issuance of grading or building permits and/or prior to the recordation of
the final/parcel map, whichever occurs first, the Owner/Applicant shall include
requirements of this condition as a note on all grading and building plans. The note
shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact
Monterey County HCD - Planning and a qualified archaeologist immediately if cultural,
archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the
site to determine the extent of the resources and to develop proper mitigation
measures required for the discovery.

4. EHSP01 - HAZARDOUS MATERIALS BUSINESS PLAN (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The facility is anticipated to store hazardous materials in excess of threshold quantities that require registration with the California Environmental Protection Agency's California Environmental Reporting System (CERS) and an up-to-date Hazardous Materials Business Plan that meets the standards found in the California Code of Regulations, Title 19, Division 2, Chapter 4 (Hazardous Material Release Reporting, Inventory, and Response Plans) and the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Material Release Response Plans and Inventory), and the Monterey County Code Chapter 10.65.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permit, the owner/applicant shall submit a completed Business Plan – Memorandum of Understanding (form available from EHB) that specifies the facility will be registered with CERS and that a Hazardous Materials Business Plan must be on file prior to bringing hazardous materials on site and/or commencement of operations.

5. PD025 - ANTENNA TOWER HEIGHT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The tower shall not exceed 142.5 feet in height. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the applicant shall submit 3 copies of an elevation plan which shall indicate the maximum height of the tower to HCD - Planning for review and approval.

Prior to final building inspection, the Owner/Applicant shall coordinate with HCD - Planning staff to inspect the project site after construction to ensure compliance with condition.

6. PD039(B) - WIRELESS REDUCE VISUAL IMPACTS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall agree in writing that if future technological advances allow for reducing the visual impacts of the telecommunication facility, the applicant shall make modifications to the facility accordingly to reduce the visual impact as part of the facility's normal replacement schedule. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit, in writing, a declaration agreeing to comply with the terms of this condition HCD - Planning for review and approval.

7. PD039(C) - WIRELESS CO-LOCATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant and/or successors assigns shall encourage co-location by other wireless carriers on this tower assuming appropriate permits are approved for co-location. Any expansion or additions of microwave dishes, antennas and/or similar appurtenances located on the lattice tower, which are not approved pursuant to this permit, are not allowed unless the appropriate authority approves additional permits or waivers. In any case, the overall height of the pole shall not exceed the specified height. (HCD - Planning)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall encourage co-location by other wireless carriers on this tower assuming appropriate permits are approved for co-location. The overall height of the pole shall not exceed 142.5 feet.

8. PD039(D) - WIRELESS REMOVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If the applicant abandons the facility or terminates the use, the applicant shall remove the structure, panel antennas, and equipment shelter. Upon such termination or abandonment, the applicant shall enter into a site restoration agreement subject to the approval of the HCD Chief of Planning and County Counsel. The site shall be restored to its natural state within six (6) months of the termination of use or abandonment of the site.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to abandoning the facility or terminating the use, the Owner/Applicant shall submit a site restoration agreement to HCD - Planning subject to the approval of the HCD Chief of Planning and County Counsel.

Within 6 months of termination of use or abandonment of the site, the Owner Applicant shall restore the site to its natural state.

9. PD039(E) - WIRELESS EMISSION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The facility must comply with Federal Communications Commission (FCC) emission standards. If the facility is in violation of FCC emission standards, the HCD Chief of Planning shall set a public hearing before the Appropriate Authority whereupon the appropriate authority may, upon a finding based on substantial evidence that the facility is in violation of the then existing FCC emission standards, revoke the permit or modify the conditions of the permit. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of use, the Owner/Applicant shall submit documentation demonstrating compliance with the FCC emission standards to the HCD Chief of Planning for review and approval.

If the facility is in violation of FCC emission standards, the HCD Chief of Planning shall set a public hearing before the Appropriate Authority to consider revocation or modification of the permit.

10. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

11. PDSP001 -- BURROWING OWL SURVEY (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Surveys for burrowing owls shall be conducted prior to ground disturbance or construction. Results of the surveys will indicate if burrowing owls are present on the project site. A report by a County-listed Biologist shall be submitted to indicate presence or absence and any recommendations to avoid harm to burrowing owls. If the Report indicates presence, the applicant/owner shall not begin work until potential impacts to burrowing owls can be avoided or until an incidental take permit is obtained pursuant to the California Endangered Species Act (CESA). Prior to construction, the applicant/owner shall provide to the HCD-Planning Department for review and approval a report prepared by a biologist addressing burrowing owl habitat. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the applicant/owner shall submit a copy of the survey report done by the County-listed qualified biologist to the HCD-Planning Department for review and approval.

Ground disturbance shall not proceed until the HCD-Planning Department reviews and approves the evidence.

In the case that burrowing owls are present on the project site as demonstrated by the biologist report, the applicant/owner shall comply with CESA in regard to potential impacts to the burrowing owl. The applicant/owner shall provide to the HCD-Planning Department evidence that CDFW has been consulted regarding potential impacts from the project.

12. PDSP002 – WIRELESS COMMUNICATION FACILITIES LESSEE INDEMNIFICATION AGREEMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant agrees as a condition and in consideration of the approval of the permit to enter, and/or cause the Lessee of the wireless site allowed by this permit ("Lessee") to enter into an indemnification agreement with the County whereby the applicant and/or Lessee agrees to defend, indemnify, and hold harmless the County, its officers, agents and employees from actions or claims of any description brought on account of any injury or damages sustained by any person or property resulting from the issuance of the permit and conduct of the activities authorized under said permit. Applicant shall obtain the permission of the owner on which the wireless communication facility is located to allow the recordation of said indemnification agreement, and the applicant and/or Lessee shall cause said indemnification agreement to be recorded by the County Recorder as a prerequisite to the issuance of the building and/or grading permit. The County shall promptly notify the applicant and/or Lessee of any such claim, action, or proceeding and the County shall cooperate fully in the defense thereof. The County may, at its sole discretion, participate in the defense of such action, but such participation shall not relieve applicant of its obligations under this condition. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant and/or the Lessee shall submit the signed and notarized Indemnification Agreement to the Chief of Planning for review and signature by the County.

Prior to the issuance of grading or construction permits, the Owner/Applicant and/or the Lessee shall submit proof of recordation of the Indemnification Agreement, as outlined, to HCD-Planning.



NOTICE OF APPEAL

Monterey County Code
Title 19 (Subdivisions)
Title 20 (Zoning)
Title 21 (Zoning)

RECEIVED
MONTEREY COUNTY

2020 NOV -9 PM 3:45

CLERK OF THE BOARD

[Signature]
DEPUTY

No appeal will be accepted until a written decision is given. If you wish to file an appeal, you must do so on or before 11-9-20 (10 days after written notice of the decision has been mailed to the applicant). Date of decision 10-29-20, mailed 10/30/20.

1. Please give the following information:
 - a) Your name Nina Beety
 - b) Phone Number 831-655-9902
 - c) Address 277 Mar Vista Dr. City Monterey Zip 93940
 - d) Appellant's name (if different) _____

2. Indicate the appellant's interest in the decision by checking the appropriate box:
 - Applicant
 - Neighbor
 - Other (please state) County resident, project is access barrier per ADA/ADAA and FHAA

3. If you are not the applicant, please give the applicant's name:
PG&E (AT&T Mobility)

4. Indicate the file number of the application that is the subject of the appeal and the decision making body.

	File Number	Type of Application	Area
a) Planning Commission:	_____	_____	_____
b) Zoning Administrator:	<u>PLN200128</u>	<u>Coastal Dev. Permit, North County Land Use Plan</u>	_____
c) Subdivision Committee:	_____	_____	_____
d) Administrative Permit:	_____	_____	_____

November 9, 2020

Appeal to the Monterey County Board of Supervisors
PG&E (AT&T Mobility) - PLN200128; Zoning Administrator Resolution No. 20-041

Appeal grounds:

- There was a lack of fair and impartial hearing
- The findings and decision are not supported by the evidence
- The decision was contrary to law.
Specifically,
 - The project, county findings, and due process do not comply with ADA/ADAA
 - The findings of approval have substantial errors.
 - Evidence in the record was mischaracterized, and legal duties were evaded.
 - The project application documents themselves have substantial errors/ inaccuracies and omissions.
 - The findings were based on mischaracterizations and omissions of the record.
 - This facility is a large physical structure, is an element of a county-wide project, uses a new pattern of EMF emissions, and is a new network system that will substantially change the human environment. It therefore must undergo CEQA environmental review and doesn't fall under any exempt class.

I ask the Board of Supervisors to grant my appeal, overturn the Zoning Administrator approval, and deny this project. I ask for disabled accommodation.

ADA/ADAA AND DISABLED ACCESS

I am disabled by electromagnetic sensitivity. This facility would create a barrier blocking my access to the public's rights-of-way, to my health professionals, and to the ocean. Due to the new signal characteristics for this facility and any proposed future additions, it would have unknown worsening effects to my medical condition, blocking my ability to use the roads in the vicinity.

This would also forever block any possibility of access to low income housing which I am qualified for and interested in obtaining, in violation of FHA/FHAA.

This was no fair or impartial hearing. County staff falsified my statements in the record and mischaracterized them in their responses. References to ADA/ADAA, disability, discrimination, and disabled accommodation were redacted by the Zoning Administrator and staff.

Planner Mary Israel wrote me right before the October 29 hearing: "Monterey County takes all comments seriously and we have discussed the applicability of the American's with Disabilities Act (ADA) as it relates to the proposed wireless communications tower.

As discussed in the staff report, the County is precluded from regulating wireless facilities on the basis of radio frequencies...”

By taking this position, the county is violating and challenging the Americans with Disabilities Act/ADA Amendments Act and state equivalent laws as well as California Civil Code 54.1 and Public Utilities Code 7901, and federal telecommunications rules which I provided to county counsel including Section 414 which specifically states that “nothing in this chapter contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this chapter are in addition to such remedies.” The county is also frustrating the goals of these laws.

No consideration was given to the least intrusive means standard that would not interfere with my access, such as signal boosters for those who want improved service, People don't typically connect to cell towers while home, using their Wi-Fi network instead for phones and wireless devices. Applicant's statement of projected needs is simply a marketing statement. The Telecommunications Act doesn't guarantee applicants' business plans.

No information was reported that the surrounding neighborhoods were canvassed or provided due process notification in case people disabled by electromagnetic sensitivity or other EMF-sensitive medical conditions including cancer, medical implants, metal implants, or nerve damage live, work, or travel in the vicinity per the FHA and the Fair Housing Amendments Act. I gave you notice in 2017 that people in the county are disabled by EMS, and the county agreed with me that inclusionary policies should be adopted. Additionally, the county is discriminating against disabled people in its land use policies affecting private property, by providing 1500' notification for healthy landowners in some areas of the county but only 300' for others.

FINDINGS IN ERROR:

Finding #1 Project Description: Application is incomplete and incorrect

A) Incorrect name for applicant – the wireless carrier

At least five different names are given in application materials and county documents for the applicant. I raised the issue of the correct name to the Zoning Administrator.

- Project plans give the applicant name as AT&T mobility corp (sic) and AT&T Mobility. There are no such companies registered with the Secretary of State to do business in California.
- The site coverage map has the name AT&T. There are 16 registered corporate names and 20 registered LP/LLCs that have AT&T and/or AT&T Mobility in the name.
- The project RF report has the name AT&T Mobility, LLC. AT&T Mobility LLC without a comma is registered with the state of California.
- The application project description by the contractor uses the name New

Cingular Wireless PCS, LLC, d/b/a AT&T Mobility (“AT&T”). This New Cingular name without the DBA is registered with the state of California.

- In a 10-29 letter to me, the county planner used AT&T Mobility (New Cingular).
- The signed resolution by the Zoning Administrator uses AT&T Mobility.

Which is the correct name of the applicant that is registered to do business in California with the Secretary of State? There can be no legal application by entity AT&T Mobility.

Which company would provide the wireless services to customers from this site, pay the bills, and defend the county in any court proceedings? What is a limited liability company?

The Zoning Administrator did not address this confusion over the wireless carrier.

Does the county regularly check names on applications to make sure they are registered to do business in the state of California and are not shell corporations, and also that applications, representations, and indemnification agreements are signed by the correct parties with legal responsibility? I included additional questions in my letter dated 10/28/20.

B) The applicant’s photo simulations are not for this project. They are for another transmission tower where a different carrier is located. This error was not spotted by county staff. As a result, there are no photos sims for this project in the application.

C) RF report problems:

- The RF report does not provide any estimated exposures off-site at the PROW or at nearby buildings, roads, homes or second story levels. It only provides on-site percentages at utility line level and on site below the antennas.
- Estimated exposures at ground levels appear to have been calculated in the null zone of least signal intensity under the facility. The RF report clearly and repeatedly states the calculated levels are on the ground on the site – i.e. on the site of the cell tower – that is, directly underneath the tower.

“...there are no modeled exposures on any accessible utility line level and ground walking/working surface related to ATT’s proposed antennas that exceed the FCC’s occupational and/or general public exposure limits at this site.” p. 1

“Based on worst-case predictive modeling, there are no modeled exposures on any accessible utility line level and ground walking/working surface related to ATT’s proposed antennas that exceed the FCC’s occupational and/or general public exposure limits at this site.” p. 5

Based on worst-case predictive modeling, there are no areas at ground/street level related to the proposed AT&T antennas that exceed the FCC’s occupational or general public exposure limits at this site. At ground/street level, the maximum power density generated by the

antennas is approximately 0.2 percent of the FCC's general public limit (0.04 percent of the FCC's occupational limit)."p. 6

- The RF report also does not provide data on effective radiated power from each antenna and for each direction – eg. 20° azimuth has two antennas and therefore, more ERP in that direction..
- The RF report is not prepared by an RF engineer. The preparer has unknown number of hours of study or classes, and unknown certification. An RF engineer only reviewed the report.
- Errors include the statement that the signal is propagated best on “line of site” paths. This may be a mistake for “line of sight”. A claim of “low power” is not made in relation to any biological standard. The report claims “there are no microwaves installed at this site”. Microwave radiation, commonly defined as 300 MHz to 300 GHz, is the nature of what this facility does. What is the report writer believe they are transmitting if not microwaves?
- Another very significant error is “There are no other wireless carriers with equipment installed at this site”. Immediately adjacent to this site is another PG&E transmission tower with wireless facilities. This was discussed in testimony and project plans.
- No cumulative exposure was assessed with the adjacent tower and other neighborhood microwave sources.
- No actual on-site visit or measurements were made. Preparer states this was theoretical modeling and she relied on AT&T representations. Therefore, this report cannot be relied on for accurate calculations or measurements of RF levels.
- The preparer made statements she is unqualified to make: “MPE limits are designed to provide a substantial margin of safety. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.” These are claims made by entities with no medical or biological expertise, and they have been debunked by experts including those at the EPA. “MPE limits” do not apply to disabled people like myself.

Finding #2 Consistency: Project is inconsistent.

The project is not consistent with county rules and zoning nor is it appropriate, because it does not comply with various state and federal laws, including Public Utilities Code 7901, the ADA/ADAA, FHA/FHAA, California Civil Code 54.1, and the federal Migratory Bird Act.

The North County Land Use Plan states:

The [Coastal] Act established a framework for resolving conflicts among competing uses for limited coastal lands.

The highest priority is placed upon the preservation and protection of natural resources including environmentally sensitive habitat areas, i.e., wetlands, dunes, and other areas with rare, endangered, or threatened plant and animal

life.

.....However, much of North County is not appropriate for such development due to the sensitivity of its natural resources which may not tolerate continued encroachment of residential development. Policies set forth in this plan are intended to protect the vast resources of this area through sensitive and responsive land use, development, and conservation.¹ [emphasis added]

As I provided to the Zoning Administrator and County Counsel, the Telecommunications Act Section 601(c)(1) – no implied effect -- and 47 U.S.C. § 414 – remedies in this Act not exclusive – protect other local, state, and federal laws. This is what an ordinary person like me can find in the laws. This information was rebuffed.

c) states “The project will not result in any impacts to biological or archaeological resources.” This is false. This project is commercial encroachment. County staff ignored the nearby sloughs including the Moro Cojo Slough and the migratory bird flightpaths through the area. (also see below)

The county controls the public’s rights-of-way (PROW) and must make sure that uses of the PROW do not incommode the public, per PUC Section 7901. The California Supreme Court recently opined:

The parties also agree that the franchise rights conferred are limited by the prohibition against incommoding the public use of roads, and that local governments have authority to prevent those impacts.

... Obstructing the path of travel is one way that telephone lines could disturb or give inconvenience to public road use. But travel is not the sole use of public roads; other uses may be incommoded beyond the obstruction of travel. (T-Mobile West, at pp. 355-356.) For example, lines or equipment might generate noise, cause negative health consequences, or create safety concerns. All these impacts could disturb public road use, or disturb its quiet enjoyment. (p. 8-9)²

This tower at this location intrudes onto the PROW and incommodes me as a disabled person, with known and unknown exacerbation effects to my disability due to new signal characteristics and frequencies.

“No conflicts were found to exist” is false. Additional information is in the attached letters The General Plan, Zoning Ordinance, North County Land Use Plan, and all county rules must be consistent with state and federal rules and therefore 2a) is incorrect, and this project is inconsistent with county rules and in conflict.

Finding #3 Suitability: Site is not suitable.

¹ http://www.co.monterey.ca.us/planning/docs/plans/NC_LUP_complete.PDF p. 27, 30

² <https://www.courts.ca.gov/opinions/documents/S238001.PDF>

California Supreme Court opinion, T-Mobile West LLC et al. v City and County of San Francisco et al, April 4, 2019, p. 7, 9

The ZA stated that the site is physically suitable, also saying “b) “Staff identified no potential impacts to... Biological Resources or environmental constraints that would make the site unsuitable for the proposed wireless communication facility.”.

This is false. The site is immediately adjacent to the public rights-of-way and near homes. The county did not mention or appear to investigate the impacts of this facility on migratory birds, despite the federal Migratory Bird Act. It is near the Moro Cojo Slough and the network of sloughs that include Elkhorn Slough and the path of migratory birds. Burrowing owls live in this area and possibly on the applicant's site.

See the Department of Interior 2014 comments on bird injuries and deaths caused by telecommunication towers to the Department of Commerce on FirstNet communication towers -- http://www.ntia.doc.gov/files/ntia/us_doi_comments.pdf
 These comments also stated “...the electromagnetic radiation standards used by the Federal Communications Commission (FCC) continue to be based on thermal heating, a criterion now nearly 30 years out of date and inapplicable today.”

Finding #4 Health and Safety: Project is a public health nuisance and has safety impacts.

a) Departments reviewed the project “to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood”, but ignored substantial evidence presented to the county. The County Health Officer made no review on record, and a representative from the office made errors in her comments and ignored ADA/ADAA. County counsel did not provide any written comments for the record and only second-hand or third-hand comments were made which challenged ADA/ADAA and other federal and state rules that this ordinary person raised.

Would the county redline these housing areas and say that people such as me cannot live there or visit there, in violation of FHA/FHAA?

The county is implicitly restricting access to public roads, in violation of state rules, and directly challenging California Civil Code 54.1.

c) The RF report is not an “engineering analysis” because it was not prepared by an engineer. It was missing data and had errors. See discussion of Finding 1 (C).

d) “Regulating” – A plain reading by an ordinary person like myself of the federal telecommunications provisions including 332(c) discovers that the authority of local governments is preserved in decisions. My request was and is that the county makes a decision on this site. I am not requesting that the county to remove all cell towers. I am asking for this decision. A decision is not a regulation. A decision is for this project.

Section 332(c)(7)(A) and (B) of the Telecommunications Act, under “preservation of

local zoning authority” states

(A) General authority

Except as provided in this paragraph, nothing in this chapter shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.(emphasis added)

What I am requesting is not restricted or preempted, according to a plain reading of 332(c)(7)(B). Wireless service exists in the county and in this area. A denial is not a prohibition or denial of service. The county has not responded to this law.

Congress stated that the first factor the FCC must consider is whether actions will promote the safety of life and property.

47 U.S. Code § 332 - Mobile services

(a) Factors which Commission must consider In taking actions to manage the spectrum to be made available for use by the private mobile services, the Commission shall consider, consistent with section 151 of this title, whether such actions will—

(1)

promote the safety of life and property;

This project does not promote the safety of my life. But the county ignored Congressional intent and federal laws in making this decision.

e) Here again, the Zoning Administrator mischaracterized and reworded the issues I raised as “concerns” and “perceptions”, instead of ADA/ADAA issues and requests for ADA accommodation:

“shared concern for health of persons with electromagnetic sensitivity passing by the wireless communications facility...”

”the concerns stated in the letters do not provide substantial evidence for denial of the project”

“the member of the public was concerned with a perceived limited access to the roadway”

He censored my repeated statements about ADA/ADAA, disability, and discrimination issues in his response. By doing so, he blocked the assertion of my disabled rights. What he has done is unlawful and might be illegal.

Contrary to the Zoning Administrator allegations, I provided substantial evidence for denial of this project in three separate letters that are attached and in testimony at county hearings. He denies evidence regarding ADA access issues and state and federal rules pertaining to that access, as well as other substantial grounds. I also sent a copy of one of my letters to county counsel.

The Zoning Administrator falsely stated: “The project is not in County right-of-way” when it is clearly so. This is proven by the purpose of the project and by the coverage map. If

the project did not extend into the PROW and was strictly sited only on the proposed building site, the public would not be able to receive “in-vehicle” coverage as they are driving in the PROW on Dolan Road or other roads in the area or in homes that are on the other side of multiple PROWs from the project site. That clearly means PROW location as well as onto other private property. To assert otherwise is absurd and denies the project’s purpose. By so intruding onto the PROW, it blocks my access.

In addition, he denied what is plainly apparent in the U.S. Access Board NIBS report, claiming: “The report did not make recommendations pertaining to the installation of wireless communication facilities on towers”. The report clearly says:

Page 11

Electromagnetic Fields

For people who are electromagnetically sensitive, the presence of cell phones and towers, portable telephones, computers, fluorescent lighting, unshielded transformers and wiring, battery re-chargers, wireless devices, security and scanning equipment, microwave ovens, electric ranges and numerous other electrical appliances can make a building inaccessible.

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Recommendations for Future Actions

... The Committee acknowledges that while the scientific evidence may be inconclusive about whether ambient electromagnetic fields pose a substantial health risk to the general population, the presence of EMF is an access barrier for people who are electromagnetically sensitive. Therefore, the Committee recommends that measures be taken to reduce EMF whenever possible in order to increase access for these individuals as well as taking a precautionary approach to protecting the health of all.

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Appendix 1 - Site Selection: Potential Sources of Pollutants and EMF.

The Committee recognizes that few, if any, building sites are likely to be free of all the pollutant sources listed below. The recommendation is to minimize proximity to as many of these sources as possible in order to maximize outdoor environmental quality and hence indoor environmental quality.

EMF:

Substations

Cell phone towers

Radio towers

...

The Zoning Administrator read the text. I have no explanation except deliberate bias. His findings are not the objective and careful evaluation of project merits and problems, evidence, and laws required of a public official.

Furthermore, the Zoning Administrator did not read the RF report carefully. Under discussion of Finding #1 (C) are the errors I found.

He failed to investigate my statement about ground level calculations being made in the null zone directly under the antennas. He did not require calculations at Dolan Road or at nearest residences including 2nd floor levels as it commonly done in other jurisdictions. Regarding applicant claims about RF exposure, I provided testimony from another similar facility -- photo attached. What is in question is the accuracy of the RF report, not whether the exposure exceeds FCC limits. Due to its errors and omissions, the RF report conclusions should be disregarded.

Further, the RF report did not model cumulative exposure with the adjacent wireless facility, falsely reporting “[t]here are no other wireless carriers with equipment installed at this site”. But the Zoning Administrator claimed that it did.

Per the RF report, the worst-case predictive models predicted there are no areas at ground/street level that exceed the FCC’s occupational or general public exposure limits at this site, including the proposed AT&T antennas combined with an existing facility on a nearby tower.

He did not require cumulative exposure for these two facilities.

The FCC limits, as the Zoning Administrator himself stated, are for the general public. I am not the general public. I am a disabled person. And he and the county appear to stand between me and the Department of Justice, Congress, the state of California, and my doctor to deny me my civil rights.

f) The applicant recognized some effects to workers.

The subcontractor inappropriately inserted himself into this topic but himself admitted health effects to some workers, saying there’s always “one-offs”.

When the Zoning Administrator opines on health, he is speaking outside his qualifications. I am not aware that he is a doctor or an expert in FCC rules. The findings state: “The limit is for continuous exposure, not for short windows of time as would be experienced by a walker or driver on the adjacent roadway.” The Zoning Administrator ignores that FCC limits are based on short term exposure, and he ignores my disability.

h) Here again, the Zoning Administrator falsified my comments:

“Testimony concerning health and safety received during the Zoning Administrator Meeting on September 24th and October 29th, 2020”.

I testified about my disability and the blocked access that would result from this project in violation of ADA and state rules, and also requested disabled accommodation

Finding #5 Violations: This property is not in compliance.

The owner/landlord of the subject property has a current tenant that is obstructing the PROW and is a public health nuisance. If this present project is approved, the owner/landlord will have a second non-compliant tenant that is a public health nuisance

and will also obstruct the PROW. This property owner is violating my civil rights and state law, and the county is allowing it to do so.

Finding #6 CEQA: This project has adverse environmental effects and is not exempt from CEQA due to new substantial change in the human environment.

The Zoning Administrator states: “California Environmental Quality Act (CEQA) Guidelines §15303 categorically exempts the construction and location of new, small facilities or structures.”

But this is a very large physical facility as shown on the coverage map. This physical facility with coherent signal reception is at least a square mile, and likely larger.

This facility is also an element of a new county-wide project – 5G -- and sets precedent for building that project. It uses a new pattern of over-the-air emissions, and as a new network system, will substantially alter the county’s human environment which includes my environment and my access to critical spaces. It is also a public health nuisance.

5G has new signal characteristics that have not been safety tested. The FCC is currently reviewing exposure guidelines for 5G frequencies, and is being sued by consumer groups for various approval aspects regarding 5G. It is premature to approve 5G or 5G ready projects in the county.

Due to all these features, this facility doesn’t fall under any exempt class, unless cellular/wireless facilities have been specifically exempted under some state rule with which I am not familiar.

California Government Code Section 65850.6(b)(4) also “requires that new facilities that may later have facilities collocated with them [] must undergo CEQA review consisting of the adoption of a negative declaration or mitigated negative declaration, or certification of an environmental impact report.”³

Finally, Brandon Swanson informed me that “minor” changes to facilities do not require county review or permit. This is a complete abdication of the authority delegated by Congress to the county, and it blocks the public from noticing and due process. It also means that “today’s” project approval effectively approves any and all future changes and additions, and carriers are under an honor system to self-police to not exceed “minor” changes, which may not be minor at all to the human environment.

In light of all of these issues, this facility is not exempt and must have CEQA environmental review.

a) The Zoning Administrator excluded all mention of the physical emissions from the facility and the extent of a coherent signal to devices in the surrounding region.

3

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65850.6

b) The findings state: "No adverse environmental effects were identified during staff review" even though evidence was put in the record that this facility would be a public health nuisance.

As previously stated, the Zoning Administrator ignored the adjacent wireless facility that would "contribute to a cumulative effect."

Finally, the facility would be near Highway 1 which is a scenic highway, and would be an access barrier to my use of that scenic highway.

Finding #7 Wireless Communications Facilities: This project is not compliant.

g) Noise -- In addition to other noncompliance issues previously discussed, generator noise was downplayed and not sufficiently investigated. Generators have to be tested regularly, for several hours at a time. There is no calculation of what the sound will be like at nearby homes or even at the street. It is unknown if noise levels will comply with the 45 dB night limit. This was not pursued at the hearing, and the findings don't include compliance with the nighttime limit.

All seven project findings are false.

The paperwork submitted by the applicant is sloppy and gives no confidence on the project. The contractor's WTF report on the project is nearly word-for-word identical to the WTF report submitted on the Tassajara Road cell tower for the same carrier. Casual cookie cutter reports may be appropriate for some simple land use projects in a similar locale and terrain. They are inappropriate for this type of complex project which is completely different in location and tower construction.

It's not clear what the correct applicant name is, no clarification on what company is responsible, or what LLC means in relation to indemnification or county liability.

Another issue is that the servicing crew appears to be located far away in San Ramon in the congested SF Bay region. If so, there is no guarantee how quickly they would respond, if at all, in an emergency.

Attached are my three letters to the Zoning Administrator with additional information and questions, most of which were ignored.

Finally, I request disciplinary action against County Zoning Administrator Mike Novo and the county staff members who falsified the public record and public testimony, blocked my civil rights, ignored evidence in the record, and/or failed in their official duties. By taking these actions, the county evades its duties under state and federal rules. This was no fair or impartial hearing. The public can have no confidence of a fair hearing when staff distorts testimony words into different meanings or censors them outright, or

when county officials will not enforce rules. The only possible conclusion is that these actions were to benefit the applicant. It is shameful and outrageous conduct, and an absolute breach of the public trust.

There are substantial grounds for denial including the biased behavior of Mike Novo and other county staff in prejudicial consideration of this project.

This has been a difficult process. I am very ill due to RF radiation exposure. I have done my best to provide you with specific, accurate, and substantial grounds for my appeal. I apologize for any inadvertent errors.

The project cannot comply with various local, state and federal rules without alteration. I ask the Board of Supervisors to grant my appeal, overturn the Zoning Administrator approval, and deny this project.

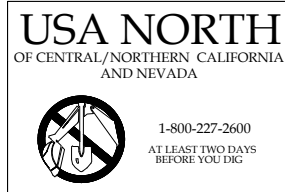
Sincerely,

Nina Beety

Attached:

Letters to Monterey County Zoning Administrator

Photo of RF exposure from antennas on transmission tower



CCL04159 - PG&E DOLAN ROAD

USID: 288035, FA: 13787561

PACE: MRSFR031050, PTN: 3701A06RWL

745 DOLAN ROAD
MOSS LANDING, CA 95039

SITE INFORMATION

SITE ADDRESS: 745 DOLAN ROAD
MOSS LANDING, CA 95039

LATITUDE (NAD 83): N 36° 47' 53.11"
36.79808611

LONGITUDE (NAD 83): W 121° 44' 07.72"
-121.73547778

GROUND ELEVATION: 88.9' AMSL (NAVD 88)

JURISDICTION: MONTEREY COUNTY

PROPERTY OWNER: PG&E TOWER INFO
TOWER SAP: 40751167
TOWER #: 002/015
LINE NAME: MOSS-CRAZY HORSE CANYON #1

CONTACT INFO:
245 MARKET STREET MAIL CODE N10D
SAN FRANCISCO, CA 94105

PROJECT MANAGER:
MELISSA CHAVEZ
mkw@pge.com
661-473-9199

ZONING: RDR (CZ)

PARCEL/MAP NUMBER: 131-054-010-000

STRUCTURE TYPE: PG&E TOWER

STRUCTURE HEIGHT: 130.6' (AGL)

POWER SUPPLIER: PGE

TELCO SUPPLIER: AT&T

PROJECT TEAM

APPLICANT: AT&T MOBILITY
5001 EXECUTIVE PARKWAY
SAN RAMON, CA 94583

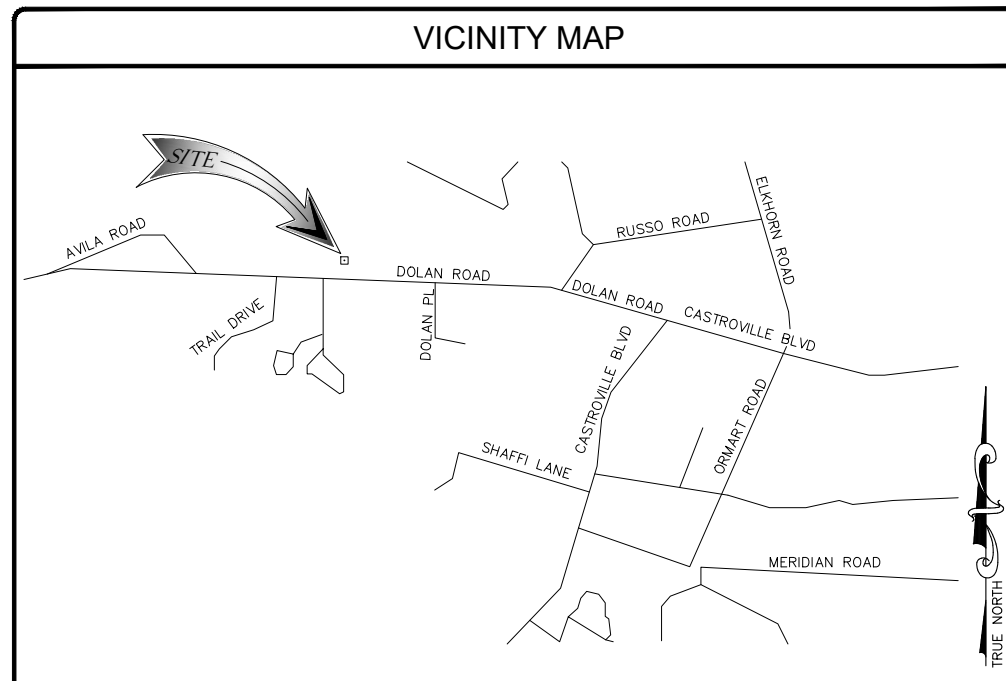
PROJECT MANAGEMENT FIRM: VINULUMS SERVICES
575 LENNON LANE, SUITE 125
WALNUT CREEK, CA 94598
CONTACT: MICHELE PHIPPEN
PHONE: (925) 895-3734
EMAIL: mhippen@vinulum.com

RF ENGINEER: AT&T MOBILITY
5001 EXECUTIVE PARKWAY
SAN RAMON, CA 94583
CONTACT: HARPREET SINGH
PHONE: (248) 885-5496
EMAIL: hs357s@att.com

CONSTRUCTION MANAGER: VINULUMS SERVICES
575 LENNON LANE, SUITE 125
WALNUT CREEK, CA 94598
CONTACT: FLOYD GREEN
PHONE: (480) 528-1927
EMAIL: fgreen@vinulum.com

SITE ACQ/ZONING MANAGER: TSJ CONSULTING INC.
30767 GATEWAY PLACE #194
RANCHO MISSION VIEJO, CA. 92694
CONTACT: TOM JOHNSON
PHONE: (925) 785-3727
EMAIL: tom@tsjconsultinginc.com

A/E MANAGER: TSJ CONSULTING INC.
30767 GATEWAY PLACE #194
RANCHO MISSION VIEJO, CA. 92694
CONTACT: DAN CONNELL
PHONE: (949) 306-4644
EMAIL: dan@tsjconsultinginc.com



DIRECTIONS

DIRECTIONS FROM AT&T OFFICE:

GET ON I-680 S, 3 MIN (1.2 MI)

FOLLOW I-680 S AND US-101 S TO SAN MIGUEL CANYON RD IN PRUNEDALE. TAKE EXIT 337 FROM US-101 S
1 H 14 MIN (81.9 MI)

TAKE CASTROVILLE BLVD TO DOLAN RD

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA TITLE 24
- 2019 CALIFORNIA FIRE CODE
- 2019 CALIFORNIA ENERGY CODE
- 2019 CALIFORNIA MECHANICAL CODE
- TIA/EIA-222-F OR LATEST EDITION

DRAWING INDEX

T-1	TITLE SHEET
C-1	SITE SURVEY
C-2	SITE SURVEY
A-1	SITE PLAN
A-2	ENLARGED SITE PLAN
A-3	EQUIPMENT LAYOUT
A-4	ANTENNA LAYOUT, ANTENNA SCHEDULE
A-5	ELEVATIONS
A-6	ELEVATIONS
A-7	GENERATOR SPECIFICATIONS
E-1	PRELIMINARY ELECTRICAL DESIGN

DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 24"X36" AND HALF SIZE AT 11"X17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

SCOPE OF WORK

THIS PROJECT CONSISTS OF THE INSTALLATION OF A NEW AT&T WIRELESS ANTENNA FACILITY:

SCOPE OF WORK:

EQUIPMENT AREA (INSIDE EXISTING COMPOUND)

- INSTALL (1) WIC (WALK IN CABINET) WITH (2) BBU 6630 AND (1) BBU 5216
- INSTALL (12) NEW BATTERIES INSIDE THE NEW WIC
- INSTALL (1) DIESEL GENERATOR (30KW AC) WITH 190 GALLON UL2085 RATED FUEL TANK
- INSTALL (1) H-FRAME WITH ALL ASSOCIATED UTILITY CABINETS
- INSTALL (N) UNDERGROUND CONDUIT FROM UTILITY SOURCES TO AT&T EQUIPMENT

ANTENNA AREA (ON EXISTING PG&E TOWER)

- INSTALL (1) 12' TALL TOWER EXTENSION
- INSTALL (12) NEW 6' PANEL ANTENNAS
- INSTALL (15) NEW REMOTE RADIO UNITS (RRUS)
- INSTALL (3) NEW DC9 SURGE SUPPRESSORS
- INSTALL NEW FIBER AND DC POWER CABLES IN (N) UNDERGROUND CONDUIT FROM EQUIPMENT AREA TO ANTENNA AREA

CONSULTANT



APPLICANT



SITE INFORMATION

CCL04159
PG&E DOLAN ROAD
745 DOLAN ROAD
MOSS LANDING, CA 95039

DESIGN RECORD

REVISIONS

REV	DATE	DESCRIPTION	BY
4	07/23/20	100% ZD	DC
3	07/06/20	100% ZD	DC
2	05/22/20	100% ZD	DC
1	04/23/20	100% ZD	DC
0	04/03/20	90% ZD	DC

PROFESSIONAL STAMP

SHEET TITLE

TITLE SHEET

SHEET

T-1

NOTES

OWNER(S): PACIFIC GAS & ELECTRIC CO
 APN: 131-054-010

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE REPORT OF TITLE BY: FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 31217543, DATED MARCH 27, 2020. WITHIN SAID TITLE REPORT THERE ARE FIVE (5) EXCEPTIONS LISTED, THREE (3) OF WHICH ARE EASEMENTS AND ONE (1) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060195, PANEL NO. 0086G, DATED APRIL 2, 2009, SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 36° 47' 53.11" N NAD 83 (36.798086°)
 LONG. 121° 44' 07.72" W NAD 83 (-121.735478°)
 ELEV. 88.9' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

EASEMENT(S) PER TITLE REPORT:

- MATTERS AS SHOWN AND NOTED ON PLAT RECORDED IN PLAT BOOK 4, PAGE 53. *** PLOTTED AS SHOWN HEREON ***
- MATTERS AS SHOWN AND NOTED ON PLAT RECORDED IN PLAT BOOK 4, PAGE 99. *** PLOTTED AS SHOWN HEREON ***
- MATTERS AS SHOWN AND NOTED ON PLAT RECORDED IN PLAT B, PAGE 64. *** NOT PLOTTED - AFFECTS NEIGHBORING PARCEL ***

LEASE AREA DESCRIPTION:

BEING A PORTION OF THE HEREON DESCRIBED LESSOR'S PROPERTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LESSOR'S PROPERTY, THENCE ALONG THE NORTH LINE OF SAID LESSOR'S PROPERTY, THENCE S 75°37'48" E, A DISTANCE OF 634.63 FEET; THENCE S 74°01'18" E, A DISTANCE OF 1171.07 FEET; THENCE LEAVING SAID NORTH LINE, S 17°36'53" W, A DISTANCE OF 13.02 FEET TO THE POINT OF BEGINNING;

COURSE 1) THENCE CONTINUING S 17°36'53" W, A DISTANCE OF 16.00 FEET;
 COURSE 2) THENCE N 72°23'07" W, A DISTANCE OF 13.50 FEET TO POINT 'A';
 COURSE 3) THENCE CONTINUING N 72°23'07" W, A DISTANCE OF 24.00 FEET;
 COURSE 4) THENCE N 17°36'53" E, A DISTANCE OF 16.00 FEET;
 COURSE 5) THENCE S 72°23'07" E, A DISTANCE OF 37.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 600 SQUARE FEET, MORE OR LESS.

ACCESS EASEMENT DESCRIPTION:

A 12.00 FOOT WIDE STRIP OF LAND OVER, ACROSS AND THROUGH A PORTION OF SAID LESSOR'S PROPERTY, LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'A':

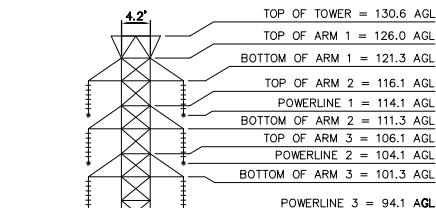
COURSE 1) THENCE S 17°36'53" W, A DISTANCE OF 6.00 FEET;
 COURSE 2) THENCE N 72°23'07" W, A DISTANCE OF 34.25 FEET;
 COURSE 3) THENCE N 39°50'19" W, A DISTANCE OF 21.64 FEET;
 COURSE 4) THENCE N 72°25'00" W, A DISTANCE OF 55.44 FEET;
 COURSE 5) THENCE S 17°35'00" W, A DISTANCE OF 23.32 FEET;
 COURSE 6) THENCE S 44°54'44" E, A DISTANCE OF 76.85 FEET;
 COURSE 7) THENCE S 37°33'20" E, A DISTANCE OF 31.30 FEET;
 COURSE 8) THENCE S 25°10'12" E, A DISTANCE OF 21.05 FEET TO THE NORTH LINE OF DOLAN ROAD AND THE TERMINUS OF THIS DESCRIPTION.

UTILITY EASEMENT DESCRIPTION:

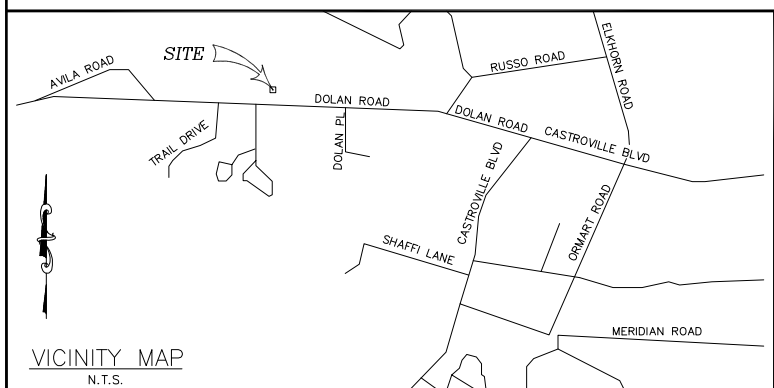
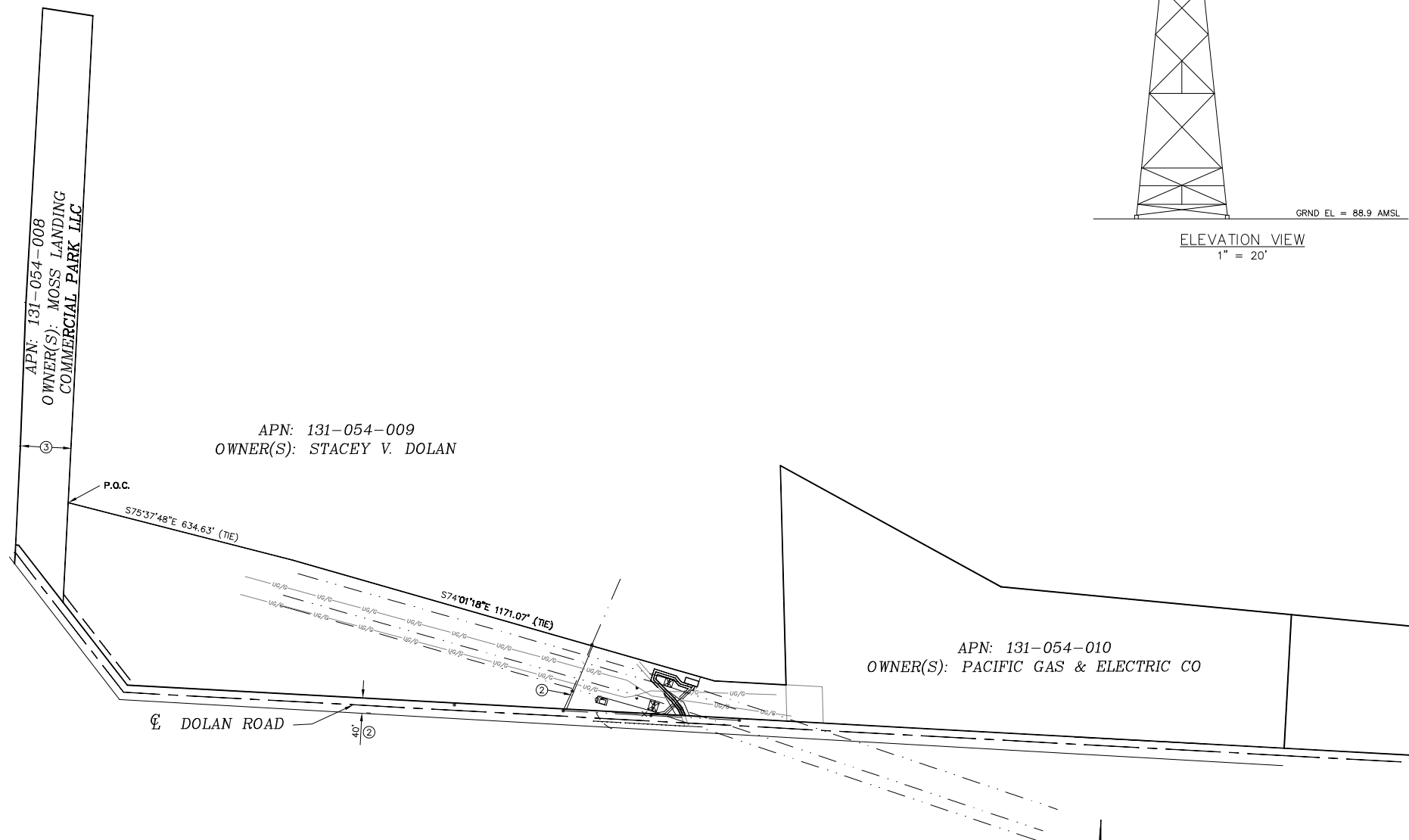
A 10.00 FOOT WIDE STRIP OF LAND OVER, ACROSS AND THROUGH A PORTION OF SAID LESSOR'S PROPERTY, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'A':

COURSE 1) THENCE S 17°36'53" W, A DISTANCE OF 6.00 FEET;
 COURSE 2) THENCE S 46°08'58" W, A DISTANCE OF 102.47 FEET;
 COURSE 3) THENCE S 81°14'09" W, A DISTANCE OF 14.96 FEET TO THE TERMINUS OF THIS DESCRIPTION.



ELEVATION VIEW
1" = 20'



OVERALL SITE MAP
1" = 150'

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ① EXCEPTION # PER TITLE REPORT



P.O. BOX 81626 BAKERSFIELD, CA 93380
 PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL



04/25/2020

REVISION

NO.	DESCRIPTION	BY	DATE
①	PRELIM. ISSUE	EJ	03/31/20
②	REVISION	EJ	04/02/20
③	TITLE REVIEW	EJ	04/02/20
④	REVISION	EJ	04/06/20
⑤	REV UTIL ROUTE	DA	04/23/20
⑥			
⑦			

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DRAWN BY: EJ
 CHECKED BY: DA
 DATE DRAWN: 03/31/20
 SMITHCO JOB #: 56-1066

SITE NAME

CCL04159
 PG&E
 DOLAN ROAD

SITE ADDRESS

745 DOLAN ROAD
 MOSS LANDING, CA 95039
 MONTEREY COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

LESSOR'S PROPERTY LEGAL DESCRIPTION PER TITLE REPORT:

THE REAL PROPERTY SITUATE IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AND DESCRIBED AS FOLLOWS:

PARCEL I: BEGINNING AT THE IRON PIPE TAGGED L.S. 2551 MARKING THE WESTERLY TERMINUS OF A COURSE IN THE BOUNDARY LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM WALTER RODRIGUEZ AND WIFE DATED SEPTEMBER 23, 1964 AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF MONTEREY ON REEL 370 OF OFFICIAL RECORDS AT PAGE 840, WHICH COURSE, ACCORDING TO THE DESCRIPTION CONTAINED IN SAID DEED DATED SEPTEMBER 23, 1964, HAS A BEARING OF S. 86° 01' 1/2" E. AND A LENGTH OF 1386.0 FEET AND RUNNING THENCE SOUTH 86° 13' EAST, ALONG THE BOUNDARY LINE OF THE PARCEL OF LAND DESCRIBED IN SAID DEED DATED SEPTEMBER 23, 1964, A DISTANCE OF 802.85 FEET TO THE NORTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED AND DESIGNATED PARCEL ONE IN THE DEED FROM JAMES B. O'GRADY AND OTHERS TO KAISER ALUMINUM & CHEMICAL CORPORATION DATED JANUARY 25, 1966 AND RECORDED IN THE OFFICE OF SAID COUNTY RECORDER ON REEL 445 OF OFFICIAL RECORDS AT PAGE 6; THENCE SOUTH 1° 25' 1/2" WEST, ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL ONE, 388.27 FEET TO A POINT IN THE CENTER LINE OF THE COUNTY ROAD KNOWN AS DOLAN ROAD, SAID POINT BEING THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESIGNATED PARCEL ONE; AND RUNNING THENCE ALONG THE CENTER LINE OF SAID DOLAN ROAD THE FOLLOWING TWO COURSES, NAMELY; NORTH 88° 34' 1/2" WEST 3198.95 FEET AND NORTH 39° 27' 1/2" WEST 273.85 FEET; THENCE NORTH 1° 12' 1/2" EAST 30.69 FEET TO THE MOST SOUTHERLY CORNER OF THE 5.00 ACRE PARCEL OF LAND DESCRIBED IN THE DEED FROM JAMES E. RODRIGUEZ AND WIFE TO KAISER ALUMINUM & CHEMICAL CORPORATION DATED OCTOBER 17, 1952 AND RECORDED IN THE OFFICE OF WARD COUNTY RECORDER IN BOOK 1416 OF OFFICIAL RECORDS AT PAGE 4; THENCE CONTINUING NORTH 1° 12' 1/2" EAST, ALONG THE EASTERLY BOUNDARY LINE OF THE PARCEL OF LAND DESCRIBED IN SAID DEED DATED OCTOBER 17, 1952, A DISTANCE OF 275.20 FEET; THENCE SOUTH 77° 19' 1/2" EAST 634.63 FEET; THENCE SOUTH 75° 43' EAST 1210.76 FEET TO A POINT IN THE WESTERLY PROLONGATION OF THE NORTHERLY BOUNDARY LINE OF THE 0.23 ACRE PARCEL OF LAND DESCRIBED IN THE DEED FROM JAMES RODRIGUEZ AND WIFE TO PACIFIC GAS AND ELECTRIC COMPANY DATED NOVEMBER 29, 1951 AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF MONTEREY IN BOOK 1352 OF OFFICIAL RECORDS AT PAGE 40; THENCE SOUTH 88° 34' 1/2" EAST, ALONG SAID WESTERLY PROLONGATION, 197.82 FEET TO THE NORTHWEST CORNER OF SAID 0.23 ACRE PARCEL OF LAND; THENCE NORTH 3° 10' 1/2" WEST, ALONG THE NORTHERLY PROLONGATION OF THE WESTERLY BOUNDARY LINE OF SAID 0.23 ACRE PARCEL OF LAND, 603.89 FEET TO A POINT IN THE BOUNDARY LINE OF THE PARCEL OF LAND DESCRIBED IN SAID DEED DATED SEPTEMBER 23, 1964; THENCE SOUTH 62° 54' 1/2" EAST, ALONG THE LAST MENTIONED BOUNDARY LINE, 693.38 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING SAID 0.23 ACRE PARCEL OF LAND; CONTAINING 26.806 ACRES, MORE OR LESS, EXCLUSIVE OF THE 1.596 ACRE PORTION LYING WITHIN THE BOUNDARY LINES OF SAID DOLAN ROAD.

TOGETHER WITH AND SUBJECT TO A RIGHT OF WAY AND EASEMENT FOR A WATER PIPE LINE ON, OVER, UNDER, AND ACROSS THE PARCEL OF LAND HEREINBEFORE DESCRIBED AND DESIGNATED PARCEL I WITHIN THE STRIP OF LAND DESCRIBED AS FOLLOWS:

A. A STRIP OF LAND OF THE UNIFORM WIDTH OF 15 FEET EXTENDING FROM THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED 4 PARCEL I TO THE EASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL I AND LYING CONTIGUOUS TO AND ON THE LEFT SIDE OF THE LINE WHICH BEGINS AT THE INTERSECTION OF THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL I WITH THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD AND RUNS THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD THE FOLLOWING TWO BEARINGS AND DISTANCES, NAMELY; SOUTH 39° 27' 1/2" EAST 287.99 FEET AND SOUTH 88° 34' 1/2" EAST 1769.13 FEET TO A POINT DISTANT 50 FEET WESTERLY FROM (MEASURED ALONG THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD) THE SOUTHWEST CORNER OF SAID 0.23 ACRE PARCEL OF LAND; THENCE NORTH 3° 10' 1/2" WEST, PARALLEL WITH THE WESTERLY BOUNDARY LINE OF SAID 0.23 ACRE PARCEL OF LAND, 100.00 FEET TO A POINT IN THE WESTERLY PROLONGATION OF THE NORTHERLY BOUNDARY LINE OF SAID 0.23 ACRE PARCEL OF LAND; THENCE SOUTH 88° 34' 1/2" EAST, ALONG SAID WESTERLY PROLONGATION, 50.00 FEET TO THE NORTHWEST CORNER OF SAID 0.23 ACRE PARCEL OF LAND; THENCE CONTINUING SOUTH 88° 34' 1/2" EAST, ALONG THE NORTHERLY BOUNDARY LINE, AND ITS EASTERLY PROLONGATION, OF SAID 0.23 ACRE PARCEL OF LAND, 150.00 FEET; THENCE SOUTH 3° 10' 1/2" EAST, PARALLEL WITH THE EASTERLY BOUNDARY LINE OF SAID 0.23 ACRE PARCEL OF LAND, 100.00 FEET TO A POINT IN THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD; THENCE SOUTH 88° 34' 1/2" EAST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD, 1220.70 FEET, MORE OR LESS, TO A POINT IN THE EASTERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL I; EXCEPTING THE PORTION LYING OUTSIDE THE BOUNDARY LINES OF SAID PARCEL OF LAND DESIGNATED PARCEL I.

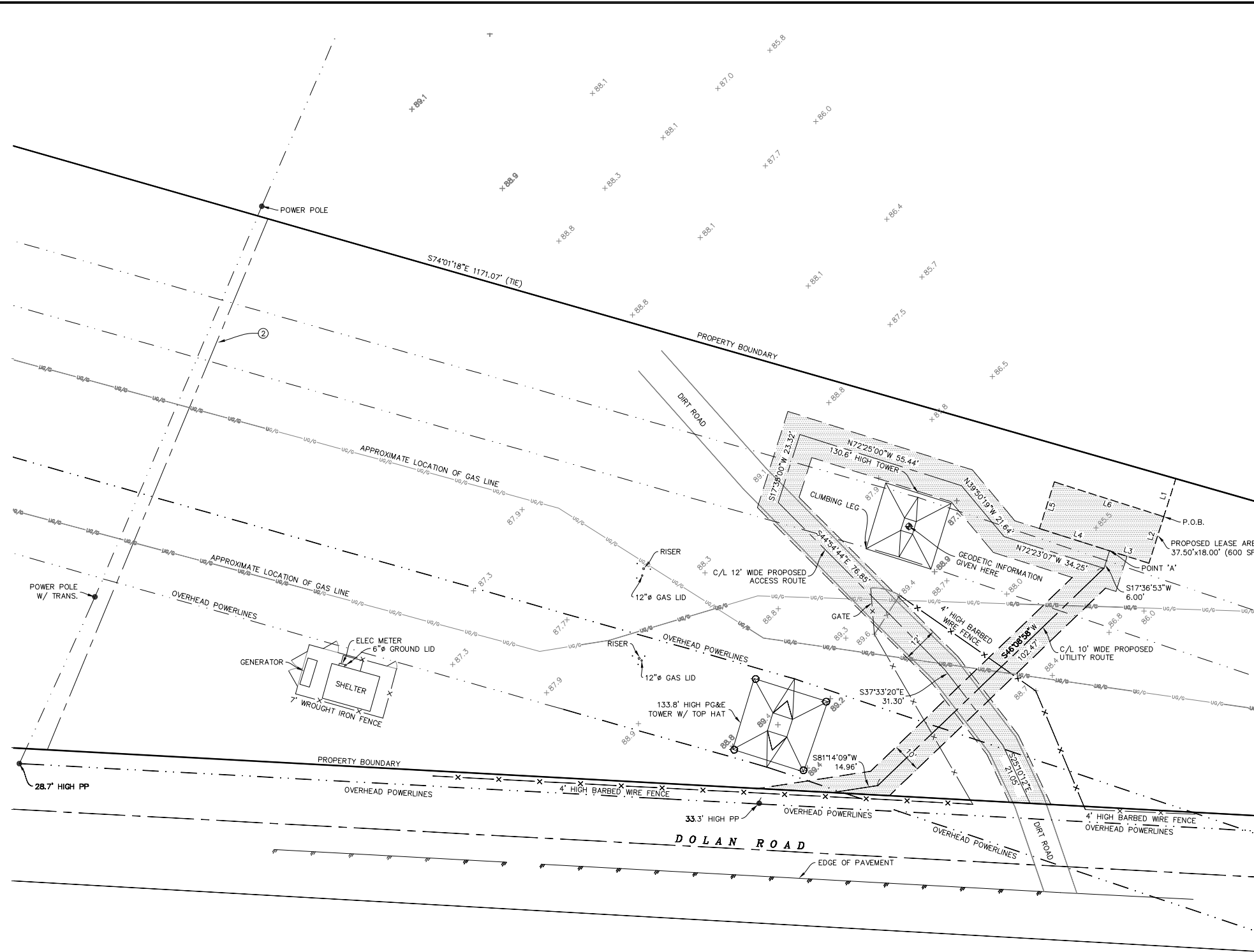
FURTHER TOGETHER WITH AND SUBJECT TO A RIGHT OF WAY AND EASEMENT FOR ROAD PURPOSES IN, OVER AND ACROSS SAID PARCEL OF LAND DESIGNATED PARCEL I WITHIN EACH OF THE STRIPS OF LAND DESCRIBED AN FOLLOWS:

B. A STRIP OF LAND OF THE UNIFORM WIDTH OF 60 FEET EXTENDING FROM THE NORTHERLY BOUNDARY LINE OF AMID DOLAN ROAD NORTHERLY TO THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL I AND LYING EQUALLY ON EACH SIDE OF THE LINE WHICH BEGINS AT A POINT IN THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD FROM WHICH THE SOUTHWEST CORNER OF SAID 0.23 ACRE PARCEL OF LAND BEARS SOUTH 88° 34' 1/2" EAST 80.26 FEET DISTANT AND RUNS THENCE NORTH 3° 10' 1/2" WEST 100.00 FEET, MORE OR LESS, TO A POINT IN THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL I.

C. A STRIP OF LAND OF THE UNIFORM WIDTH OF 60 FEET EXTENDING FROM THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD NORTHERLY TO THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED, PARCEL I AND LYING EQUALLY ON EACH SIDE OF THE LINE WHICH BEGINS AT A POINT IN THE NORTHERLY BOUNDARY LINE OF SAID DOLAN ROAD FROM WHICH THE SOUTHWEST CORNER OF SAID 0.23 ACRE PARCEL OF LAND BEARS SOUTH 88° 34' 1/2" EAST 1665.22 FEET DISTANT AND RUNS THENCE NORTH 12° 40' 1/2" EAST 416.47 FEET, MORE OR LESS, TO A POINT IN THE NORTHERLY BOUNDARY LINE OF SAID PARCEL OF LAND DESIGNATED PARCEL I.

AND BEING THE SAME PROPERTY CONVEYED TO PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION FROM JAMES B. O'GRADY AND ROSALIA F. O'GRADY, HUSBAND AND WIFE, CHARLES E. MCCAMMON AND VIRGINIA MCCAMMON, HUSBAND AND WIFE, AND HENRY W. EDWARDS, JR., AN UNMARRIED MAN BY DEED DATED MAY 9, 1966 AND RECORDED MAY 13, 1966 IN DEED BOOK 461, PAGE 666.

TAX PARCEL NO. 131-054-010-000



LINE TABLE		
LINE	LENGTH	BEARING
L1	13.02	S17°36'53\"W
L2	16.00	S17°36'53\"W
L3	13.50	N72°23'07\"W
L4	24.00	N72°23'07\"W
L5	16.00	N17°36'53\"E
L6	37.50	S72°23'07\"E

LEGEND

- - - - - SITE BOUNDARY LINE
- - - - - OVERHEAD POWER LINE
- - - - - PROPERTY BOUNDARY (PER TITLE REPORT)
- ==== EDGE OF PAVEMENT
- ==== FENCELINE
- x POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ⓪ EXCEPTION # PER TITLE REPORT

OVERALL SITE MAP
1" = 150'



TSJ CONSULTING
NETWORK DEVELOPMENT

SMITHCO
SURVEYING ENGINEERING

P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL



REVISION

NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	EJ	03/31/20
1	REVISION	EJ	04/02/20
2	TITLE REVIEW	EJ	04/02/20
3	REVISION	EJ	04/06/20
4	REV UTIL ROUTE	DA	04/23/20

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DRAWN BY: EJ
CHECKED BY: DA
DATE DRAWN: 03/31/20
SMITHCO JOB #: 56-1066

SITE NAME

CCL04159
PG&E
DOLAN ROAD

SITE ADDRESS

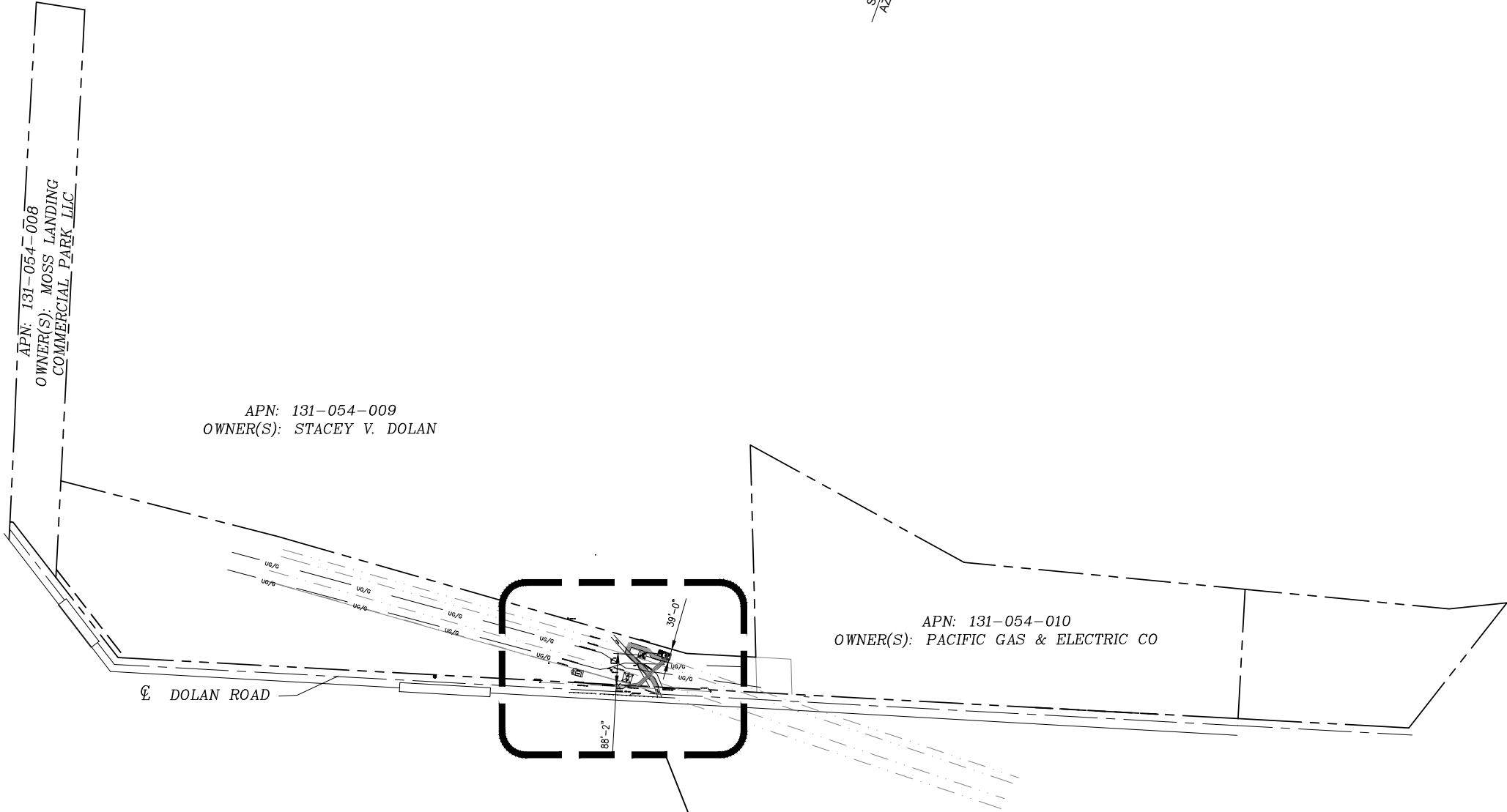
745 DOLAN ROAD
MOSS LANDING, CA 95039
MONTEREY COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY
SHEET

C-2



SECTOR "A1"
AZIMUTH = 20°

SECTOR "A2"
AZIMUTH = 20°

SECTOR "B1"
AZIMUTH = 260°

SECTOR "B2"
AZIMUTH = 180°

SECTOR "C2"
AZIMUTH = 100°

SECTOR "C1"
AZIMUTH = 140°



CONSULTANT



TSJ CONSULTING INC.
30767 Gateway Place #194
Rancho Mission Viejo, CA. 92694

APPLICANT



SITE INFORMATION

CCL04159
PG&E DOLAN ROAD
745 DOLAN ROAD
MOSS LANDING, CA 95039

DESIGN RECORD

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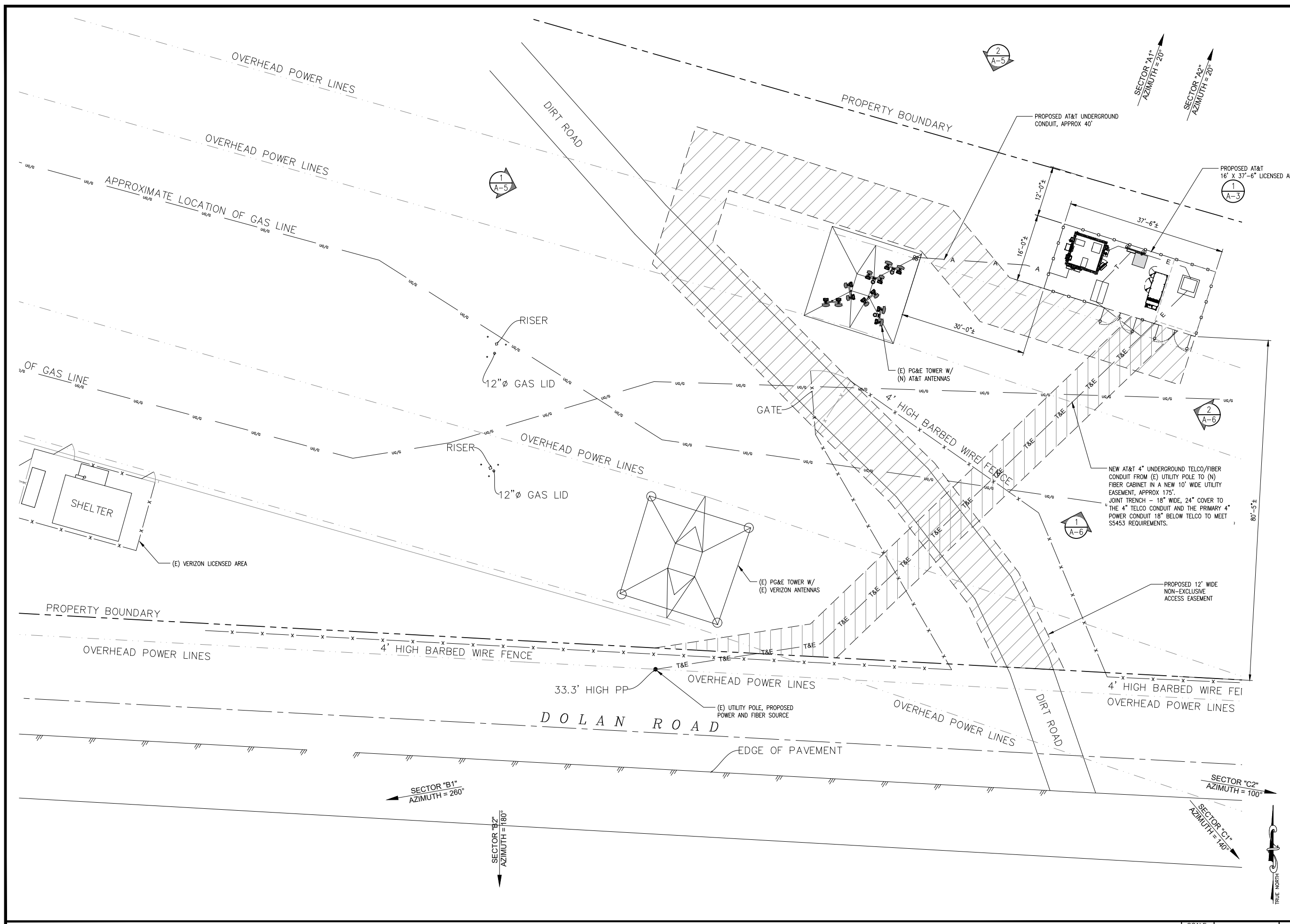
PROFESSIONAL STAMP

SHEET TITLE

SITE PLAN

SHEET

A-1



CONSULTANT



TSJ CONSULTING INC.
30767 Gateway Place #194
Rancho Mission Viejo, CA. 92694

APPLICANT



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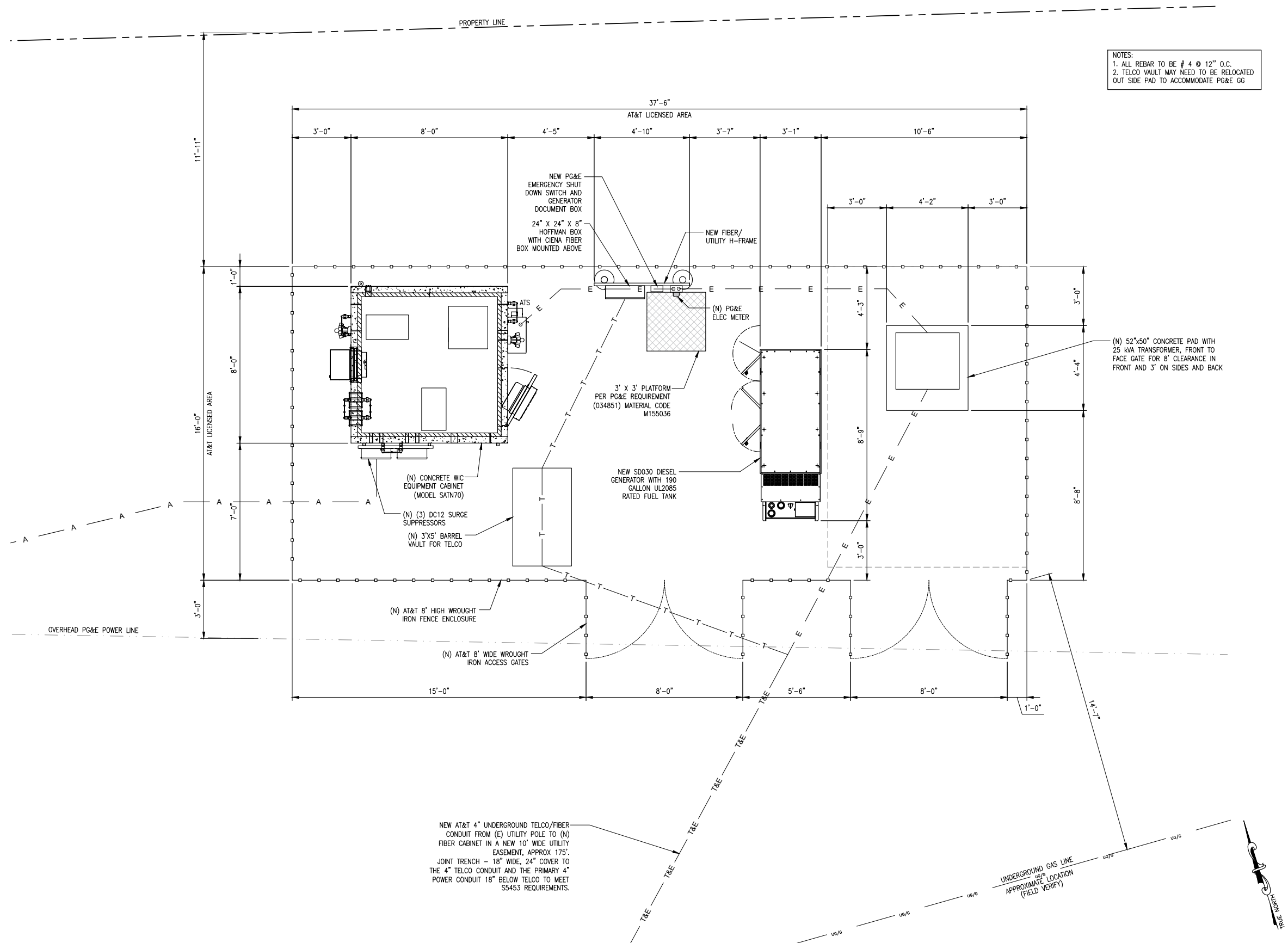
PROFESSIONAL STAMP

SHEET TITLE

ENLARGED SITE PLAN

SHEET

A-2



NOTES:
 1. ALL REBAR TO BE # 4 @ 12" O.C.
 2. TELCO VAULT MAY NEED TO BE RELOCATED OUT SIDE PAD TO ACCOMMODATE PG&E GG

CONSULTANT

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 Rancho Mission Viejo, CA. 92694

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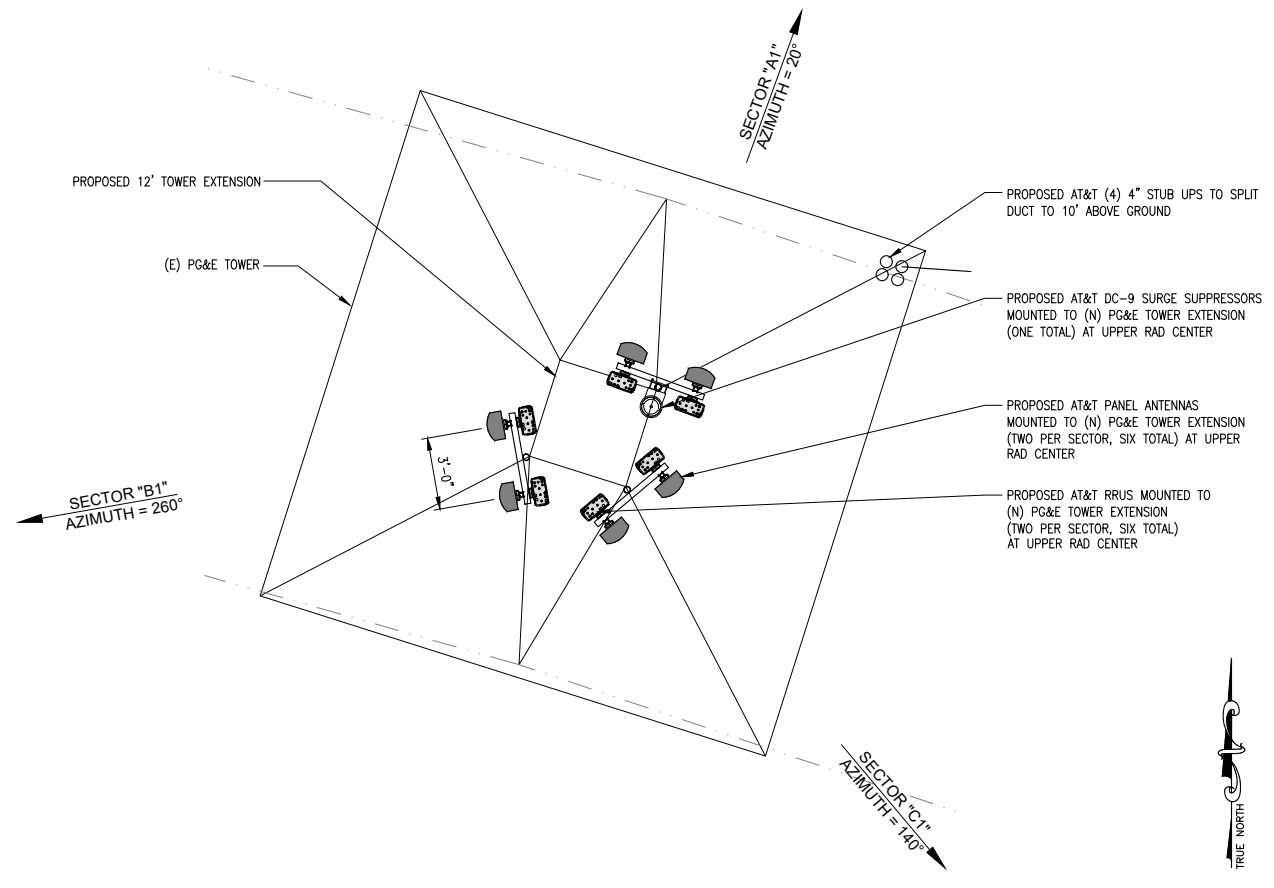
SHEET TITLE

EQUIPMENT LAYOUT

SHEET

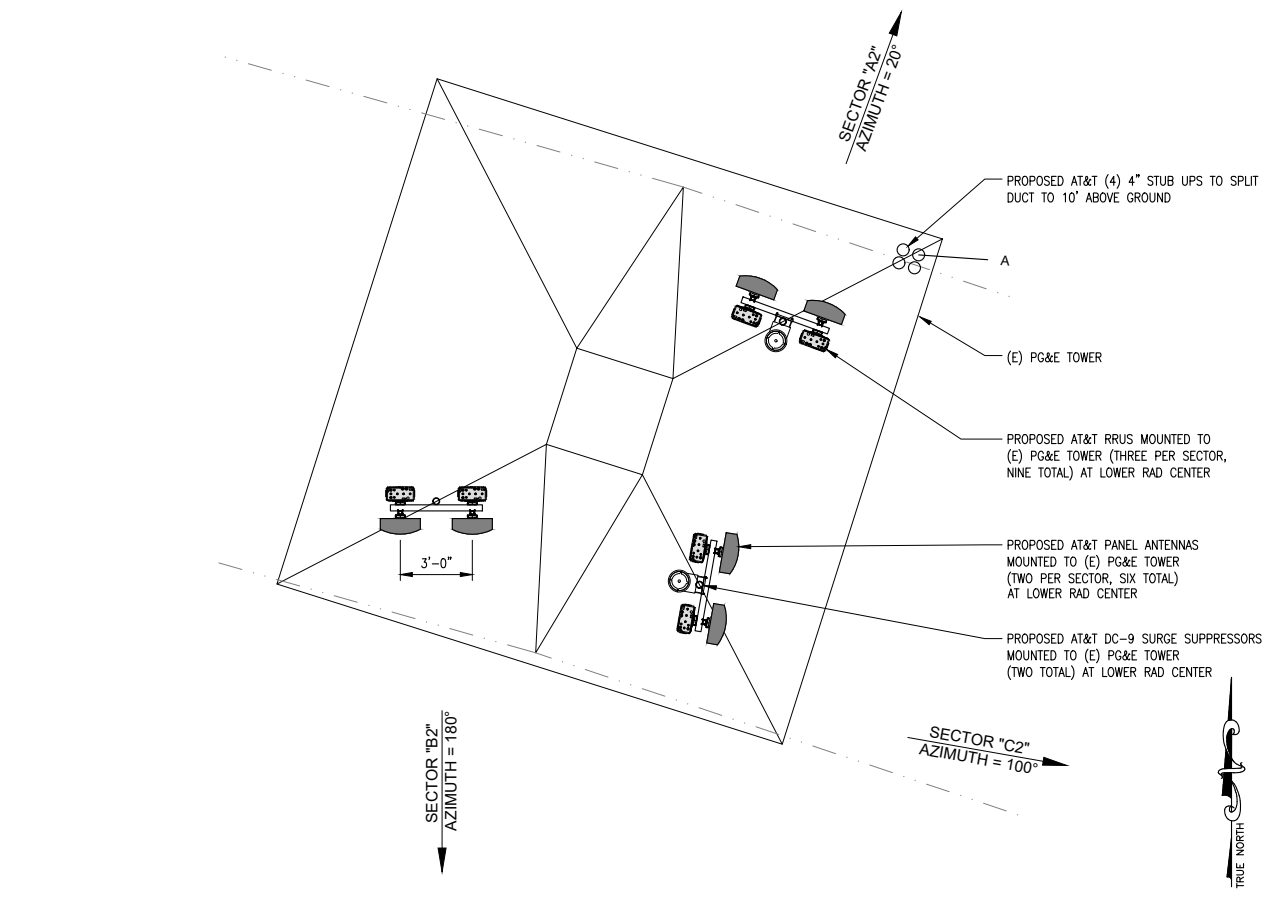
A-3

SECTOR	TECHNOLOGY	ANTENNA MODEL	AZIMUTH	RAD CENTER (A.G.L.)	RRU MODEL	FIBER/DC LENGTH	COAX JUMPER LENGTH	DC FEEDS
A	A1	FWLL	HBSAM65R-KU-H6-K (45.6 LBS)	20°	139'-6"	(1) 4415 B30 (46 LBS)	TRUNK1 75M ±8'-0"	1
	A2	FWLL	HBSAM65R-KU-H6-K (45.6 LBS)	20°	139'-6"	(1) 4415 B30 (46 LBS)	TRUNK1 75M ±8'-0"	1
	A3	700 / 850 / PCS	NNH4-65B-R6H4 (83.3 LBS)	20°	81'-0"	(1) RRU 4449 (71 LBS) (1) RRU 8843 (72 LBS)	TRUNK2 50M ±8'-0"	4
	A4	FNET / AWS	NNH4-65B-R6H4 (83.3 LBS)	20°	81'-0"	(1) RRU 4478 (59.9 LBS)	TRUNK2 50M ±8'-0"	1
B	B1	FWLL	HBSAM65R-KU-H6-K (45.6 LBS)	260°	139'-6"	(1) 4415 B30 (46 LBS)	TRUNK1 75M ±8'-0"	1
	B2	FWLL	HBSAM65R-KU-H6-K (45.6 LBS)	260°	139'-6"	(1) 4415 B30 (46 LBS)	TRUNK1 75M ±8'-0"	1
	B3	700 / 850 / PCS	NNH4-65B-R6H4 (83.3 LBS)	180°	81'-0"	(1) RRU 4449 (71 LBS) (1) RRU 8843 (72 LBS)	TRUNK3 50M ±8'-0"	4
	B4	FNET / AWS	NNH4-65B-R6H4 (83.3 LBS)	180°	81'-0"	(1) RRU 4478 (59.9 LBS)	TRUNK2 50M ±8'-0"	1
C	C1	FWLL	HBSAM65R-KU-H6-K (45.6 LBS)	140°	139'-6"	(1) 4415 B30 (46 LBS)	TRUNK1 75M ±8'-0"	1
	C2	FWLL	HBSAM65R-KU-H6-K (45.6 LBS)	140°	139'-6"	(1) 4415 B30 (46 LBS)	TRUNK1 75M ±8'-0"	1
	C3	700 / 850 / PCS	NNH4-65B-R6H4 (83.3 LBS)	100°	81'-0"	(1) RRU 4449 (71 LBS) (1) RRU 8843 (72 LBS)	TRUNK3 50M ±8'-0"	4
	C4	FNET / AWS	NNH4-65B-R6H4 (83.3 LBS)	100°	81'-0"	(1) RRU 4478 (59.9 LBS)	TRUNK2 50M ±8'-0"	1
TOTALS								21





UPPER ANTENNA LAYOUT - 139'-6" RAD CENTER

SCALE: 1/4"=1'-0" 1



LOWER ANTENNA LAYOUT - 81'-0" RAD CENTER

SCALE: 1/4"=1'-0" 2

CONSULTANT	 TSJ TSJ CONSULTING INC. 30767 Gateway Place #194 Rancho Mission Viejo, CA. 92694																												
APPLICANT																													
SITE INFORMATION	CCL04159 PG&E DOLAN ROAD 745 DOLAN ROAD MOSS LANDING, CA 95039																												
DESIGN RECORD	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">REVISIONS</th> </tr> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>07/23/20</td> <td>100% ZD</td> <td>DC</td> </tr> <tr> <td>3</td> <td>07/06/20</td> <td>100% ZD</td> <td>DC</td> </tr> <tr> <td>2</td> <td>05/22/20</td> <td>100% ZD</td> <td>DC</td> </tr> <tr> <td>1</td> <td>04/23/20</td> <td>100% ZD</td> <td>DC</td> </tr> <tr> <td>0</td> <td>04/03/20</td> <td>90% ZD</td> <td>DC</td> </tr> </tbody> </table>	REVISIONS				REV	DATE	DESCRIPTION	BY	4	07/23/20	100% ZD	DC	3	07/06/20	100% ZD	DC	2	05/22/20	100% ZD	DC	1	04/23/20	100% ZD	DC	0	04/03/20	90% ZD	DC
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PROFESSIONAL STAMP	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>																												
SHEET TITLE	ANTENNA LAYOUT, ANTENNA SCHEDULE																												
SHEET	A-4																												

PROPOSED AT&T DC-9 SURGE SUPPRESSORS MOUNTED TO (N) PG&E TOWER EXTENSION (ONE TOTAL)

PROPOSED AT&T PANEL ANTENNAS MOUNTED TO (N) PG&E TOWER EXTENSION (TWO PER SECTOR, SIX TOTAL)

PROPOSED AT&T RRUS MOUNTED TO (N) PG&E TOWER EXTENSION (TWO PER SECTOR, SIX TOTAL)

PROPOSED 12' TOWER EXTENSION

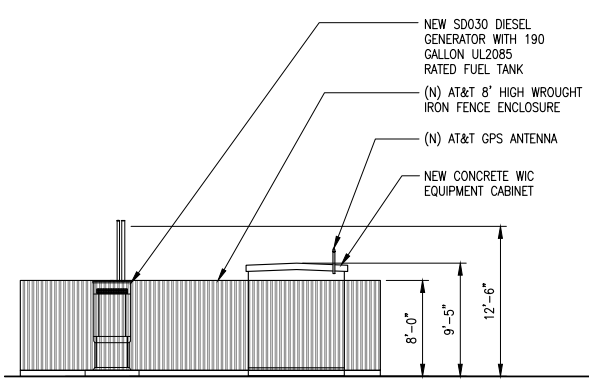
(E) PG&E TOWER

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PROPOSED AT&T RRUS MOUNTED TO (E) PG&E TOWER (THREE PER SECTOR, NINE TOTAL)

PROPOSED AT&T ANTENNA MOUNTS, ALL BELOW CONDUCTOR MOUNTS & H-FRAMES SUPPLIED BY GC.



NORTH EAST ELEVATION

SCALE: 1/8"=1'-0"

0 4' 8'

2

PROPOSED AT&T DC-9 SURGE SUPPRESSORS MOUNTED TO (N) PG&E TOWER EXTENSION (ONE TOTAL)

PROPOSED AT&T PANEL ANTENNAS MOUNTED TO (N) PG&E TOWER EXTENSION (TWO PER SECTOR, SIX TOTAL)

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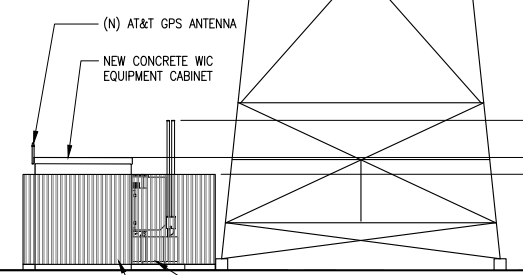
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NORTH WEST ELEVATION

SCALE: 1/8"=1'-0"

0 4' 8'

1

CONSULTANT

APPLICANT

SITE INFORMATION

DESIGN RECORD

PROFESSIONAL STAMP

SHEET TITLE

SHEET



CCL04159
PG&E DOLAN ROAD
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 MOSS LANDING, CA 95039

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ELEVATIONS

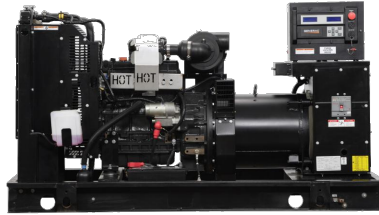
A-5

SD030



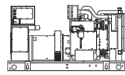
Industrial Diesel Generator Set

EPA Emissions Certification: Tier 4i



Standby Power Rating
30KW 60 Hz

Prime Power Rating
24KW 60 Hz



features

Generator Set

- PROTOTYPE & TORSIONALLY TESTED
- UL2200 TESTED
- RHINOCOAT PAINT SYSTEM
- WIDE RANGE OF ENCLOSURES AND TANKS
- EPA TIER COMPLIANT
- INDUSTRIAL TESTED, GENERAC APPROVED
- POWER-MATCHED OUTPUT
- INDUSTRIAL GRADE
- TWO-THIRDS PITCH
- LAYER WOUND ROTOR & STATOR
- CLASS H MATERIALS
- DIGITAL 9-PHASE VOLTAGE CONTROL
- ENCAPSULATED BOARD W/ SEALED HARNESS
- 4-20mA VOLTAGE-TO-CURRENT SENSORS
- SURFACE-MOUNT TECHNOLOGY
- ADVANCED DIAGNOSTICS & COMMUNICATIONS

benefits

- PROVIDES A PROVEN UNIT
- ENSURES A QUALITY PRODUCT
- IMPROVES RESISTANCE TO ELEMENTS
- PROVIDES A SINGLE SOURCE SOLUTION
- ENVIRONMENTALLY FRIENDLY
- ENSURES INDUSTRIAL STANDARDS
- ENGINEERED FOR PERFORMANCE
- IMPROVES LONGEVITY AND RELIABILITY
- ELIMINATES HARMFUL 3RD HARMONIC
- IMPROVES COOLING
- HEAT TOLERANT DESIGN
- FAST AND ACCURATE RESPONSE
- EASY, AFFORDABLE REPLACEMENT
- NOISE RESISTANT 24/7 MONITORING
- PROVIDES VIBRATION RESISTANCE
- HARDENED RELIABILITY

primary codes and standards



SD030

application and engineering data

ENGINE SPECIFICATIONS	
General	KMC/Generac
EPA Emissions Compliance	Tier 4i emissions
EPA Emissions Engine Reference	See Emissions Data Sheet
Cylinder #	4
Type	In-Line
Displacement - L	2.8
Bore - mm (in.)	90 (3.54)
Stroke - mm (in.)	94 (3.70)
Compression Ratio	21.3:1
Intake Air Method	Turbocharged
Cylinder Head Type	Cast Iron
Piston Type	Aluminum
Engine Governing	Electronic Isochronous
Governor	Electronic Isochronous
Frequency Regulation (Steady State)	±0.25%
Lubrication System	
Oil Pump Type	Gear
Oil Filter Type	Full-Flow
Crankcase Capacity - L (gal)(qt)	6.2 (1.63) (6.52)
Cooling System	
Water Pump	Closed Recovery
Water Pump Type	Pre-Lubricated Self Sealing
Fan Type	Pusher
Fan Speed	2698
Fan Diameter mm (in.)	560 (22.0)
Coolant Heater Wattage	1500
Coolant Heater Standard Voltage	120VAC
Fuel System	
Fuel Type*	Ultra Low Sulfur Diesel Fuel
Fuel Specifications	ASTM
Fuel Filtration (microns)	5
Fuel Inject Pump Make	Bosch
Fuel Pump Type	Engine Driven Gear
Injector Type	Common Rail Mechanical
Engine Type	Direct Injection
Fuel Supply Line - NPT - mm (in.)	7.94 (0.31)
Fuel Return Line - mm (in.)	7.94 (0.31)
Engine Electrical System	
System Voltage	28
Battery Charging Alternator (Amps)	120VDC
Battery Size (at 0 °C)	700/925
Battery Group	27F/31
Battery Voltage	12VDC
Ground Polarity	Negative
ALTERNATOR SPECIFICATIONS	
Standard Model	390
Poles	4
Field Type	Revolving
Insulation Class - Rotor	H
Insulation Class - Stator	H
Total Harmonic Distortion	< 3.5%
Telephone Interference Factor (TIF)	< 50
Standard Excitation*	Direct
Bearings	Single Sealed Cartridge
Coupling	Direct, Flexible Disc
Load Capacity - Standby	100%
Load Capacity - Prime	100%
Prototype Short Circuit Test	Y
CODES AND STANDARDS COMPLIANCE (WHERE APPLICABLE)	
NFPA 99	
NFPA 110	
ISO 8528-5	
ISO 17084.5	
ISO 3046	
B5514	
SAE J1349	
DIN6271	
IEEE C82.41 TESTING	
NEMA ICS 1	

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IEEE C82.41 TESTING	
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Rating Definitions:
Standby - Applicable for a varying emergency load for the duration of a utility power outage with no overload capability. (Max. load factor = 70%)
Prime - Applicable for supplying power to a varying load in lieu of utility for an unlimited amount of running time. (Max. load factor = 80%) A 10% overload capacity is available for 1 out of every 12 hours.

SD030



operating data (60Hz)

POWER RATINGS (KW)		
Single-Phase 120/240VAC @1.0pf	30 Standby, 24 Prime	
Three-Phase 120/208VAC @0.8pf	30 Standby, 24 Prime	
Three-Phase 120/240VAC @0.8pf	30 Standby, 24 Prime	
Three-Phase 277/480VAC @0.8pf	30 Standby, 24 Prime	
Three-Phase 346/600VAC @0.8pf	30 Standby, 24 Prime	
STARTING CAPABILITIES (kVA)		
skVA vs. Voltage Dip		
Alternation*	480VAC	208/240VAC
Standard	10% 15% 20% 25% 30% 35%	10% 15% 20% 25% 30% 35%
Upsize 1	40 27 41 54 68 81	20 31 41 53 61 71
Upsize 2	40 27 41 54 68 81	20 31 41 53 61 71
*All Generac industrial alternators utilize Class II materials. Standard alternator provides less than or equal to Class B temperature rise. Upsize Alternator provides less than or equal to Class B temperature rise. Upsize provides less than or equal to Class B temperature rise.		
FUEL		
Fuel Consumption Rates**		
Fuel Pump Lift - in (m)	36(9)	
Percent Load	STANDBY PRIME	
gph lph	gph lph	
50%	0.92 3.3 0.78 3.0	
75%	1.36 4.9 1.14 4.3	
100%	1.80 6.8 1.52 5.7	
** Refer to "Emissions Data Sheets" for maximum fuel flow for EPA and SCAGMD permitting purposes.		
COOLING		
Coolant System Capacity - Gal (L)		
STANDBY PRIME	10.0 (38) 10.0 (38)	
2.8 (10.8)	1850 1850	
Coolant Flow per Minute		
Heat rejection to Coolant	BTU/min	
Heat rejection to Ambient	cfm (m ³ /hr)	
4500 (7647) 4500 (7647)		
Max. Operating Radiator Air-Temp		
°F (°C)	122 (50) 122 (50)	
Max. Operating Ambient Temperature		
°F (°C)	104 (40) 104 (40)	
COMBUSTION AIR REQUIREMENTS		
Intake Flow at Rated Power		
cfm (m ³ /min)	STANDBY PRIME	
95 (2.69) 95 (2.65)		
EXHAUST		
Exhaust Flow (Rated Output)		
cfm (m ³ /hr)	STANDBY PRIME	
230 (6.5) 217 (6.1)		
Maximum Backpressure		
inHg (kPa)	1.5 (5.1) 1.5 (5.1)	
Exhaust Temp (Rated Output)		
°F (°C)	850 (454) 775 (431)	
ENGINE		
Rated Engine Speed		
rpm	1800 1800	
Horsepower at Rated kW***		
hp	51 51	
Piston Speed		
ft/min (m/min)	1110 (44) 1110 (44)	
WEP*		
psi	155 155	
*** Refer to "Emissions Data Sheets" for maximum bhp for EPA and SCAGMD permitting purposes.		

Derating - Operational characteristics consider maximum ambient conditions. Derate factors may apply under atypical site conditions. Please consult a Generac Power Systems Industrial Dealer for additional details. All performance ratings in accordance with ISO3046, B5514, ISO8528 and DIN6271 standards.

SD030

standard features and options

GENERATOR SET		CONTROL SYSTEM	
GenSet Vibration Isolation	Std	Digital H Control Panel - Dual 4x20 Display	Std
IBC Seismic Certified/Seismic Rated Vibration Isolators	Opt	Digital G-1000 Control Panel - Touchscreen	Opt
Extended warranty	Opt	Digital G-2000 Paralleling Control Panel - Touchscreen	Opt
Export boxing	Opt	Programmable Crank Limiter	Std
Gen-Link Communications Software	Opt	21-Light Remote Annunciator	Opt
Steel Enclosure	Opt	Remote Relay Panel (8 or 16)	Opt
Aluminum Enclosure	Opt	7-Day Programmable Exerciser	Std
		Special Applications Programmable PLC	Std
ENGINE SYSTEM		RS-232	Std
General		RS-485	Std
Oil Drain Extension	Std	All-Phase Sensing DVR	Std
Oil Make-Up System	Opt	Full System Status	Std
Oil Heater	Opt	Utility Monitoring (Req. H-Transfer Switch)	Std
Fuel System		2-Wire Start Compatible	Std
Fuel lockoff solenoid	Std	Power Output (kW)	Std
Secondary fuel filter	Std	Power Factor	Std
Stainless steel flexible exhaust connection	Std	Reactive Power	Std
Industrial Exhaust Silencer	Opt	All phase AC Voltage	Std
Critical Exhaust Silencer	Opt	All phase Currents	Std
Flexible fuel lines	Opt	Oil Pressure	Std
Primary fuel filter	Opt	Coolant Temperature	Std
Single Wall Tank (Export Only)	-	Coolant Level	Std
UL 142 Fuel Tank	Opt	Oil Temperature	Opt
		Fuel Pressure	Std
		Engine Speed	Std
		Battery Voltage	Std
		Frequency	Std
		Date/Time Fault History (Event Log)	Std
Cooling System		UL2200 GENprotect™	Std
120VAC Coolant Heater	Opt	Low-Speed Exercise	-
208VAC Coolant Heater	Opt	Isynchronous Governor Control	Std
240VAC Coolant Heater	Opt	40deg C - 70deg C Operation	Std
Other Coolant Heater	-	Waterproof Plug-in Connectors	Std
Closed Coolant Recovery System	Std	Audible Alarms and Shutdowns	Std
UV/Ozone resistant hoses	Std	Not in Auto (Flashing Light)	Std
Factory-Installed Radiator	Std	On/Off/Manual Switch	Opt
Radiator Drain Extension	Std	E-Stop (Red Mushroom-Type)	Std
		Remote E-Stop (Break Glass-Type, Surface Mount)	Opt
Engine Electrical System		Remote E-Stop (Red Mushroom-Type, Flush Mount)	Opt
Battery charging alternator	Std	NFPA 110 Level I and II (Programmable)	Std
Battery cables	Std	Remote Communication - RS232	Std
Battery tray	Std	Remote Communication - Modem	Opt
Battery box	Opt	Remote Communication - Ethernet	Opt
Battery heater	Opt	ISA Run Relay	Opt
Solenoid activated starter motor	Std		
Air cleaner	Std		
Fan guard	Std		
Radiator duct adapter	Opt		
2A battery charger	Opt		
100 UL float/equalize battery charger	Opt		
Rubber-booted engine electrical connections	Std		
ALTERNATOR SYSTEM			
UL2200 GENprotect™	Std		
Main Line Circuit Breaker	Opt		
2nd Circuit Breaker	Opt		
3rd Circuit Breaker	Opt		
Alternator Upsizing	Opt		
Anti-Condensation Heater	Opt		
Tropical coating	Opt		

SD030

dimensions, weights and sound levels

OPEN SET	
RUN TIME HOURS	USABLE CAPACITY (GAL)
L	W
H	WT
dBA*	
NO TANK	76 38 46 2060
20	84 38 59 2540
48	132 38 71 2770
77	211 38 83 2979
109	300 38 83 3042
WEATHERPROOF ENCLOSURE	
RUN TIME HOURS	USABLE CAPACITY (GAL)
L	W
H	WT
dBA*	
NO TANK	84 38 46 2362
20	94 38 59 2842
48	132 38 71 3072
77	211 38 83 3281
109	300 38 83 3344
LEVEL 1 SOUND ENCLOSURE	
RUN TIME HOURS	USABLE CAPACITY (GAL)
L	W
H	WT
dBA*	
NO TANK	112 38 46 2513
20	122 38 59 2995
48	132 38 71 3225
77	211 38 83 3434
109	300 38 83 3497
LEVEL 2 SOUND ENCLOSURE	
RUN TIME HOURS	USABLE CAPACITY (GAL)
L	W
H	WT
dBA*	
NO TANK	94 38 59 2520
20	122 38 72 3000
48	132 38 84 3230
77	211 38 96 3439
109	300 38 96 3502

*All measurements are approximate and for estimation purposes only. Required gallons based on 30% of standby rating. Weights consider steel enclosure and are without fuel in tank. Sound levels measured at 20' (7m) and does not account for ambient site conditions.

YOUR FACTORY RECOGNIZED GENERAC INDUSTRIAL DEALER

Tank Options:
 MODO
 Florida DERM/DEP
 Chicago Fire Code
 IEC Certification
 ULC
 Other Custom Options Available from your Generac Industrial Power Dealer

Specification characteristics may change without notice. Dimensions and weights are for preliminary purposes only. Please consult a Generac Power Systems Industrial Dealer for detailed installation drawings.

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CONSULTANT

APPLICANT

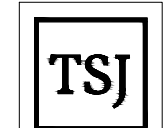
SITE INFORMATION

DESIGN RECORD

PROFESSIONAL STAMP

SHEET TITLE

SHEET



TSJ CONSULTING INC.
30767 Gateway Place #194
Rancho Mission Viejo, CA. 92694

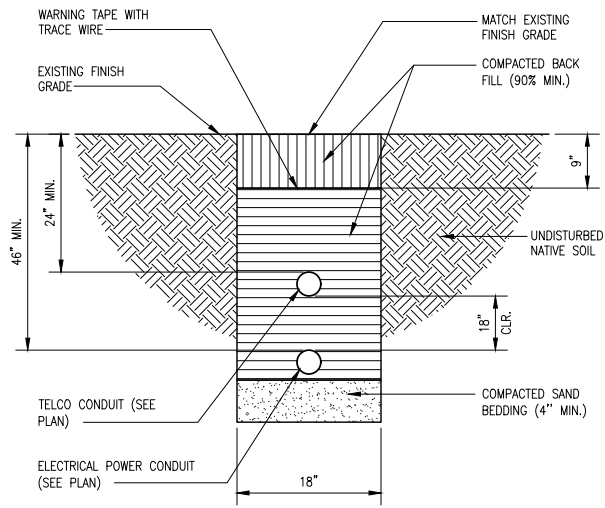


CCL04159
PG&E DOLAN ROAD
745 DOLAN ROAD
MOSS LANDING, CA 95039

REV	DATE	DESCRIPTION	BY
4	07/23/20	100% ZD	DC
3	07/06/20	100% ZD	DC
2	05/22/20	100% ZD	DC
1	04/23/20	100% ZD	DC
0	04/03/20	90% ZD	DC

GENERATOR SPECIFICATIONS

A-7



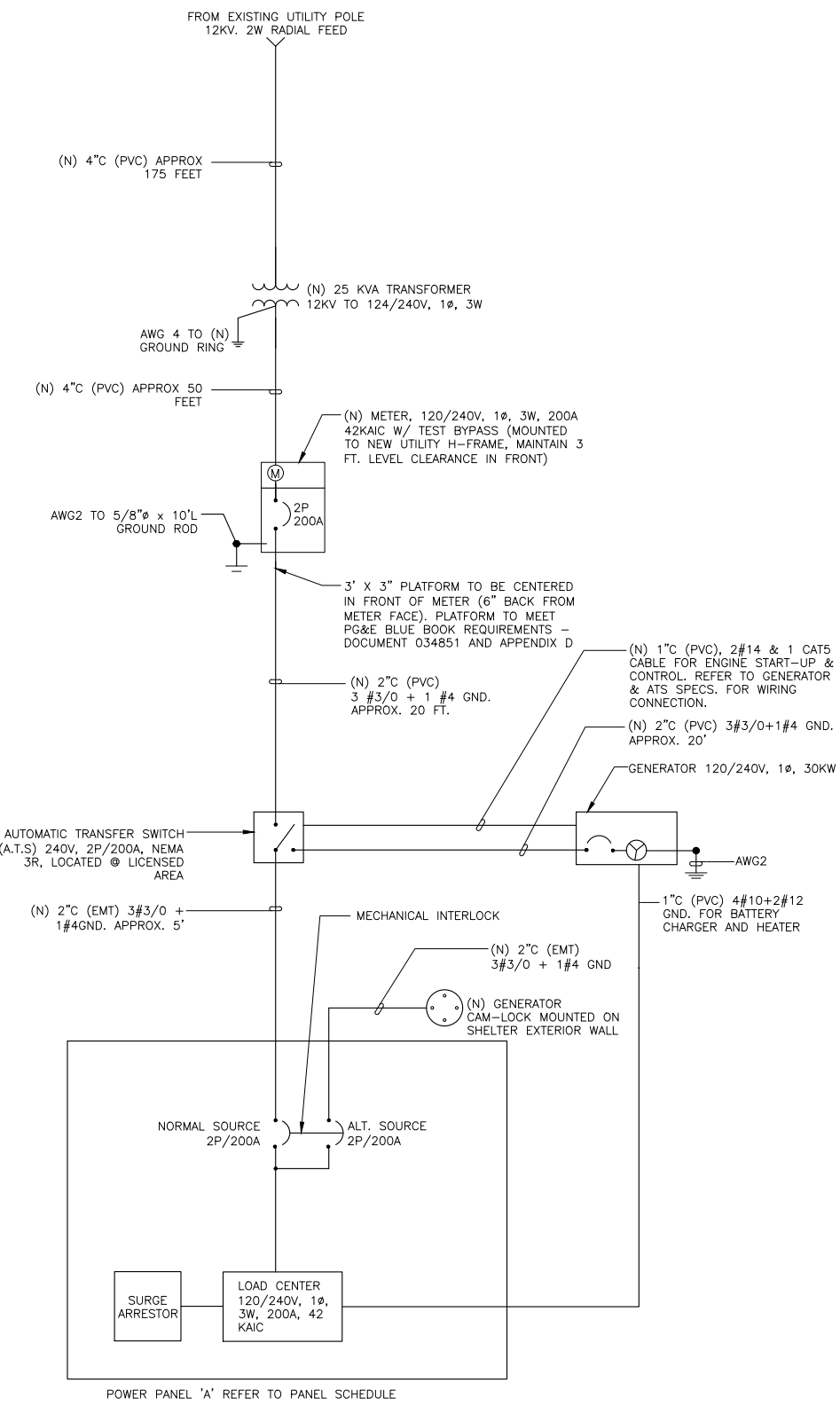
TRENCH DETAIL

NO SCALE 5

PANEL 'A' SCHEDULE											
120/240V, 1 PHASE, 3W 200A BUS, 42 KAIC					INTERSECT # MP1220042-3R-B 200A MAIN BKR (COMMERCIAL PWR) 42 KAIC SERIES RATED UL LISTED SERVICE ENTRANCE EQUIPMENT						
MAIN BREAKER RATING (A): 200					SYSTEM VOLTAGE (V): 240						
DESCRIPTION	VA	ctnc	BKR	POSN	L1	L2	POSN	BKR	ctnc	VA	DESCRIPTION
RECTIFIER #1	1752	NC	30	1	1802	2	15	C	50	150	SMOKE DETECTOR
RECTIFIER #2	1752	NC	30	3	1902	4	20	C	150	150	LIGHTING
RECTIFIER #3	1752	NC	30	5	2472	6	20	NC	720	720	CONV OUTLETS
RECTIFIER #4	1752	NC	30	7	1902	8	15	NC	150	150	EMERGENCY LTG
RECTIFIER #5	1752	NC	30	9	3496	10	40	NC	1744	1744	HVAC #1
RECTIFIER #6	1752	NC	30	11	3496	12	40	NC	1744	1744	HVAC #2 (NOTE 2)
RECTIFIER #7	1752	NC	30	13	2247	14	15	NC	495	495	FCU #1
RECTIFIER #8	1752	NC	30	15	2247	16	15	NC	495	495	FCU #1
RECTIFIER #9	1752	NC	30	17	1752	18	40	NC	0	0	HVAC #2 (NOTE 2)
RECTIFIER #10	1752	NC	30	19	1752	20	40	NC	0	0	HVAC #2 (NOTE 2)
RECTIFIER #11	1752	NC	30	21	1752	22	15	NC	0	0	FCU #2 (NOTE 2)
RECTIFIER #12	1752	NC	30	23	1752	24	15	NC	0	0	FCU #2 (NOTE 2)
RECTIFIER #13	1752	NC	30	25	1932	26	15	NC	180	180	G.F.I. (W.P.)
RECTIFIER #14	1752	NC	30	27	2232	28	20	NC	480	480	GEN BAT CHARGER
SPACE				29	600	30	20	NC	600	600	GENERATOR HEATER
SPACE				31		32					SPACE
SPACE				33	0	34					SPACE
SPACE				35	0	36					SPACE
SPACE				37	0	38					SPACE
SPACE				39	0	40					SPACE
SPACE				41	0	42					SPACE
PHASE TOTALS (VA):					16053 15243						
CURRENT PER PHASE (A):					129 123 Amperes/phase cannot exceed main breaker rating						
PANEL TOTAL (VA):					30256						
PANEL CAPACITY (kVA):					48.0						
PANEL LOADING (100% non-cont. load) (kVA):					30.1						
PANEL LOADING (125% continuous load) (kVA):					0.3						
PANEL LOADING (TOTAL) (kVA):					30.4						
SPARE CAPACITY (kVA):					17.6						
CONNECTED LOAD (kVA):					30.3						

PANEL SCHEDULE

NO SCALE 6



SINGLE LINE DIAGRAM

NO SCALE 4

Hyperlinks Are Inactive

TABLE OF CONTENTS		SHEET
NOTES		1
PLATFORMS, LOCATION OF PLATFORM, FOUNDATIONS & DETAIL		2
TABLE 1. TYPICAL APPLICATION FOR TRANSMISSION SUBSTATION		3

GENERAL NOTES

- USE THIS DRAWING FOR ALL NEW CONSTRUCTION
- FOR CONSTRUCTION PRIOR TO 1988, SEE DRAWING #20209 & 022094
- FURNISH CAP SCREWS, FLASH SHELLS, FASTENING CLIPS, AND MACHINE BOLTS IN FIELD
- GRATING IS TO HAVE MAIN BARS OF 1/2" X 1-1/2" AT 1-1/2" SPACING. CROSS BARS TO BE TWISTED BARS ON 4" CENTERS, WELDED FLUSH ON TOP. ALL ENDS TO HAVE BAR EDGES
- GRATING AND ASSOCIATED PARTS SHALL BE GALVANIZED AFTER FABRICATION TO CONFORM WITH ASTM STANDARD SPECIFICATION A152 (LATEST REVISION)
- SHOW LOCATION OF PLATFORM TO STRUCTURE (DIMENSION "Y") ON ARRANGEMENT OF FOUNDATION DRAWING
- FOR BONDING OF PLATFORMS SEE IES 067910, SH.6
- FOR GROUNDING OF PLATFORMS FOR SWITCHES MOUNTED ON WOOD POLES REFER TO IES 067910, SH.7 FIG. B1
- CLEARANCE FROM ANY METAL COMPONENTS OF THE PLATFORM, TO FINISH GRADE, SHALL NOT BE LESS THAN 2 INCHES. STEP HEIGHT FROM FINISH GRADE TO TOP OF GRATING SHALL BE LIMITED TO 9/16" MAX. FOR STEP HEIGHTS GREATER THAN 9/16" USE ALTERNATE DESIGNS SHOWN ON COS 353252
- NOTE 9 ABOVE DOES NOT APPLY TO PLATFORM MOUNTED ON A FLOOR OR CONCRETE PAD.

ORDERING INSTRUCTIONS

- FOR TRANSMISSION SUBSTATIONS SPECIFY ITEM NO. AND SIZE OF PLATFORM FROM TABLE 1, SHEET 3
- FOR DISTRIBUTION SUBSTATIONS REFER TO "GUIDE FOR SELECTING SWITCH OPERATING PLATFORMS" (COS 217700)

REFERENCES

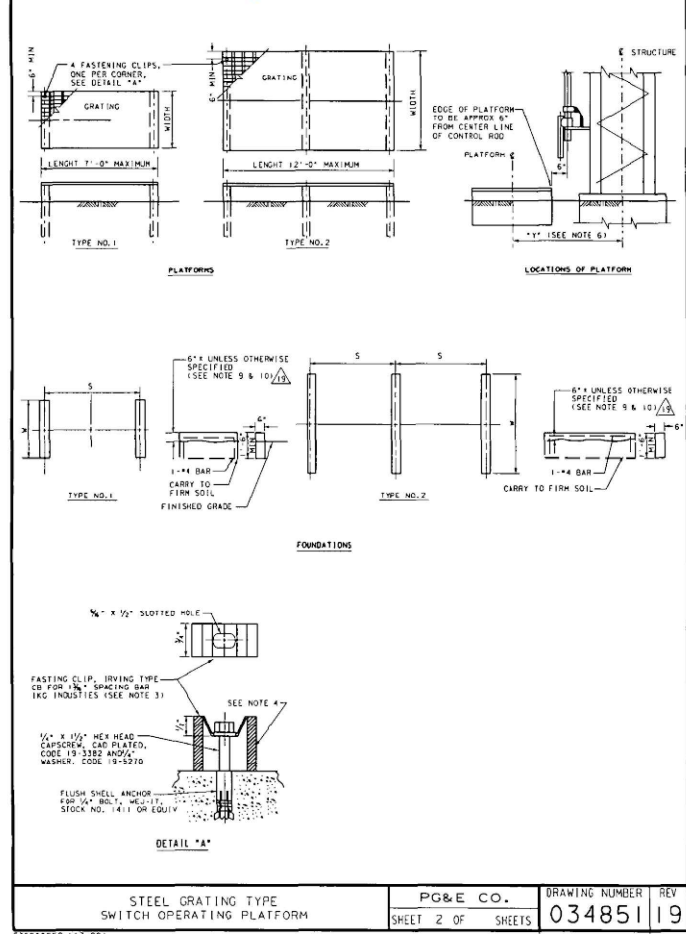
GROUNDING REQUIREMENTS FOR OUTDOOR ELECTRICAL SUBSTATIONS _____ IES 067910
 SWITCH OPERATING PLATFORM ALTERNATIVE DESIGNS _____ COS 353252

REVISION	DATE	DESCRIPTION	BY	CHKD	SRVP	APVD
1	8-6-99	ISSUED NOTE 9	JA	BCG	GOD	

REFERENCES

ENGINEERING STANDARD
 STEEL GRATING TYPE
 SWITCH OPERATING PLATFORMS
 DEPARTMENT OF ENGINEERING
 PACIFIC GAS AND ELECTRIC COMPANY
 SAN FRANCISCO, CALIFORNIA
 DRAWING NUMBER REV
 034851 19

Hyperlinks Are Inactive



PG&E PLATFORM DETAIL

NO SCALE 3

TSJ

TSJ CONSULTING INC.
 30767 Gateway Place #194
 Rancho Mission Viejo, CA. 92694

at&t
 mobility corp.

CCL04159
PG&E DOLAN ROAD
 745 DOLAN ROAD
 MOSS LANDING, CA 95039

REVISIONS

REV	DATE	DESCRIPTION	BY
4	07/23/20	100% ZD	DC
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0	04/03/20	90% ZD	DC

PROFESSIONAL STAMP

PRELIMINARY ELECTRICAL DESIGN

E-1

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