

Exhibit F

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MINUTES
Toro Land Use Advisory Committee
Monday, May 23, 2016

1. Site visit at 2:45 PM at the 113 SAN BENANCIO RD, SALINAS (NICOLA)

ATTENDEES: Anthony Nicola, Owner; LUAC members: Baker, Vandergrift, Keenan, Mueller,
Weaver, Bean

Site visit at 3:20 PM at the 22400 INDIAN SPRINGS RD, SALINAS (INDIAN SPRINGS RCH PROP OWNERS [VERIZON WIRELESS])

ATTENDEES: Jessica Rider and Kelly McCurnin, Verizon representatives; Kyle Brown, Indian Springs Ranch Board President; Zach Linnan, Board Member; Julie Burbank, ISR Property Manager; Ernie and Shirley Best, Ruth McHaney, Betty Nelson, Nina Beety. LUAC members: Baker, Vandergrift, Keenan, Mueller, Weaver, Bean

2. Meeting called to order by Weaver at 4:05 p.m. pm

3. Roll Call

Members Present: Baker, Vandergrift, Keenan, Mueller, Weaver, Bean (6)

Members Absent: Varney, Kennedy, Rieger (3)

Also attending from the County: Amy Roberts, Planning Commissioner & Ramon Montano, RMA
Planning Liaison

4. Approval of Minutes:

A. February 8, 2016 minutes

Motion: Vandergrift (LUAC Member's Name)

Second: Keenan (LUAC Member's Name)

Ayes: Baker, Keenan, Mueller, Vandergrift, Bean (5)

Noes: None

Absent: Varney, Kennedy, Rieger (3)

Abstain: Weaver (1)

5. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

6. **Scheduled Item(s)**

7. **Other Items:**

- A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects (Refer to pages below)

None

- B) Announcements

None

8. **Meeting Adjourned:** 5:28 p.m. pm

Minutes taken by: Beverly Bean

Minutes received via email May 27, 2016

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County RMA Planning
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: **Toro**

Please submit your recommendations for this application by: **May 23, 2016**

Project Title: INDIAN SPRINGS RCH PROP OWNERS (VERIZON WIRELESS)

File Number: PLN150082

Planner: NAKAMURA

Location: 22400 INDIAN SPRING RD SALINAS

Project Description:

The project will be heard at the Board of Supervisors on June 7, 2016 to consider an Amendment to existing easement language to allow wireless telecommunication facilities within the easement boundaries as shown on the attached subdivision map. If the Amendment to the existing easement language is approved by the Board

of Supervisors, the project will be heard by the Planning Commission on June 29, 2016 to consider a Use Permit and Design Approval to allow a 30 foot mono-eucalyptus (wireless telecommunication facility) and related equipment.

*Please note: If the BOS does not approve amending the easement language to allow wireless telecommunication facilities, staff will be recommending denial of the use permit at the June 29, 2016 Planning Commission hearing.

The property is located at 22400 Indian Springs Road, Salinas (Assessor's Parcel Number 139-111-011-000), Toro Area Plan.

Was the Owner/Applicant/Representative present at meeting? Yes X No

Indian Springs Ranch Board President Kyle Brown, Board member Zach Linnane, ISR Property Manager Julie Burbank, Verizon representative Jessica Rider

Was a County Staff/Representative present at meeting? Amy Roberts, Ramon Montano (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Betty Nelson, ISR resident	X		Supports tower project, has no cell reception at her home. Says cell phone is a utility and necessary for business. This has much less visual impact than gas station built on River Rd opposite entrance to ISR.
Kyle Brown	X		Supports tower project, needs reception for his home business; says site will support and Verizon plans on co-location of other cell phone companies, providing additional rental fees. More structures would be needed but would be hidden behind fence. Verizon will pay ISR \$1000/month. This tower has no generator in case of power outage but will connect to other sites that have generators.

PUBLIC COMMENT CONTINUED:

Julie Burbank, Property Manager ISR	X		Area badly needs this tower due to poor cell phone reception in case of emergencies. It will boost the signal and she believes it is a utility.
Nina Beety		X	This tower on scenic easement sets a precedent, making easements open to all sorts of structures. Law says no discrimination between cell companies, so other towers could also be built. Recently Seaside city council approved a cell tower in a residential neighborhood, although planning commission recommended no.

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Visual impact of structures, including tower		Hide structures behind solid or vegetation covered fence
Proposed tower site is on dedicated County Scenic Easement, which precludes structures. If allowed, this will set a precedent for future building on easements, not only in Toro but elsewhere in the County, including Highway 1, Big Sur.		Find a location within ISR which is not in a scenic easement, or another non-scenic easement location on River Road.

ADDITIONAL LUAC COMMENTS

This project application previously came to LUAC on June 8, 2015. Continuance to a date certain was recommended by the Toro LUAC at that time because the proposal was incomplete and the location was discovered to be part of scenic easement deeded to county on 7/5/73. At the time the Toro LUAC requested wording of deed, alternative locations, flagging and map of site layout. The LUAC was not informed that since that time, this project was the subject of a Monterey County Planning Administrative denial. The Verizon Corporation challenged this denial, and the project application was sent to the Monterey County Planning Commission which rejected it 7-0 due to scenic easement restrictions.

The proposed specific location of the project was changed a bit from that presented to LUAC on 6/8/15 but it is still on scenic easement. It includes a 34-foot tower designed to resemble a eucalyptus tree and three refrigerator sized equipment structures, all within an 8 foot fence.

Regarding compatibility, the Verizon representative stated concerns regarding cell tower proximity to residential housing health concerns are prohibited from being discussed per the FCC rules and regulations.

Letters were submitted for the record opposing the placement of cell tower on scenic easements; a copy of the deed restriction and maps; and appeal of Planning Commission decision from Verizon along with conclusions and recommendations regarding cell towers.

RECOMMENDATION:

Motion by: Vandergrift (LUAC Member's Name)

Second by: Bean (LUAC Member's Name)

 Support Project as proposed

 X Support Project with changes - (Move location off of scenic easement)

 Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Bean, Weaver, Vandergrift (3)

NOES: Mueller, Keenan, Baker (3)

ABSENT: Kennedy, Varney, Rieger (3)

ABSTAIN: 0

MOTION FAILED: THEREFORE NO RECOMMENDATION FROM LUAC.

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County RMA Planning
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: **Toro**

Please submit your recommendations for this application by: **May 23, 2016**

Project Title: NICOLA ANTHONY

File Number: PLN160205

Planner: LISTER

Location: SAN BENANCIO RD SALINAS

Project Description:

Use Permit to allow the removal of 16 Oak trees and Design Approval to allow the construction of a new 3,400 square foot two-story single family dwelling with new a septic system, and approximately 118 cubic yards of cut and 55 cubic yards of fill. The property is located at 113 San Benancio Road, Salinas (Assessor's Parcel Number 416-221-041-000), Toro Area Plan.

Was the Owner/Applicant/Representative present at meeting? Yes X No

Anthony Nicola, Owner

Was a County Staff/Representative present at meeting? Ramon Montano, Amy Roberts (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Letter submitted from neighbor by R. Montano to be attached to minutes	X		Tree removal should be careful so as to retain screening buffer between neighboring properties

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Recent numbering of lot is confusing. It is on the even number side of the road and it is very difficult to locate.		It should be an even number
No public notice posted on lot. Incorrect Project Notice sent to neighbors stating 16 trees to be removed when actually it is 21 trees. No corrected notice was sent.		County should resend correct project notice to neighbors and post the site.

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION:

Motion by: Vandergrift (LUAC Member's Name)

Second by: Baker (LUAC Member's Name)

 Support Project as proposed

 Support Project with changes

 X Continue the Item

Reason for Continuance: Corrected project notice (agenda) should be sent to neighbors and posted

Continued to what date: June 6, 2016

AYES: Weaver, Baker, Vandergrift, Keenan (4)

NOES: Mueller, Bean (2)

ABSENT: Varney, Kennedy, Rieger (3)

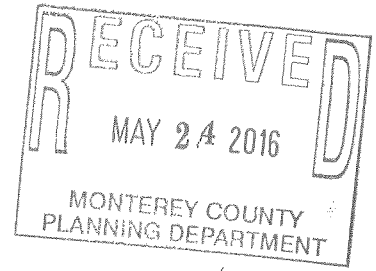
ABSTAIN: 0

Submitted to Toro
LUAC at 5/23/16 mtg

Nakamura, Ashley x5892

From: Hope Tinney [hopebt@hotmail.com]
Sent: Monday, May 23, 2016 12:55 PM
To: Nakamura, Ashley x5892
Subject: FW: PLN 160205

PLN160205



Dear Ashley,
Thank you for making sure this letter gets to the appropriate people.

Hope Tinney

From: hopebt@hotmail.com
To: listerdm@co.monterey.ca.us
Subject: PLN 160205
Date: Mon, 23 May 2016 07:11:39 -0700

Dear Mr. Lister,

We spoke two weeks about a project in the planning stages at 113 San Benancio Road. I understand from some of my neighbors that they received notice of a public hearing on the project, but I haven't received anything. I live at 122 San Benancio and so I share a property line with the proposed project. The families on this road cooperate on a number of issues, including road maintenance and our water system. I'm thankful to have good neighbors and I try to be a good neighbor. I have not yet met the new property owner, but I'm sure this new family will be a welcome addition to our neighborhood.

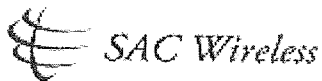
I understand there is a meeting to discuss the site plan today (May 23), but I have a work conflict and I do not know if I'll be able to make it, so I wanted to send my concerns for consideration.

When the staff and committee review the site plan, I ask that they ensure there is a generous buffer zone between our two properties and that as few oak trees are removed as possible. As you know, trees in this area have taken a big hit during the drought. Oaks have survived much better than non-natives, but sudden oak death and oak bark beetles and perhaps other diseases are a concern. Oak trees are notoriously hard to transplant, so I assume the new trees will be started from acorns or seedlings and in drought conditions it may be a challenge to get them established. Again, I know some trees will be removed, but I hope the impact will be minimized as much as possible.

Thank you for your consideration.

Hope Belli Tinney
122 San Benancio
Salinas, CA

Submitted to Toro
LUAC at 5/23/16 mtg
PLN150082



September 10th, 2015

Secretary of the Planning Commission
Monterey Co. Resource Management Agency
168 W. Alisal St. 2nd Floor
Salinas, CA 93901

RE: Appeal of Planning Department decision for Verizon Project located at:
22400 Indian Springs Rd., Salinas, CA 93908; File No. PLN150082

Dear Ashley,

Please consider this as formal request to appeal Planning Department decision dated August 27th 2015. It is Verizon's interpretation of the Conservation and Scenic Easement Deed associated with the above mentioned parcel, and called out in Exhibit B, does not only include existing utilities but also future utilities as needed by the approved development in the region and called out in the easement.

Verizon Wireless is registered with the California Public Utilities Commission and therefore is classified as a public utility just like power, telephone and cable companies. It is further our interpretation that the infrastructure that is allowed by those other utilities, be extended to Verizon.

It should be further noted that the Conservation Easement was recorded in 1973 before the requirements for all utilities could have been established for this area, as well as the fact that County emergency services uses the Verizon network for communications and would surely be considered vital infrastructure for those purposes.

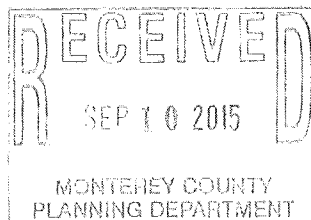
We would like to have the opportunity to present our case to the Planning Commission at the earliest opening in an agenda.

If you have any further questions, please contact me the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Tricia Knight".

Tricia Knight
123 Seaclyff Dr.
Pismo Beach, Ca 93449
(805) 448-4221



day, this might be a manageable level of exposure for those individuals.

In our informal discussions with EWEB engineers, we have been told that they have looked into the issue of data collection frequency, and that the longest that they could go between data collection events with the SENSUS system would be about three and one half days.

This would appear to be a case where the technology has not been designed with an eye to minimizing RF transmission. Six daily time-of-use intervals times 30 days equals 180 intervals of usage data. We think that if an iPod can store 64 gigabytes of music, it ought to be possible to give a smart meter enough memory to store 180 readings before transmitting them to the utility. We would recommend that EWEB ask their potential vendors to provide a meter with enough memory to store two to four weeks of data, to enable the minimal RF footprint that we are recommending.

Tower communications and the water meters

Water usage is billed once a month, and a single monthly reading of the meters would collect this data with minimal RF exposure to the community. Again, this data collection should occur in the day time, not in the middle of the night.

Tower communications and “demand/response”

From a public health perspective, the use of the system for “demand/response” load control is more problematic. As we understand it, a lot of this transmission would occur at night, when wind power production is high and demand is low. Towers would be transmitting every 15 minutes, to turn one cohort of water heaters on and another cohort off. And the protocols required by the grid would require a two way communication with each meter in the cohort, acknowledging that house’s participation in the cohort at that time.

This will involve a good deal of transmission in the system every 15 minutes, both from the towers potentially talking to hundreds of meters across the neighborhood, and from the 2 watt radios on each house in the cohort talking back to the tower.

Communication of this frequency from the towers would be a significant additional layer of frequent nocturnal RF signal exposure to the residences within a few hundred meters of the towers.

And enough cohorts of houses are involved, the transmissions from the meters on the houses could also increase the signal density in the residential areas enough to disrupt melatonin and sleep in a percentage of the population.

We think that this frequent level of activity in the demand/response system would be a significant additional RF burden on the community. It would make life in the residential area significantly more difficult for those individuals in the community that is currently already having acute problems. It would probably cause the onset of acute symptoms in a small percentage of the population who are not currently experiencing them. And it would be likely to further increase the incidence of chronic adverse RF effects in our community.

Demand/response and the in-home “Zigbee” network

Once the AMI smart meter on the house gets a demand/response signal from the control tower, it must tell the water heater in the house to turn on. Existing technology does this through wireless communication over a “Zigbee” WiFi network in the home. This network is maintained by constant transmissions of signals between the meter and the Zigbee appliances in the home network, 24 hours a day.

3. Exception 06 G23754

G 23754

REL 857 REG. 67
RECORDED AT REQUEST OF

COUNTY OF MONTEREY

JUL 5 1 56 PM '73

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

CONSERVATION AND SCENIC EASEMENT DEED

THIS DEED made this 3RD day of JULY
19 73, by and between MID-COUNTY INVESTMENT COMPANY, INC. REL 857 REG. 67
a California Corporation

as Grantor, and the COUNTY OF MONTEREY, a political subdivision of the State of
California, as Grantee;

WITNESSETH:

WHEREAS, the said Grantor is the owner in fee of the real property
hereinafter described, situate in Monterey County, California; and

WHEREAS, the said land of said Grantor has certain natural scenic beauty
and existing openness; and

WHEREAS, the Grantor and the Grantee desire to preserve and conserve for
the public benefit the great natural scenic beauty and existing openness, natural
condition and present state of use of said property of the Grantor; and

WHEREAS, the said Grantor is willing to grant to the County of Monterey
the scenic use as hereinafter expressed of the said land, and thereby protect the
present scenic beauty and existing openness by the restricted use and enjoyment of
said property by the Grantor through the imposition of the conditions hereinafter
expressed;

NOW, THEREFORE, for and in consideration of the premises, the Grantor does
hereby grant and convey unto the County of Monterey an estate, interest, and conserva-
tion and scenic easement in said real property of Grantor of the nature and character
and to the extent hereinafter expressed, which estate, interest, and easement will
result from the restrictions hereby imposed upon the use of said property by said
Grantor, and to that end and for the purpose of accomplishing the intent of the parties
hereto, said Grantor covenants on behalf of itself, its heirs, successors, and assigns
with the said Grantee, its successors and assigns to do and refrain from doing
severally and collectively upon the Grantor's said property the various acts herein-
after mentioned.

G 23754

others are underground.

If “demand/response” was not on the table, and if a Total Bottom Line analysis of the options included the potential health costs of using RF technology, the financial analysis of the PLC option might look different than it did in the AMI Business Case prepared by EWEB staff last April. A decision to read the water meters once every 3 months rather than monthly could also realize additional savings, if this option was under serious consideration.

Fiber Optic Communications

Fiber optic communication between the utility and the house meter is an ideal solution from a health/environmental point of view, providing ample bandwidth without RF transmission. However, this technology would be quite expensive to install, especially in the parts of Eugene where the power grid is underground. The cost might be prohibitive for EWEB at this point in time. Like PLC, fiber optics would not communicate with the water meters.

Tower Communications Network (SENSUS)

The engineering system that EWEB is currently considering is the SENSUS company’s technology, where central towers communicate directly with the meters on the houses. SENSUS owns the sole rights to a certain transmission frequency on the communications bandwidth. This allows them to use more powerful radios on the smart meters, strong enough to communicate directly with a transmission tower without requiring that the message be passed from meter to meter across a MESH network. The community would be divided into about 13 zones, each of which would have a communication tower placed on an existing EWEB property within the zone, and these towers would communicate directly with the house electric meters and with radios on the house water meters.

With 88,000 electric meters and 52,000 water meters in the city, an average zone would have 6770 electric meters and 4000 water meters in the zone. How long a transmission interval would be required for a tower to collect the data from 10,770 meters? We don’t know the answer to this question, and EWEB engineers may not know either, until they set up a trial system and test it out. But clearly, the RF footprint created by this sort of system could vary significantly, depending on how the system was used.

It is routine for utilities to collect data from these systems four times a day. But this routine was developed without consideration of the potential health risks of excessive RF transmission in the community. And usage data does not need to be collected this frequently to achieve the main goals of the AMI program. From a practical point of view, the utility will continue to bill once a month, and in theory could remotely collect that usage data once a month, minimizing the community’s exposure to frequent and repetitive RF transmissions.

We think usage data should be collected from these meters at an interval of once every two to four weeks, with transmission occurring during the daytime hours. Transmission events at this level of infrequency would represent a minimal increase in the RF exposure to the community, and would be unlikely to significantly increase the risk of chronic health problems in the community.

Each data transmission event would still be likely to provoke acute symptoms in individuals with EHS who lived near these transmission towers. But if these events occurred at an interval of once every two weeks or longer, and at a predictable time of

First American Title

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att. 007 mm. 00

The restrictions hereby imposed upon the use of said property of the Grantor and the acts which said Grantor shall refrain from doing upon their said property in connection herewith are, and shall be, as follows:

1. That no structures will be placed or erected upon said described premises EXCEPT to permit the following, generally in the locations designated in Exhibit "B" attached hereto and made a part hereof:

Corral and animal fencing, stables, paddocks, exercise rings, horse arenas, and other related equine facilities, tennis courts, swimming pools, dressing and rest rooms, community recreational building, recreation vehicle and horse trailer storage, picnic and play facilities, water walls, irrigation facilities, water reservoirs; Allowing also for the location, construction and maintenance of water systems, sewer systems with treatment and disposal facilities, electricity, telephone and cable TV systems, together with the location construction, alteration, relocation and maintenance of streets and roads, pedestrian and horse trails, street and identification/direction signs, storm drains and land erosion relief.

2. That no advertising of any kind or nature shall be located on or within said property except temporary real estate signs.
3. That the Grantor shall not plant nor permit to be planted any vegetation except as designated on landscape plans approved by Grantee.
4. That, except for Items No. 1 and 3 hereinabove designated and/or described, the general topography of the landscape shall be maintained in its present condition, and no excavation or topographic changes shall be made.
5. That no use of said described property which will or does materially alter the landscape or other attractive scenic features of said land other than those specified above shall be done or suffered. The land of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situate in the County of Monterey, State of California, and is particularly described in Exhibit "A" attached hereto, and made a part hereof.

EXCEPTING and reserving unto the Grantor, its Successors, Lessees/Vendees, or Assigns in Interest, the following:

1. The full use and occupancy of each, any, and all parts, of said property, not inconsistent with the conditions and restrictions herein imposed.
2. The right to maintain each, any, and all parts of said property as herein designated and/or described; and specifically to Grant Easements for Rights of Way not inconsistent with the conditions and restrictions herein imposed.

First American Title

The idea of an “opt out” program is an effort to address the concerns of people who are personally worried about RF exposures, either because they are aware of having acute reactions to these exposures, or because they have a general concern about the acute or chronic effects from such exposure.

But a voluntary “opt out” program does not protect the community at large from adverse effects that they are unaware of and unconcerned about. For example, the current research shows that cancer rates are higher in residences near cellular transmission towers. Most people don’t know this. How does a voluntary “opt out” program help the person who develops breast cancer three years after installation of a transmission tower across the street from her house? She didn’t know it was a problem . . .

DISCUSSION OF THE TECHNOLOGY OPTIONS

How would adopting these precepts and goals play out in practice? Several factors come into consideration:

- The scientific evidence on biological effects of RF, summarized in the basic precepts listed above.
- The various possible functional goals of the AMI program:
 - Reducing operating costs by reading and switching meters remotely.
 - Training customers to conserve electricity.
 - Shifting time of use by measuring and billing time of day usage.
 - Absorbing fluctuations in renewable energy supply by “demand/response” control of usage.
- The different AMI technologies that are available.

When our committee puts our best understanding of these three factors into consideration, and look at each choice in AMI technology through this combined frame of reference, the discussion runs something like this:

MESH Network

From a biological point of view, AMI meters that are transmitting several times a minute can be considered to be an essentially constant source of RF exposure. Where these networks have been established in the last two years, large increases in reported acute symptoms have occurred. We think it is medically probable that that this technology will be found to cause an increase in chronic health problems, including increased cancer, once sufficient time has passed for this to occur.

EWEB staff has already explored and tested a MESH option and chosen not to go forward on that path. We applaud EWEB’s decision to steer away from this technology.

Powerline Communications (PLC)

From a public health point of view, PLC is less problematic than an RF AMI communication technology. And PLC could be used to reduce operating costs, train customers to conserve electricity using in-house monitors, and record and transmit time of day usage measurements to the utility.

EWEB has turned away from the choice of PLC for two main reasons. Firstly, because it won’t allow measurement of water meter readings, limiting the reduction of operating costs from elimination of meter reading. Secondly, because PLC as currently designed does not have the bandwidth to sustain rapid “demand/response” control communications.

There are some other technical considerations that make PLC infrastructure more awkward to set up in an environment where some transmission wires are on poles and

REL 857 PAGE 69

Land uses permitted, or reserved to the Grantor by this instrument shall be subject to the ordinances of Grantee regulating the use of land.

To have and to hold unto the said County of Monterey, its successors and assigns forever. This grant shall be binding upon the heirs and assigns of the said Grantor.

COUNTY OF MONTEREY

By [Signature]
Chairman, Board of Supervisors
GRANTOR

MID-COUNTY INVESTMENT COMPANY
a California corporation
By: [Signature]
Assistant Secretary

(To be foll

STATE OF CALIFORNIA

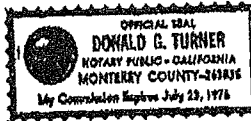
COUNTY OF Monterey

On July 3, 1973, before me, the undersigned, a Notary Public in and for said State, personally appeared G. Langenhove
known to me to be the President and Ofelia G. Garcia
known to me to be the Assistant Secretary of the corporation that executed the within instrument,
and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and so
knowledge to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature [Signature]

DONALD G. TURNER
Name (Typed or Printed)



(This area for official material use)

STATE OF CALIFORNIA)
COUNTY OF MONTEREY) ss.

On this 3rd day of July, 1973, before me,
ERNEST A. MAGGINI County Clerk of the County of Monterey, and ex-officio
Clerk of the Board of Supervisors and of the Superior Court, in and for said County and State,
personally appeared ELLIS P. TAVERNETTI, known to me to be the Chairman
of the Board of Supervisors of the County of Monterey, and known to me to be the person who
executed the within instrument on behalf of said political subdivision, and acknowledged to
me that said County of Monterey executed the same.



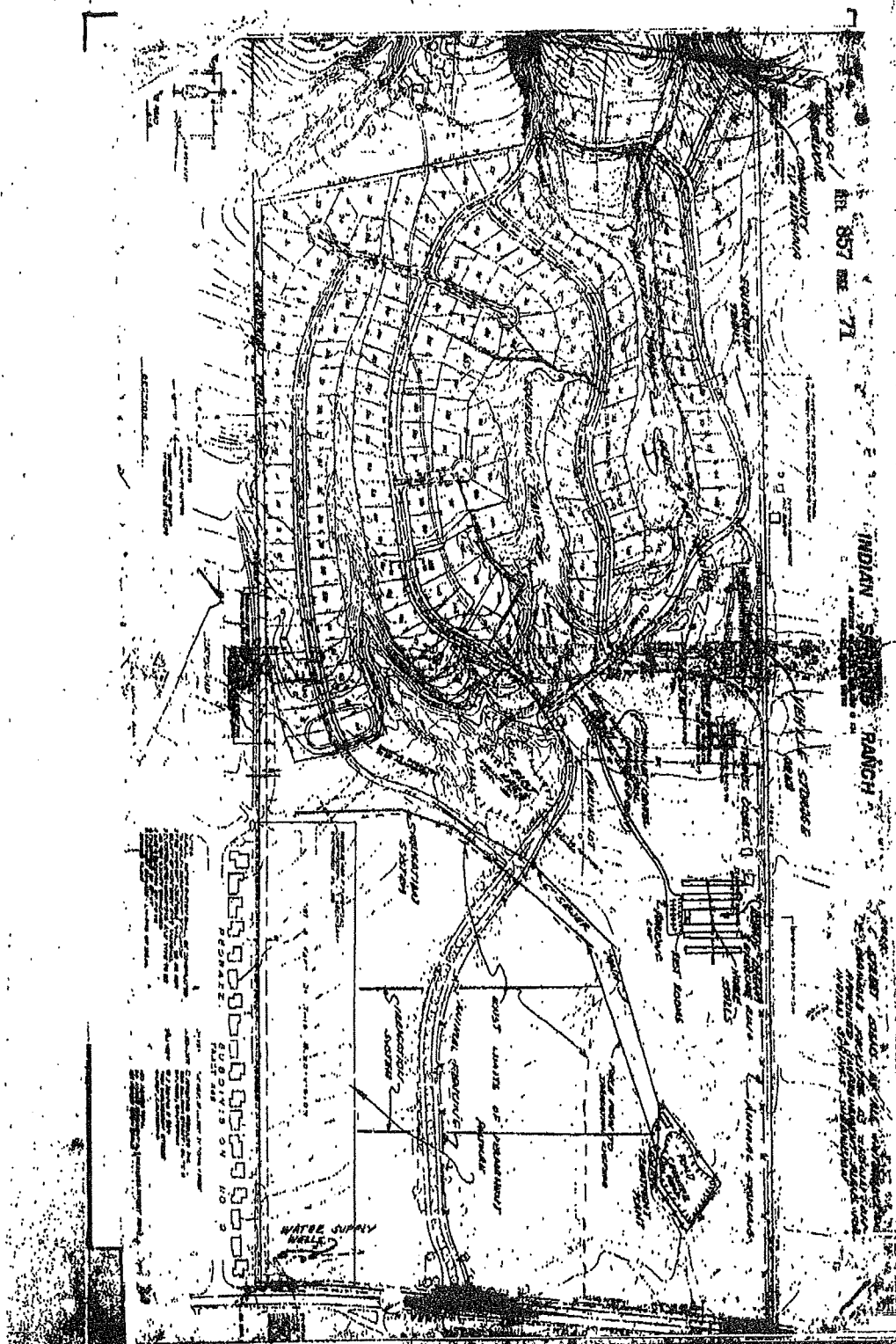
ERNEST A. MAGGINI
County Clerk and ex-officio Clerk of the
Board of Supervisors of Monterey County,
State of California

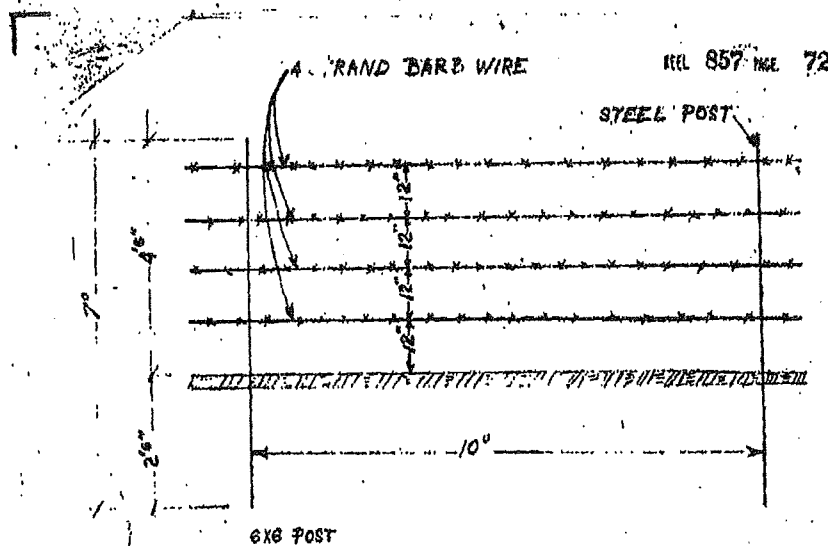
By [Signature]
DEPUTY CLERK

MLL 857 REC 70

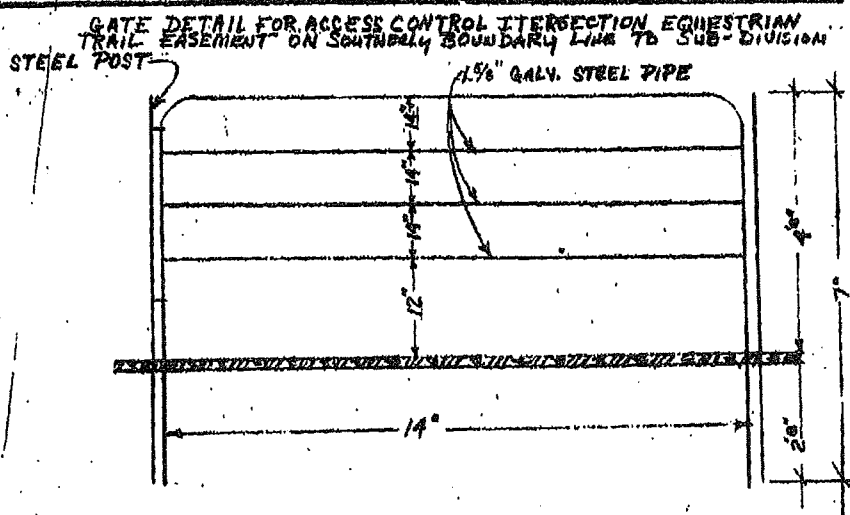
EXHIBIT "A"

All of Lots A, B, C, D & E, as shown on that certain Subdivision Map entitled INDIAN SPRINGS RANCH, filed in the office of the County Recorder of the County of Monterey, State of California, on the 5TH day of JULY, 1973, in Book 1247 of Maps, at page 87.





FENCE DETAIL FOR INDIAN SPRINGS BOUNDARY
ADJACENT TO TORO PARK



MONTEREY COUNTY
RECEIVED
APR 18 1973
PLANNING DEPARTMENT

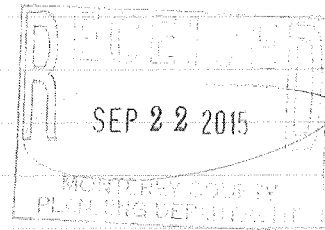
THIS PROJECT HAS BEEN REVIEWED AND APPROVED
BY THE PLANNING DEPARTMENT ON 4/18/73
Date: 4/18/73
Signature: [Signature]
Director of Planning

submitted to Toro
LWAC at 5/23/16 mtg

Allen, Carol x5178

From: Nakamura, Ashley x5892
Sent: Tuesday, September 22, 2015 1:58 PM
To: 'annie griffin'
Cc: Allen, Carol x5178
Subject: RE: cell towers

R N150082



Good afternoon Annie Griffin,

I will forward this email to the planning commissioners for their records.

Thank you,
Ashley Nakamura, Assistant Planner
RMA-Planning Department

From: annie griffin [mailto:stallionsavers@gmail.com]
Sent: Tuesday, September 22, 2015 1:47 PM
To: Nakamura, Ashley x5892
Subject: cell towers

Dear Planning Commission,

I am in Washington State and therefore cannot attend the meeting on Verizon's lawless effort to appeal a decision your department made about forbidding Verizon to put up a cell tower in a scenic easement area. Please consider my statement below.

If Verizon can set a precedent for Scenic Easement areas then all Scenic Easements areas will be open for these kind of lawless takeovers.

It simply must not be allowed if we are to be able to protect the few natural places left where we can all go to enjoy nature and places intended to be left for nature.

We are all facing microwave assaults upon our bodies much more than our bodies were meant to be exposed too.

Added to that is the fact that thousands of satellites are now going up as well which is a great threat to our ozone layer. Please refer to the link below where you can access an article called WI-Fi in the Sky.

Thank you,
Sincerely, Lorna Moffat
Po Box 545, Monterey, Calif. 93942
831-383-8067

Articles by Arthur Firstenberg - Cellular Phone Task Force
www.cellphonetaskforce.org/?page_id=32

REPORTS, ARTICLES & STUDIES. Epidemiological Studies ... SILENT WIRELESS SPRING, 2007. THE LARGEST ... Arthur Firstenberg & Susan Molloy, 2002.

In Article by Arthur

Do everything you can to fight Verizon on their illegal Appeal.

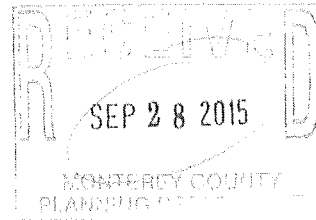
Cell Towers are very harmful to all of us . We must protect ourselves!

European Leaders Don't Want Cell Phones and WiFi in ...
articles.mercola.com/.../european-leaders-call-for-ban-of-cell-phones-an...

Submitted to Toro
LUAZ at 9/23/16 mtg
RN 150082

Allen, Carol x5178

To: Nakamura, Ashley x5892
Cc: Ford, John H. x5158
Subject: FW: Verizon appeal



From: Larry Parrish [mailto:lparrish@toast.net]
Sent: Monday, September 28, 2015 11:59 AM
To: Allen, Carol x5178
Subject: Verizon appeal

Dear Ms. Allen et al -

I am writing today to voice my strong support of the County's scenic easement restrictions, in particular - exclusion of cell phone towers and other related facilities. I would therefore adamantly oppose the appeal by Verizon Communications at the next Planning Commission meeting this Wednesday, Sept. 30, or any other subsequent PC meeting. Removing this restriction would set a terrible precedent and a disastrous weakening of the County's authority regarding scenic easements.

Our County thrives on tourism, and the natural beauty of our area is a key component of that tourist interest and enjoyment. Further cluttering of the scenic splendor of our area with more cell towers can only be a detriment to that beauty and the economic benefits thereof. Certainly, there are already more than adequate cell phone facilities in our local regions. More cell towers are just not needed or justified.

Likewise, I would also strongly reject the notion of exempting this proposal by Verizon from CEQA review. This is yet another blatant attempt to circumvent local and state law and well-thought-out planning on the part of our dedicated government officials.

Thank you for your consideration,

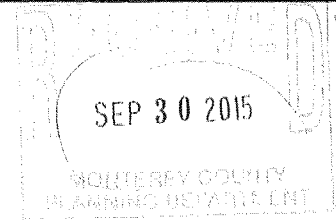
Sincerely,
Larry Parrish
Carmel Valley

PS - Please forward this e-mail to the full membership of the Monterey County Planning Commission

Submitted to Toro
LUAZ at 5/23/16
mtz

Allen, Carol x5178

From: Maris Sidenstecker [orcamaris@earthlink.net]
Sent: Wednesday, September 30, 2015 8:18 AM
To: Allen, Carol x5178
Subject: Letter for Verizon Scenic Easement for Planning Commission
Attachments: Paul Dart, Review of Literature 6-13 1.pdf; ATT00001.htm



Dear Planning Commission Panel:

Please oppose Verizon's bid to put a cell tower in a scenic easement next to the SPCA horse facility in Indian Springs. This is on the agenda of the Monterey County Planning Commission today.

Locally, and recently, in the City of Seaside we have opposed Verizon putting two towers in residential areas of Seaside. The City of Seaside's planning commission denied the towers. My concern is that Verizon is attempting to modify the county level regulations for cell towers which would open the door for their other motivations. Verizon is seeking to overturn county rules for their project. That would open up sites throughout the county currently dedicated to scenic preservation and create a precedent for other counties. The scenic easement is not for the promotion and interests of Verizon.

There are health concerns related with cell towers. Cell towers emit a Class 2B carcinogen, declared the World Health Organization's International Agency for Research on Cancer in 2011. More recent research indicates it is a Class 2A or a Class 1. Those emissions are 24/7, day and night. There are cancer clusters around cell towers, up to ¼ mile away. Substantial independent research has linked the radiation to neurological damage, hormone changes, DNA and genetic damage, cellular stress, cancers and tumors and other serious health problems. Cell towers are not safe for the animals and are not safe for staff or visitors.

Please review the literature by Paul Dart MD and a panel of experts in Oregon.

I urge you to oppose this appeal by Verizon. Thank you for your time.

Sincerely,

Maris Sidenstecker
1192 Waring St.
Seaside, CA 93955

**BIOLOGICAL AND HEALTH EFFECTS OF
MICROWAVE RADIO FREQUENCY
TRANSMISSIONS**

A REVIEW OF THE RESEARCH LITERATURE

**A REPORT TO THE STAFF AND DIRECTORS OF
THE EUGENE WATER AND ELECTRIC BOARD**

June 4, 2013

**Paul Dart, M.D.
(lead author)**

Kathleen Cordes, M.D.

Andrew Elliott, N.D.

James Knackstedt, M.D.

Joseph Morgan, M.D.

Pamela Wible, M.D.

**Steven Baker
(technical advisor)**

EXECUTIVE SUMMARY

The FCC regulations for permissible exposures to microwave radio frequency (RF) transmissions are only designed to protect against the thermal effects of high exposure levels. Representatives of the telecommunications industry usually assert that there is "no clear or conclusive" scientific evidence regarding the biological effects of low level or "nonthermal" RF exposures. But in actuality, a large body of scientific research documents that RF exposures at low levels can produce adverse biological or health effects.

The installation of RF-transmitting "smart meters" by our electric utility could significantly increase the level of RF exposure in Eugene's residential neighborhoods. Such an increase carries potential health risks. The nature of these risks needs to be carefully considered before making a decision to deploy this technology.

Any decision-making process that ignores this possibility of harm could cause significantly damage both to community health and to EWEB's goodwill in the community.

ELECTROHYPERSENSITIVITY (EHS)

Microwave RF exposures can produce acute symptoms in some individuals. These symptoms can include headache, sleep disturbance, difficulty in concentration, memory disturbance, fatigue, depression, irritability, dizziness, malaise, tinnitus, burning and flushed skin, digestive disturbance, tremor, and cardiac irregularities. This syndrome was described by Russian researchers in the 1950's, who called it "microwave sickness". Between 1953 and 1978 the Russian government purposefully targeted the U.S. embassy in Moscow with beams of microwave RF, producing symptoms of microwave sickness in many embassy employees.

In recent years, the buildout of the wireless telecommunications infrastructure has greatly increased the exposure of the general public to microwave RF, and this has led to an increased number of individuals experiencing symptoms that are now referred to as "Electrohypersensitivity Syndrome" (EHS). Multiple research studies have shown a correlation between these symptoms and residential exposure to radio, radar, and cell tower transmissions.

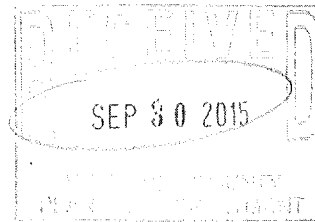
The prevalence of EHS appears to be increasing, as the exposure of the public to RF continues to expand. Based on recent epidemiologic research, it would be reasonable to assume RF exposures provoke some sort of symptoms in between 3 and 5% of the population of Eugene at the current time. Any significant increase in residential RF exposure is likely to make these individuals more symptomatic, and to produce some new cases of EHS by pushing some other individuals beyond their tolerance limit.

ALTERED PHYSIOLOGY

Laboratory research in animal and human subjects has shown that "nonthermal" levels of RF exposure can alter EEG, immune function, and hormone levels including adrenal and thyroid hormones, testosterone, prolactin, progesterone.

Research shows that low levels of microwave RF exposure can reduce melatonin levels in humans, and that some individuals are more sensitive than others to this effect. The adverse effects of nighttime RF exposure on melatonin secretion are particularly disturbing. The nocturnal rise in melatonin levels supports the natural function of sleep, and disrupting this cycle can produce insomnia. Melatonin is an extremely potent antioxidant, and helps to repair damaged DNA and heal the body from other

Submitted to Toro
LUAZ at 5/23/16 mtg



@ PC
From:
Jim Knight

PN150082

RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO:

Stuart Burbank
Indian Springs Ranch Property Owners Assn.
P.O. Box 1355
Salinas, CA 93902

**CERTIFICATE OF AMENDMENT
OF
FIRST RESTATED DECLARATION OF PROTECTIVE RESTRICTIONS
FOR INDIAN SPRINGS RANCH PROPERTY OWNERS ASSOCIATION**

The First Restated Declaration of Protective Restrictions for Indian Springs Ranch Property Owners Association recorded July 10, 2008 as Monterey County, California Official Document Number 2008044808 ("First Restated Declaration"), was amended as follows by a vote of the appropriate number of members as required by the Declaration on June 18, 2015:

1. Section 2.03(d), appearing on page 7 of the First Restated Declaration, is amended to read as follows:

Section 2.03(d). The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes shall be subject to such conditions as may be agreed by the Owners; provided, however, that no such dedication or transfer shall be effective unless an instrument, approved by at least two thirds fifty-one percent of the voting power of the Members, consenting to such dedication or transfer has been Recorded. Furthermore, no dedication shall be permitted that impairs the ingress and egress to any Lot. The instrument approving the dedication may be executed in counterparts so long as each counterpart is in recordable form.

2. Section 8.02, appearing on page 46 of the First Restated Declaration, is amended to read as follows:

Section 8.02. Common Areas. The Common Areas shall be preserved as open space and used for recreational purposes and other purposes incidental and ancillary to the use of Lots. Such use shall be limited to the private use for aesthetic and recreational purposes by the Members, their tenants, families, guests, and servants, and the use of a limited portion for the erection and maintenance of a communications tower by a third party under lease or other contractual agreement with the Association, subject to the provisions of the Governing Documents. No Improvement, excavation or work which in any way alters any Common Area or

Common Facility from its natural or existing state on the date such Common Area or Common Facility is conveyed to the Association shall be made or done except by the Association, its agents or designees, and then only in strict compliance with the provisions of this Declaration.

3. Section 8.03, appearing on page 46 of the First Restated Declaration, is amended to read as follows:

Section 8.03. Prohibition of Noxious Activities. No illegal, noxious or offensive activities shall be carried out or conducted upon any Lot or Common Area nor shall anything be done within the Properties that is or could become an unreasonable annoyance or nuisance to neighboring property Owners.

Without limiting the foregoing, no Owner shall permit noise, including, but not limited to barking dogs, the operation of excessive noisy air conditioners, stereo amplifier systems, television systems, motor vehicles or power tools, to emanate from an Owner's Lot or from activities within the Common Area, which would unreasonably disturb any other Owner's or tenant's enjoyment of his or her Lot or the Common Area. Noise curfews and limitations may not be established in the Rules and Regulations of the Association that are more restrictive than county ordinance. The erection and maintenance of a communications tower on the Common Area by a third party pursuant to a lease or other contractual agreement with the Association shall not be considered a noxious or offensive activity.

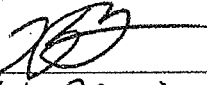
No oil drilling, oil development operations, refining, refining operations of any kind, oil wells, tanks, tunnels, mineral excavations, shafts, quarries, mines, or pits shall be permitted upon or in any Lot in Indian Springs Ranch.

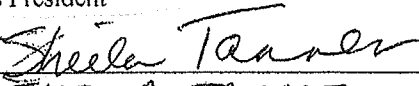
All other terms of the First Restated Declaration remain unchanged.

This Amendment and the First Restated Declaration affect the real property that is described in **Exhibit A**, attached hereto.

Dated: 9/24, 2015

INDIAN SPRINGS RANCH PROPERTY
OWNERS ASSOCIATION

By 
KYLE BRAUN
Its President

By 
SHEILA TANNER
Its Secretary

Notarial Acknowledgements Follow on Next Page

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

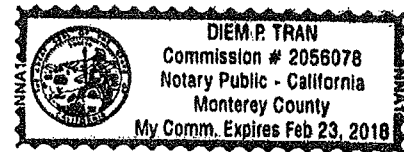
STATE OF CALIFORNIA
COUNTY OF MONTEREY

On September 22, 2015, before me, Diem Tran, Notary Public, personally appeared Kyle Brown, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

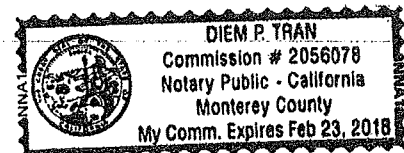
STATE OF CALIFORNIA
COUNTY OF MONTEREY

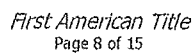
On September 24, 2015, before me, Diem P. Tran, Notary Public, personally appeared Sheila Tanner, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)





Submitted to Toro
LUAC at 5/23/16 mtg

Before the Planning Commission in and for the
County of Monterey, State of California

In the matter of the application of:

Indian Springs Ranch Prop Owners (PLN150082)

RESOLUTION NO. 15-049

Resolution by the Monterey County Planning
Commission:

- 1) Finding the project Statutorily Exempt pursuant to Section 15270 of the CEQA Guidelines; and
- 2) Denying an appeal of an administrative interpretation that a wireless telecommunication facility is not permitted in a scenic easement.

[PLN150082, Indian Springs Ranch Prop Owners,
22400 Indian Springs Road, Toro Area Plan (APN:
139-111-011-000)]

The Indian Springs Ranch Prop Owners application (PLN150082) came on for public hearing before the Monterey County Planning Commission on September 30, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project is an appeal of an administrative interpretation that a wireless telecommunication facility is not permitted in a scenic easement.
EVIDENCE: The application, and related support materials found in project file no. PLN150082.
2. **FINDING:** **CONSISTENCY** – The wireless telecommunication facility is not allowed by the conservation and scenic easement put in place on the open space parcels in the Indian Springs Ranch Subdivision. The proposed location within a designated conservation and scenic easement is not consistent with the conservation and scenic easement deed recorded on the subject site.
EVIDENCE:
 - a) The property is located at 22400 Indian Springs Road (Assessor's Parcel Number 139-111-011-000), within the Toro Area Plan area.
 - b) The Conservation and Scenic Easement Deed (easement), dated July 3, 1973, has specific language regarding restrictions and exceptions. Specifically, Restriction No. 1 as shown on page 2 of the easement states:
"That no structures will be placed or erected upon said described premises EXCEPT to permit the following, generally in the locations described in Exhibit "B" attached hereto and made a part hereof:

Corral and animal fencing, stables, paddocks, exercise rings, horse arenas, and other related equine facilities, tennis courts, swimming pools, dressing and rest rooms, community recreational building, recreational vehicle and horse trailer storage, picnic and play

facilities, water wells, irrigation facilities, water reservoirs; allowing also for the location, construction and maintenance of water systems, sewer systems with treatment and disposal facilities, electricity, telephone and cable TV systems, together with the location, construction, alteration, relocation and maintenance of streets and roads, pedestrian and horse trails, street and identification/direction signs, storm drains and land erosion relief."

- c) The easement language states "no structures will be placed or erected upon said premises. This is the guiding principle for the scenic and conservation easement to not allow new structures.
- d) The easement allows exceptions as specifically stated in Exhibit B of the deed, which does not include wireless telecommunication facilities.
- e) The exception for "*electricity, telephone and cable TV systems*" allows utilities necessary to support the structures and uses as stated in the exception, but no structures or uses beyond those specifically shown on Exhibit B of the easement deed.

3. ✓ **FINDING:**

CEQA (Exempt): - The project is Statutorily Exempt pursuant to Section 15270 of the CEQA Guidelines.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15270, statutorily exempts projects which a public agency rejects or disapproves.
 - b) This project consists of denial of an appeal of an administrative interpretation that a wireless telecommunication facility is not permitted in a scenic easement; and therefore is statutorily exempt from CEQA.

4. **FINDING:**

APPEALABILITY - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: Section 21.82.050.D of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- 1. Find the project Statutorily Exempt pursuant to Section 15270 of the CEQA Guidelines; and
- 2. Deny the appeal of the administrative interpretation that a wireless telecommunication facility is not permitted in a scenic easement.

PASSED AND ADOPTED this 30th day of September, 2015 upon motion of Commissioner Vandevere, seconded by Commissioner Getzelman, by the following vote:

AYES: Brown, Vandevere, Getzelman, Salazar, Padilla, Roberts, Mendez
NOES: None
ABSENT: Rochester, Diehl, Hert
ABSTAIN: None



Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **OCT 02 2015**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **OCT 13 2015**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.