

Exhibit D

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Exhibit D-1

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Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #**Project Title:** Eaton Robert W (AT&T Mobility)Lead Agency: County of Monterey Resource Management AgencyContact Person: Jaime Scott GuthrieMailing Address: 1441 Schilling Place South, 2nd FloorPhone: 831.796.6414City: Salinas Zip: 93901County: Monterey**Project Location:** County: MontereyCity/Nearest Community: JamesburgCross Streets: Cachagua Road, Carmel Valley RoadZip Code: 93924Longitude/Latitude (degrees, minutes and seconds): 36 ° 23 ' 19.74" N / 121 ° 35 ' 2.87 " W Total Acres: 41.2Assessor's Parcel No.: 418-293-006

Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: n/aWaterways: Finch Creek, James CreekAirports: n/aRailways: n/a

Schools: _____

Document Type:
 CEQA: ☐ NOP
☐ Early Cons
☒ Neg Dec
☐ Mit Neg Dec

☐ Draft EIR
☐ Supplement/Subsequent EIR
 (Prior SCH No.) _____
 Other: _____

 NEPA: ☐ NOI
☐ EA
☐ Draft EIS
☐ FONSI

 Other: ☐ Joint Document
☐ Final Document
☐ Other: _____
Local Action Type:
☐ General Plan Update
☐ General Plan Amendment
☐ General Plan Element
☐ Community Plan

☐ Specific Plan
☐ Master Plan
☐ Planned Unit Development
☐ Site Plan

☐ Rezone
☐ Prezone
☒ Use Permit
☐ Land Division (Subdivision, etc.)

☐ Annexation
☐ Redevelopment
☐ Coastal Permit
☐ Other: _____
Development Type:
☐ Residential: Units _____ Acres _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational: _____
☐ Recreational: _____
☐ Water Facilities: Type _____ MGD _____

☐ Transportation: Type _____
☐ Mining: Mineral _____
☐ Power: Type _____ MW _____
☐ Waste Treatment: Type _____ MGD _____
☐ Hazardous Waste: Type _____
☐ Other: Telecommunication
Project Issues Discussed in Document:
☒ Aesthetic/Visual
☐ Agricultural Land
☐ Air Quality
☐ Archeological/Historical
☐ Biological Resources
☐ Coastal Zone
☐ Drainage/Absorption
☐ Economic/Jobs

☐ Fiscal
☐ Flood Plain/Flooding
☒ Forest Land/Fire Hazard
☐ Geologic/Seismic
☐ Minerals
☐ Noise
☐ Population/Housing Balance
☐ Public Services/Facilities

☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☐ Soil Erosion/Compaction/Grading
☐ Solid Waste
☒ Toxic/Hazardous
☐ Traffic/Circulation

☐ Vegetation
☐ Water Quality
☐ Water Supply/Groundwater
☐ Wetland/Riparian
☐ Growth Inducement
☒ Land Use
☐ Cumulative Effects
☐ Other: _____
Present Land Use/Zoning/General Plan Designation:

Resource Conservation with a 40 acre minimum parcel size and Design Control overlay (RC/40-D)

Project Description: *(please use a separate page if necessary)*

Construction of a wireless communication facility including a 60' monopine tower installed with twelve (12) panel antennas on antenna arrays, four surge suppressors, twenty-two remote radio units (RRU), and one microwave dish; and equipment enclosure installed with the walk-in cabinet, GPS unit, and diesel generator on a concrete slab.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input checked="" type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input checked="" type="checkbox"/> Other: <u>Federal Communications Commission</u>
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date September 17, 2020 Ending Date October 19, 2020

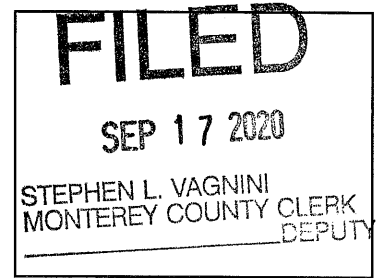
Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: <u>Tom Johnson c/o TSJ Consulting Inc.</u>
Address: _____	Address: <u>30767 Gateway Place #194</u>
City/State/Zip: _____	City/State/Zip: <u>Rancho Mission Viejo, CA 92694</u>
Contact: _____	Phone: <u>(925) 785-3727</u>
Phone: _____	

Signature of Lead Agency Representative:  Date: 9/14/20

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

County of Monterey
State of California
NEGATIVE DECLARATION



Project Title:	Eaton Robert W [AT&T Mobility]
File Number:	PLN180362
Owner:	Robert W Eaton
Project Location:	37501 Tassajara Road, Carmel Valley
Primary APN:	418-293-006-000
Project Planner:	Jaime Scott Guthrie
Permit Type:	Use Permit
Project Description:	Construction of a wireless communication facility including a 60' mono-pine tower installed with twelve (12) panel antennas on antenna arrays, four surge suppressors, twenty-two remote radio units (RRU), and one microwave dish; and equipment enclosure installed with the walk-in cabinet, GPS unit, and diesel generator on a concrete slab.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will have less than significant potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have less than significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	September 17, 2020
Review Period Ends:	October 19, 2020

Further information, including a copy of the application and Initial Study are available at the Monterey County RMA-Planning, 1441 Schilling Place South 2nd Floor, Salinas, CA 93901/(831) 755-5025

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING

1441 SCHILLING PL SOUTH 2ND FLOOR, SALINAS, CA 93901

(831) 755-5025 FAX: (831) 757-9516



NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that Monterey County Resource Management Agency – Planning has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a Use Permit (Eaton Robert W [AT&T Mobility], File Number PLN180362) at 37501 Tassajara Road, Carmel Valley (APN 418-293-006-000) (see description below).

The Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Resource Management Agency – Planning, 1441 Schilling Pl South, 2nd Floor, Salinas, California 93901. The Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/environmental-documents/pending> .

The Planning Commission will consider this proposal on **November 18, 2020** in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from September 17, 2020 to October 19, 2020. Comments can also be made during the public hearing.

Project Description: Construction of a wireless communication facility including a 60' mono-pine tower installed with twelve (12) panel antennas on antenna arrays, four surge suppressors, twenty-two remote radio units (RRU), and one microwave dish; and equipment enclosure installed with the walk-in cabinet, GPS unit, and diesel generator on a concrete slab.

We welcome your comments during the 30-day public review period. You may submit your comments in hard copy to the name and address above. The Agency also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Agency has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@co.monterey.ca.us

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Agency to ensure the Agency has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed

document should be sent to the contact noted above at **(831) 757-9516**. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Agency to confirm that the entire document was received.

For reviewing agencies: Resource Management Agency – Planning requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Agency if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey
Resource Management Agency
Attn: John Dugan, Chief of Planning
1441 Schilling Pl South 2nd Floor
Salinas, CA 93901

Re: Eaton Robert W [AT&T Mobility], File Number PLN180362

From: Agency Name: _____
 Contact Person: _____
 Phone Number: _____

- ____ No Comments provided
____ Comments noted below
____ Comments provided in separate letter

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. Cachagua Fire Protection District C/O Carmel Fire Protection Associates, Art Black
4. Monterey County RMA-Public Works
5. Monterey County RMA-Environmental Services
6. Monterey County Environmental Health Bureau
7. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
8. Robert Eaton, Owner
9. Tom Johnson C/O TSJ Consulting, Agent
10. The Open Monterey Project
11. LandWatch Monterey County
12. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

Distribution by e-mail only (Notice of Intent only):

13. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil)
14. Emilio Hipolito (ehipolito@nccrc.org)
15. Molly Erickson (Erickson@stamplaw.us)
16. Margaret Robbins (MM_Robbins@comcast.net)
17. Michael Weaver (michaelrweaver@mac.com)
18. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com)
19. Garry Hofer (garry.hofer@amwater.com)
20. Jack Wang (Jack.Wang@amwater.com)
21. Jeana Arnold (jeana.arnold@pge.com)
22. Louise Miranda-Ramirez (Ramirez.louise@yahoo.com)

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING

1441 SCHILLING PLACE 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025/FAX: (831) 757-9516



INITIAL STUDY

BACKGROUND INFORMATION

Project Title:	EATON ROBERT W (AT&T MOBILITY) WIRELESS COMMUNICATION FACILITY (WCF)
File No.:	PLN180362
Project Location:	37501 TASSAJARA RD CARMEL VALLEY
Name of Property Owner:	ROBERT EATON
Name of Applicant:	AT&T MOBILITY
Assessor's Parcel Number(s):	418-293-006-000
Acreage of Property:	41.2 acres
General Plan Designation:	RESOURCE CONSERVATION – MINIMUM ACREAGE 40
Zoning District:	RC/40-D
Lead Agency:	County of Monterey, Resource Management Agency – Planning
Prepared By:	Jaime Scott Guthrie, AICP, Associate Planner
Date Prepared:	August 6, 2020
Contact Person:	Jaime Scott Guthrie, AICP, Associate Planner
Phone Number:	831-796-6414

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The purpose of the proposed project is for AT&T to construct a communication tower that would facilitate wireless cellular service to the Cachagua community. **(Figure 1)** The proposed unmanned wireless communication facility (WCF) **(Figure 2)** is intended to provide coverage to approximately 123 residential units as well as enhance the area's public safety infrastructure by facilitating wireless communication for the community's police, fire fighters, and other emergency personnel. The project application, proposes installation of a 60-foot monopine disguised as a pine tree (monopine), within a 527 square foot (sf) equipment enclosure. Equipment located on the monopine would be the following: twelve (12) panel antennas on antenna arrays, four surge suppressors, twenty-two remote radio units (RRU), and one microwave dish **(Figure 3)**. The proposed equipment enclosure will contain a walk-in cabinet, GPS unit, and diesel generator on a concrete slab. The walk-in cabinet will be connected to the monopine with a cable bridge. An existing power pole will be replaced for connection of overhead power line to a new pole adjacent to and outside of the west enclosure fence. No more than 20 cubic yards of grading is anticipated for implementation of the entire 527 sf facility **(Figure 4)**.

The original project proposal included a 100 foot tall monopole. The applicant has revised the project proposal in response to public comments during community meetings to include a 60 foot monopine. This Initial Study analyzes the 60 foot monopine proposal. See Section VI – Environmental Checklist of this Initial Study for discussion.

B. Surrounding Land Uses and Environmental Setting:

The subject property is a 41-acre parcel located at 37501 Tassajara Road (Assessor's Parcel Number 418-293-006-000). Zoning on the property is Resource Conservation with a 40 acre minimum parcel size and Design Control overlay (RC/40-D) (see **Figures 1 and 2**). The project site is within the rural community of Cachagua situated south and east of Tassajara Road and west of East Carmel Valley Road. The location of the 527 square foot WCF lease area on the parcel is along the eastern boundary approximately 680 feet north of the southeast corner of the property **(Figure 2)**. The monopine and equipment enclosure would be atop a hill approximately 2,000 feet above mean sea level and surrounded by undeveloped steeply sloped lands with a few residences to the north. Structures nearest to the lease area are two water storage tanks approximately 10 feet north, a 1,400 sf storage building and a 130 sf metal storage container that are approximately 620 feet northwesterly. Access to the unmanned WCF location for periodic maintenance and repairs is from Tassajara Road via an existing dirt road that extends southeast from the eastern edge of the property line for approximately 1,250 feet past the existing storage structures and turns sharply northward for approximately 475 feet to the lease area. The vegetation is dominated by Coast live oak woodland habitat, and brush and grasses. (Source: 1, 3, 6, 7, & 9)

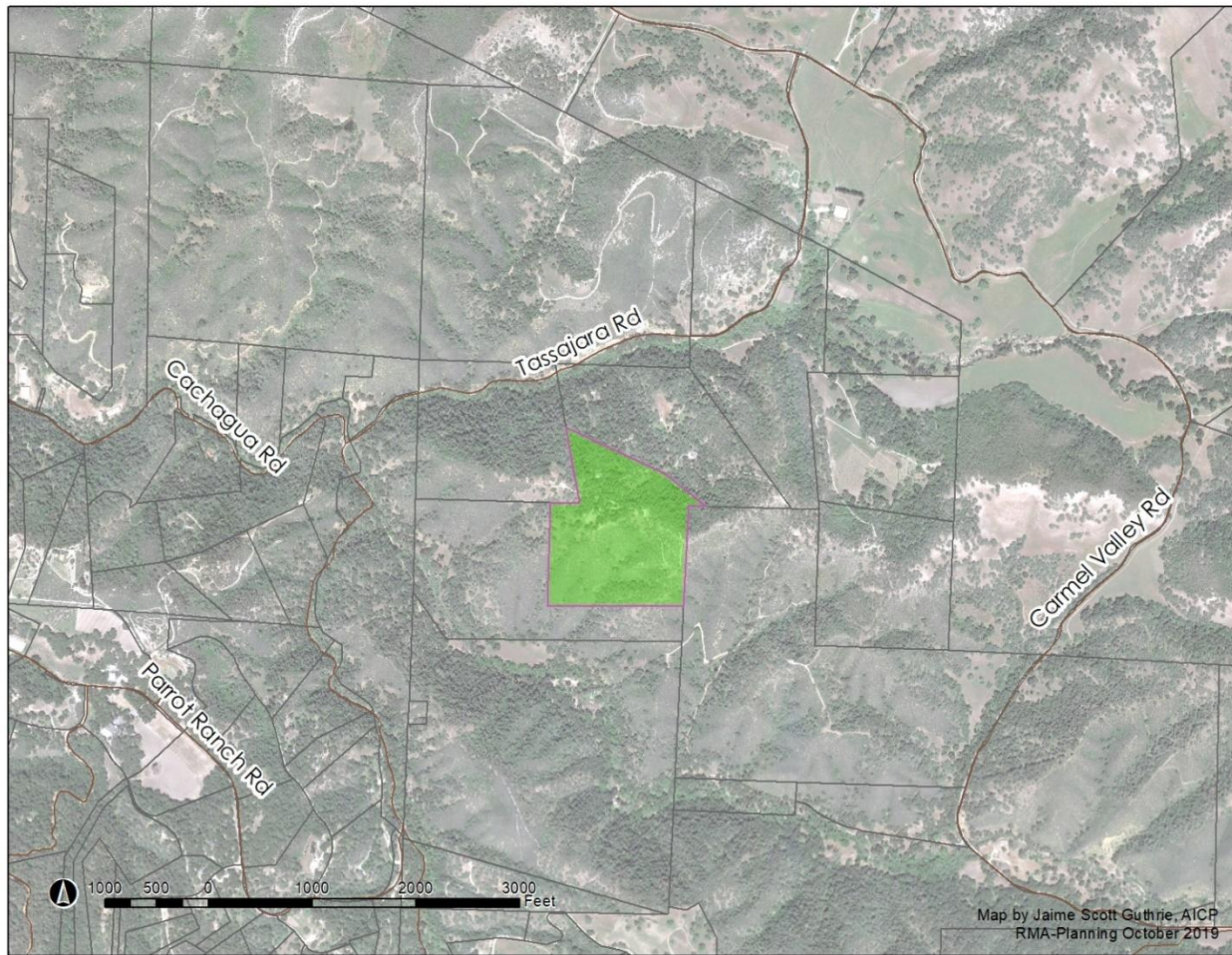


Figure 1. Vicinity Map – Location of 37501 Tassajara Road in Cachagua Area Plan of Monterey County. (Source: 1, 3, 6, 9, 10)

C. Project Approvals Required:

The subject property is governed by policies and regulations contained in the 2010 Monterey County General Plan (General Plan), the Cachagua Area Plan (CAP), and the Monterey County Inland Zoning Ordinance (Title 21). Implementation of the project requires approval of a Use Permit to allow construction of a wireless communication facility.

Subsequent to obtaining the above discretionary permit approval, the project would require ministerial approval from the Environmental Health Bureau, RMA-Public Works and Facilities, RMA-Environmental Services, and Cachagua Fire Protection District through the County's building permit process. In addition, any conditions of approval required by the reviewing agencies would require compliance prior to issuance and/or final of ministerial permits.

D. Potential Impacts Identified:

The subject property does not contain Prime or Unique Farmlands or state protected forest land; does not contain environmentally sensitive habitat; has no evidence of historic, cultural, or tribal cultural resources; does not contain factors that would result in adverse impacts to geology or soils; is not in an area that poses a threat caused by flooding; and is not a mineral resource recovery site. Project implementation would not consume energy resources wastefully; does not

include residents or visitors who would require public services or recreation facilities; would not cause reduction of the existing level of services for fire, police, public schools, or parks; and would not require large amounts of potable water or create large amounts of wastewater. Therefore, the project would have no impact on agriculture and forest resources, biological resources, cultural resources, energy, geology/soils, hydrology/water quality, mineral resources, public services, recreation, tribal cultural resources, or utilities/service systems.

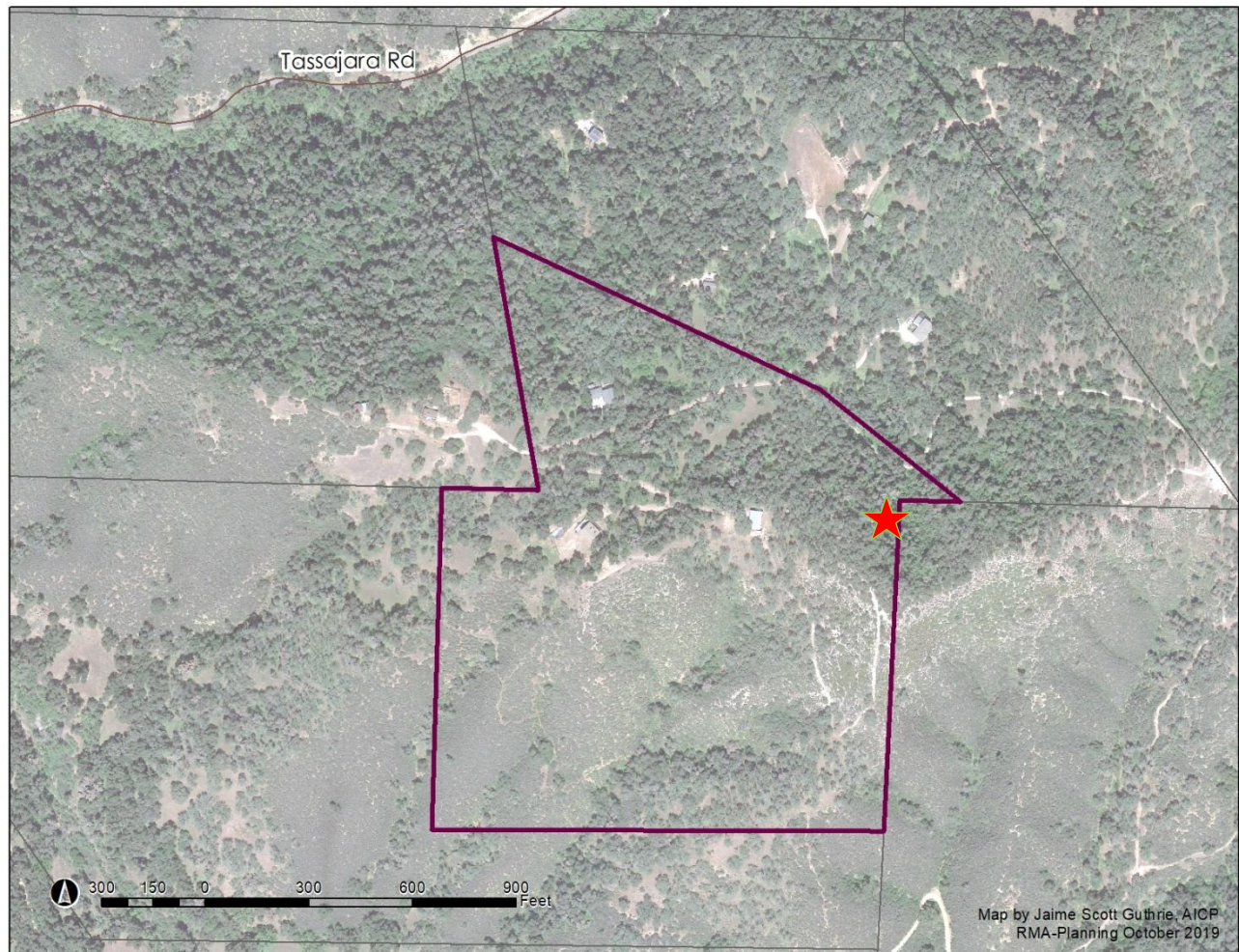


Figure 2. Site Map – Location of the WCF (red star) at 37501 Tassajara Road in Cachagua Area Plan of Monterey County. (Source: 1, 3, 10)

Potential impacts have been identified for aesthetics, hazards and hazardous materials, and wildfires. Conditions of approval have been incorporated to assure compliance with County requirements to the extent that they reduce to less than significant the identified potential impacts. See Section VI – Environmental Checklist of this Initial Study for discussion of aesthetics, hazards and hazardous materials and wildfires.

Potential impacts to air quality, greenhouse gas emissions, noise, and transportation are likely to result from temporary construction activities. These impacts have been analyzed and discussed in Section VI – Environmental Checklist of this Initial Study.

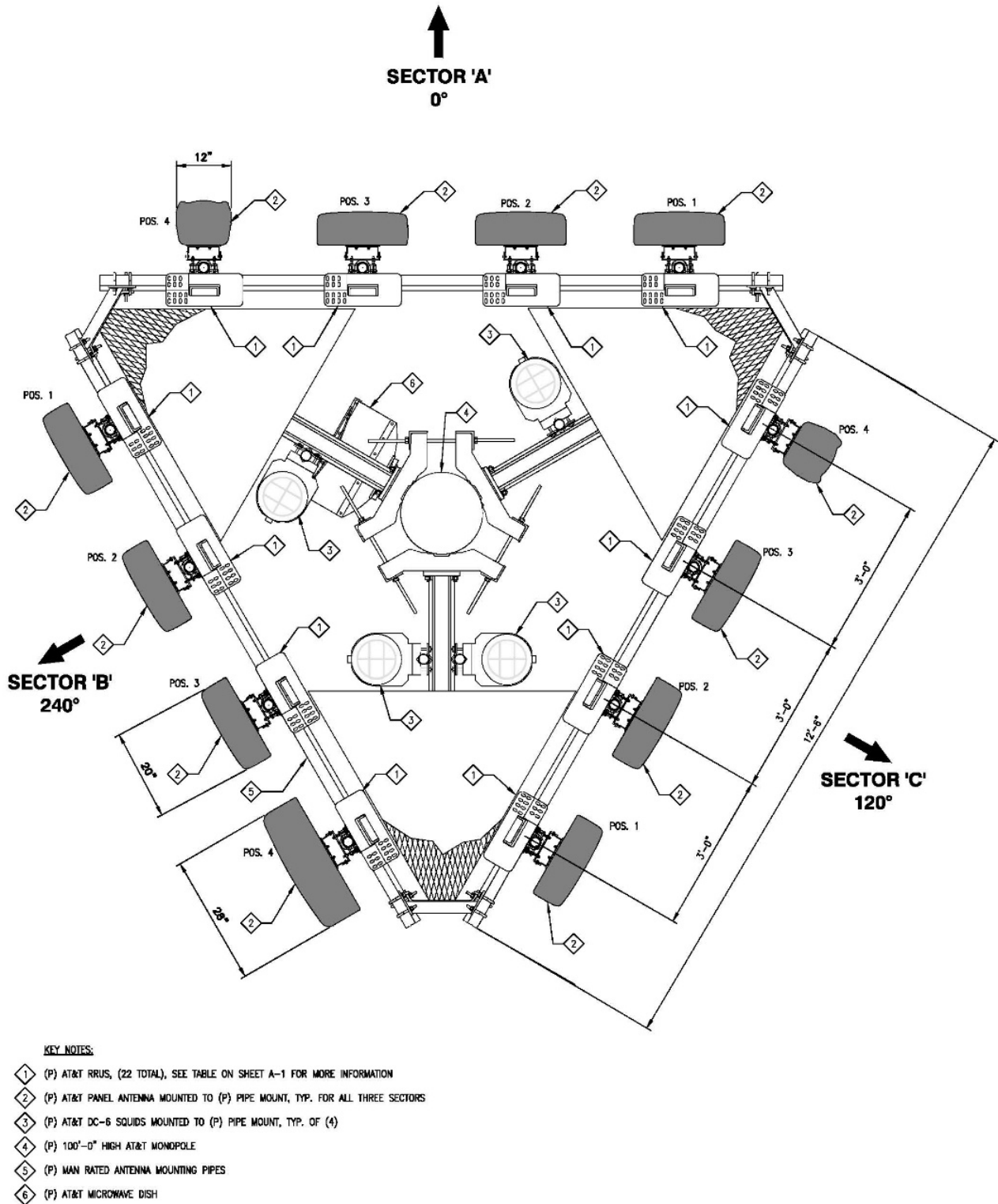


Figure 3. Plan View – Equipment located on the monopole. (Source: 1)

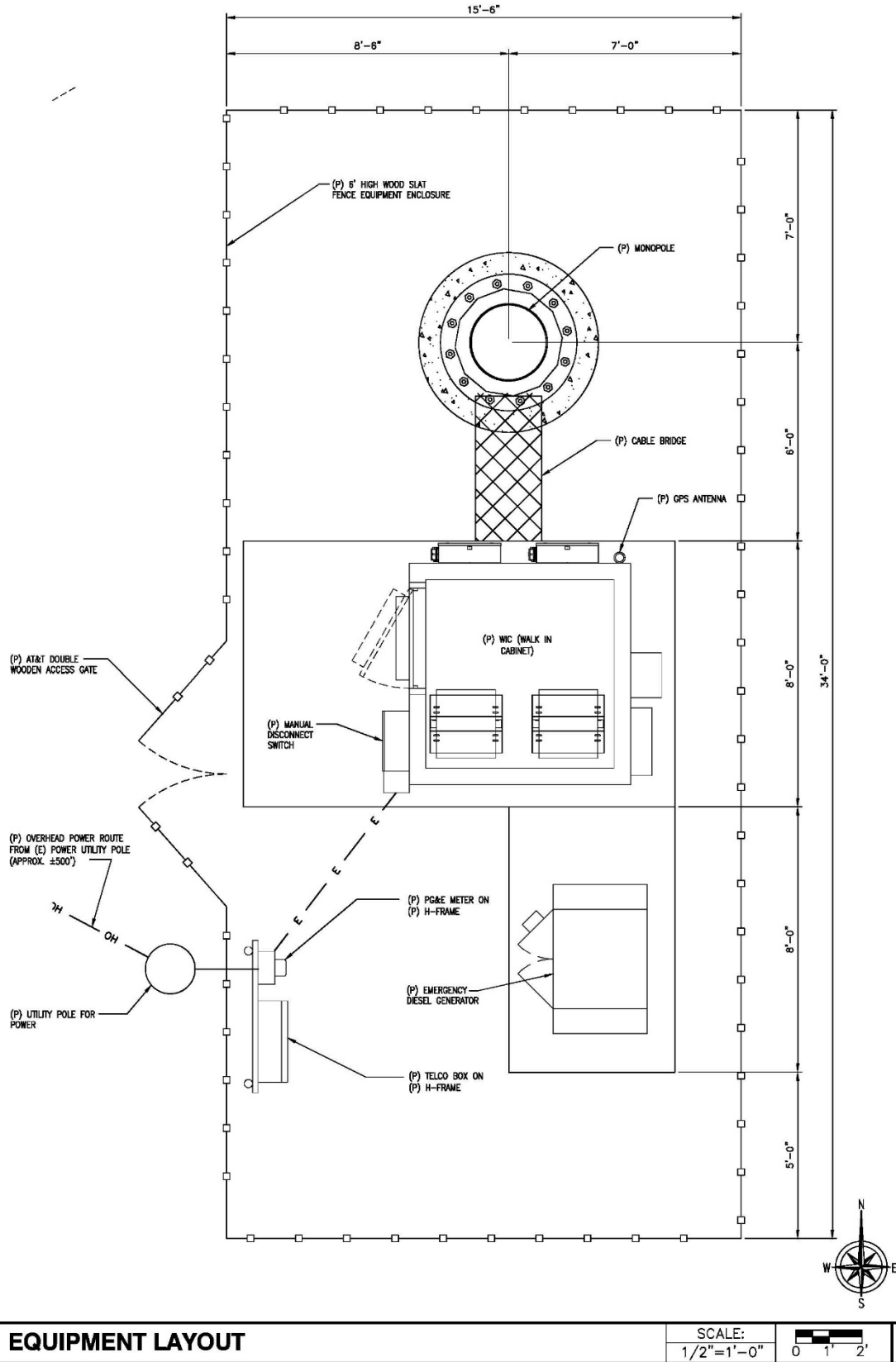


Figure 4. Plan View – Equipment located within the enclosure. (Source: 1)

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plan	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Groundwater Management Plan	<input type="checkbox"/>

2010 Monterey County General Plan

The project site is subject to the *2010 Monterey County General Plan* (General Plan) which provides regulatory framework, through goals and policies, for physical development. The proposed project is consistent with the resource conservation land use designation of this site and with policies of the Open Space Element that regulate development for the protection of scenic resources. As proposed and conditioned, the Project is consistent with the General Plan. The General Plan and the zoning ordinance allow wireless communication facilities in all zoning districts subject to a permit in each case (Source: 2). **CONSISTENT.**

Air Quality Management Plan

The Air Quality Management Plan (See Source 11) for the Monterey Bay Region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB), including the Cachagua and Tassajara areas. No residential development is proposed; therefore, no population increase would occur that is not already accounted for in the AQMP. Construction emissions that would temporarily emit precursors of ozone are accommodated in the emission inventories of state- and federally-required air plans. The Project would not cause an increase of stationary emissions than what currently exists. (Source: 11) **CONSISTENT.**

Water Quality Control Plan

The subject property lies within Region 3 of the Central Coast Regional Water Quality Control Board (CCRWQCB) which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. Operation of the unmanned facility would not generate pollutant runoff in amounts that would cause degradation of water quality, does not include implementation of a septic system, and does not require sewage disposal. **CONSISTENT.**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input checked="" type="checkbox"/> Wildfires | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE: VI.02 Agricultural and Forest Resources – Data contained within the Monterey County Geographic Information System (GIS) indicates that the subject property does not contain farmland that is Prime, Unique, or of Statewide or Local Importance; nor is it encumbered by a Williamson Act contract. There are no ongoing agricultural uses either on the property or in the immediate vicinity. The

subject property is not considered a forest or timber resource inventoried with the State of California as a “Demonstration State Forest”. Therefore, the Project would not result in conversion of prime agricultural lands to non-agricultural uses or impact agricultural resources and would have no impact on forest resources. (Source: 1, 2, 3, and 6) **NO IMPACT**

VI.04 Biological Resources – The 527 sf lease area does not encroach upon or modify a habitat for any riparian community, sensitive or special status species, or state or federally protected wetlands. There is no known migratory path for movement of any native resident or wildlife species, nor is there an existing native wildlife nursery at or near the site. The project would not conflict with any local policies or ordinances protecting biological resources or with provisions of any local, regional, or state adopted or approved habitat conservation plan. Therefore, the project would neither directly nor indirectly adversely affect any biological resources. (Source: 1, 2, 3, 6, 29, and 30) **NO IMPACT**

VI.05 Cultural Resources – Data contained within the Monterey County Geographic Information System (GIS) indicates the property is high status for archaeological sensitivity, theretofore requiring an archaeological report pursuant to Section 21.66.050.C of Title 21. Phase 1 Cultural Assessment was prepared by Carrie D. Wills, M.A., RPA of Helix Environmental Planning, Inc. on 16 November 2018 and concludes there is no evidence of cultural resources at the site. No historical resources or human remains are located at the proposed site for development of the lease area. Therefore, no cultural resources would undergo substantial adverse change in the significance as a result of the project. (Source: 1, 6, 12, and 13) **NO IMPACT**

VI.06 Energy – A new power pole will be connected to an existing power pole on the property approximately 500 feet from the 527 sf lease area and monopole. Although no renewable energy source is proposed, implementation of the project would require no more energy than that expected for the WCF from conventional means of providing energy to the project. The project will be required to operate in accordance with the 2019 Building Energy Efficiency Standards of Title 24, Part 6 California Energy Code which is the County’s adopted Energy Code (Chapter 18.06). Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, and would not conflict with a state or local plan for energy efficiency. (Source: 1, 5, 6, and 21) **NO IMPACT**

VI.07 Geology/Soils – The project does not include residential development, septic tanks or wastewater disposal systems, and the nearest existing residence is over 800 feet west of the WCF location. Review of the project by RMA-Environmental Services (ES) did not indicate the potential for substantial soil erosion, destabilized soil or geologic unit, or expansive soils that might be a risk to life or property. The project would not expose people or structures to the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides. The project is not subject to the *Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)* and the site is located at

least half a mile from the locally identified Tularcitos fault. Therefore, the project would not result in adverse impacts to geology or soils. (Source: 1, 3, 6, 16, and 20) **NO IMPACT**

VI.10 Hydrology/Water Quality – The application and plans were distributed to RMA-ES and Environmental Health Bureau (EHB) during the project review period and neither department indicated the unmanned WCF would substantially contribute pollutants to degrade runoff water quality or volume to stormwater drainage systems. The project does not include housing and would not expose people or structures to hazards due to flooding. The site is not susceptible to inundation by seiche or tsunami, and location atop steep hill precludes mudflow hazard. Therefore, the project would not result in adverse impacts to hydrology or water quality. (Source: 1, 6, 17, and 18) **NO IMPACT**

VI.12 Mineral Resources – Based on the data contained in the Monterey County Geographic Information System (GIS), it has been verified that there are no mineral resources for commercial use on the site, and the project does not include mining of mineral resources. Therefore, the project would not result in the loss of availability of mineral resources. (Source: 1 and 6) **NO IMPACT**

VI.15 Public Services – The unmanned WCF would not substantially increase the need for public services or facilities provided by Cachagua Fire Protection District, Monterey County Sheriff Department, schools within the Carmel Unified School District, or public parks. Therefore, no adverse impacts would occur to public services as a result of implementation or operation of the WCF in this location. (Source: 1, 3, 6 and 7) **NO IMPACT**

VI.16 Recreation – Implementation of the WCF does not trigger the need to provide park or recreation land and/or in-lieu fees established by the 1975 Quimby Act, nor would the project result in any increase of the use of existing neighborhood and regional parks or other recreational facilities, causing substantial physical deterioration. No construction or expansion of recreation facilities is included or required nor would the unmanned WCF create significant recreational demands. (Source: 1, 3, 6, and 7) **NO IMPACT**

VI.18 Tribal Cultural Resources – The project is on a parcel identified in County GIS records as being in an area of high sensitivity for potential cultural resources. In accordance with Public Resources Code Section 21080.3.1, formal notification of application for this planning permit was sent to the Esselen Tribe of Monterey County and to the Salinan Tribe on 30 September 2019. Neither tribe requested a tribal consultation. Therefore, no tribal consultation was conducted for this project. (Source: 1, 6, 12, and 13) **NO IMPACT**

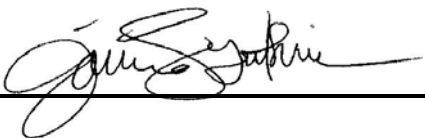
VI.19 Utilities and Service Systems – The proposed WCF is unmanned and operation will require periodic maintenance and repair that would not substantially increase the need for wastewater treatment, municipal water, stormwater drainage, or landfill capacity. Implementation of the WCF would require insubstantial

amounts of solid waste disposal and temporary portable restroom facilities, removed upon construction completion of the project. Therefore, the project would not increase demands on utility services or systems capacity. (Source: 1 and 6) **NO IMPACT**

B. DETERMINATION

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature
Jaime Scott Guthrie, AICP, Associate Planner

9/14/20

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 6, 7, 8, & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 6, 7, 8, 9, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public Views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Source: 1, 2, 3, 6, 7, 8, 9 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 3, 4, 6, 7, 8, 9, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The 60-foot WCF monopole is proposed on a hilltop near Carmel Valley Road and Tassajara Road. General Plan Policy OS-1.3 prohibits “ridgeline development,” defined as development on the crest of a hill which has the potential to create a silhouette against the sky or other substantial adverse impact when viewed from a common public viewing area. A “common public viewing area” is defined as an area (e.g., public street or road, designated vista point, commonly utilized area of a public park) from which the general public ordinarily views the surrounding viewshed. A “substantial adverse visual impact” is defined as the material degradation of an existing visual experience, considering the condition of the existing viewshed, and the proximity and duration of view when observed with normal unaided vision. The 60-foot tall monopole would be visible from segments of Carmel Valley Road, which is designated “highly sensitive” in Figure #12 that shows Scenic Highway Corridors & Visual Sensitivity within the Cachagua Area Plan (CAP) of the 2010 Monterey County General Plan (General Plan). Policy CACH-3.1 of the CAP provides that landscaping and new development within areas designated as “sensitive” or “highly sensitive” may be permitted if located and designed in such a manner that public views are not disrupted. (Source: 1, 2, and 3)

The application first came in requesting approval of a 100-foot monopole disguised as a pine tree. The applicant provided a balloon viewing during the late morning on 21 August 2019 by floating a 4-foot diameter red balloon at the proposed 100-foot height, and at 75- and 50-foot heights at the proposed WCF lease area. The Cachagua Land Use Advisory Committee (LUAC) mobilized the community, inviting citizens to strategically place themselves at public viewing areas along Carmel Valley Road where the balloon could be seen potentially. A community member flagged stations at intervals along Carmel Valley Road for potential sighting of the

balloon. The balloon was kept in the air for each of the three heights (100, 75, and 50 feet, respectively) for ten minutes each. The project was placed on the 28 August 2019 meeting agenda of the Cachagua LUAC which was attended by thirty or so citizens. At the end of the meeting, the Cachagua LUAC requested the applicant implement a 50-foot monopole disguised as an elm tree. (Source: 1, 7, and 9)

1(b). Conclusion: No Impact.

The proposed location of the WCF lease area is not within view of a state scenic highway. Therefore, no scenic resources within view of a state scenic highway would be impacted due to project implementation at the proposed location. (Source: 1, 2, 3, 6, 7, 8, 9, and 19)

1(a), (c), and (d). Conclusion: Less Than Significant Impact

Implementation of the WCF project could be a potential new source of substantial light or glare. However, the facility will be unmanned and humans will be onsite only for periodic maintenance and repair. Further, Condition No. 7 – Reduce Visual Impacts requires that to avoid potential for the facility to create a new source of substantial light or glare, maintenance and repair visits are scheduled during daylight hours and no beacon lighting be allowed. This condition also requires that all colors and materials used at the facility be non-reflective. Therefore, as conditioned, the project's environmental impact due to adverse effect of day or nighttime views is reduced to less than significant.

The visibility of the monopole from Carmel Valley Road could have a potentially substantial adverse effect on a scenic vista (**Figure 5**), particularly at the original height proposal of 100 feet. During the balloon viewing at each of three heights (100, 75, and 50 feet, respectively) at the proposed WCF lease area, the balloon (monopine) was visible with the naked eye. (See **Figures 6-8**) The 50-foot height (**Figure 8**) had the least imposing visual impact of the three heights. However, at 50 feet, the monopine would still create a silhouette against the sky, which defines ridgeline development.

Condition of the existing viewshed:

Much of the area along Carmel Valley Road near the intersection of Tasajara Road is cattle grazing land surrounded by hills and natural vegetation. Fences, gates, and some development including a residence and barn are visible from Carmel Valley Road. Existing vegetation is mostly oaks and grasslands which are not taller than 30-40 feet adjacent to the monopine. The 100-foot monopine would be 70 feet taller than the surrounding vegetation. The 75-foot monopine would be 45 feet taller, and the 50-foot monopine 10-20 feet taller, than the surrounding vegetation.

Proximity and duration of view:

The public viewing area in question would be the designated visually sensitive Carmel Valley Road. The proposed tower location is approximately 0.66 mile from the closest point of visibility along Carmel Valley Road and the extent of sight of the tower with normal unaided vision is shown in **Figures 6-8** of this initial study. The figures show that material degradation of the visual experience is least impactful at the 50-foot height (**Figure 8**). The duration of tower visibility is for about half a mile distance along Carmel Valley Road. In summary, a 60-foot tower would likely be visible for half a mile at or greater than 0.66 mile distance from Carmel Valley Road.

Visual Experience:

Carmel Valley Road contains a variety of visual experiences from the western terminus with Highway 1 (which is more populated) to the eastern terminus with Arroyo Seco Road (which is very rural in nature). This project would be located east of Carmel Valley village in a sparsely populated stretch of the narrow and winding road, near the intersection of Tassajara Road. In this location Carmel Valley Road terrain becomes flat near the road with grasslands and scattered oaks. Cattle grazing, fencing, barns, and structures are visible in this location. Grass and Oak covered hills and hillsides are visible to both the North and South of Carmel Valley Road in this location. The intersection with Tassajara Road is an area of Carmel Valley Road where man made features are present.

The proposed monopine would be located on top of a ridge setback over half a mile from Carmel Valley Road. The monopine would protrude above the existing vegetation line and would be visible with unaided vision from a half mile stretch of Carmel Valley Road, east of the intersection with Tassajara Road. At 60 feet in height, with non-reflective elm or pine visual treatments, at a distance of 0.66 miles south of Carmel Valley Road, and given the nature of the viewing experience in the Tassajara/Carmel Valley Road intersection area, the proposed impact on the viewing experience would not be substantial. The monopine would introduce a new feature on a distant hillside at a sufficient distance to attenuate the severity of the impact on the viewing experience. Natural terrain and vegetation along with human development will remain visible in this location after construction of the monopine.

Alternative Locations:

An alternate site that was considered on the same property would not have been visible at any height from Carmel Valley Road or any other public viewing area, even at the proposed 100 feet; however, the applicant has indicated this alternate location would provide minimal coverage to the community. One other communication tower in the Cachagua area and currently collocated with AT&T equipment, is located approximately 6.88 miles, as the crow flies along Tularcitos Ridge, from this proposed tower location. The height of the pole is 51 feet above an elevation of 1,469.5 feet within the Sleepy Hollow community northwest of the subject property. Communication coverage from the Sleepy Hollow WCF to the Cachagua community, nearly seven miles away, would require signals to climb through or around hills up to and above 2,100 feet. Therefore, no feasible alternative location exists to accommodate the proposed project.

The WCF is being proposed to provide communication infrastructure where none exists for the residents or police, firefighters, and other emergency personnel in the Cachagua community. Provision of the WCF on the subject property best achieves the policy objective of the Cachagua Area Plan Section 4.0 – Safety to assist the community in ensuring a minimum level of fire protection and related services for the area residents (Policy CACH-4.3). A member of the Cachagua FPD attended the community meeting and expressed support for implementation of the WCF. The current inability to communicate to emergency service providers isolates the community in times of danger or accidents, and delays call and response times.

(Source: 1, 2, 3, 4, 6, 7, 8, 9, and 19)



Figure 5. Site Photo – Scenic view from Carmel Valley Road with no red balloon aloft at proposed location of the WCF at 37501 Tassajara Road. (Source: 1 and 7)



Figure 6. Site Photo – Red balloon aloft 100 feet at proposed location of the WCF at 37501 Tassajara Road. Scenic view from Carmel Valley Road. (Source: 1 and 7)



Figure 7. Site Photo – Red balloon aloft 75 feet at proposed location of the WCF at 37501 Tassajara Road. Scenic view from Carmel Valley Road. (Source: 1 and 7)



Figure 8. Site Photo – Red balloon aloft 50 feet at proposed location of the WCF at 37501 Tassajara Road. Scenic view from Carmel Valley Road. (Source: 1 and 7)

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1 & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality? (Source: 1 & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in significant construction-related air quality impacts? (Source: 1 & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 6, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: 1, 6, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The CARB has established 14 air basins statewide and the project site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The MBARD is responsible for producing an Air Quality Management Plan (AQMP) that reports air quality and regulates stationary sources throughout the NCCAB. The *2008 Air Quality Management Plan for the Monterey Bay Region (AQMP)* and the *2012-2015 Air Quality Management Plan (AQMP)* are referenced for discussion of air quality. Monterey County is within the federal and state attainment standards for carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead, and fine particulates (PM_{2.5}), and within the federal attainment standards for ozone (O₃) and respirable particulates (PM₁₀). The *2012-2015 Air Quality Management Plan (AQMP)* addresses only attainment of the State ozone standard. (Source: 11)

3(a), (d) and (e). Conclusion: No Impact

As previously discussed in Section III of this Initial Study, the project has been found to be consistent with the AQMP. Therefore, there would be no impact caused by conflict or obstruction of the AQMP. At present, Monterey County is in attainment for all federal and state air quality standards for Carbon monoxide (CO), Nitrogen dioxide (NO₂), Sulfur Dioxide (SO₂), lead, and fine particulates (PM_{2.5}). Implementation of the project would result in temporary emissions of CO, NO₂, SO₂, lead, and PM_{2.5} during construction and grading activities; however, these would be well within the emittance levels accommodated within the AQMP; therefore, there would be no impact. The subject property is an existing industrial site and is not

in an area where sensitive receptors, such as housing or schools, would be affected by construction and/or grading activities. Furthermore, the production of objectionable odors during construction activities and the operational component of the project have not been identified. The project does not include residential development and would not result in a population increase not already accounted for in the AQMP. The project would not result in a change to current stationary emissions. (Source: 1, 6, 11 and 19)

3(b) and (c). Conclusion: Less Than Significant Impact.

The NCCAB is in nonattainment status of state standards for Ozone (O₃) and respirable particulates (PM₁₀) (See Source 10, p. 9). Therefore, projects resulting in a substantial increase in PM₁₀ emissions would cause a significant impact to air quality. In addition, ambient ozone levels depend largely on the amount of precursors, nitrogen oxide (NO_x) and reactive organic gases (ROG), emitted into the atmosphere. Implementation of the project would result in temporary impacts resulting from construction and grading activities caused by dust generation and fuel combustion of construction vehicles (major sources of primary PM₁₀) and NO_x and ROG emittance. Typical construction equipment would be used for the project and no more than 20 cubic yards of grading is anticipated for implementation of the entire 527 sf facility. Therefore, these emissions would have a less than significant impact to air quality. Construction-related air quality impacts would be controlled by implementing Monterey County Code Chapter 16.12. standard conditions for erosion control that require plans for control measures of runoff, dust, and erosion. Therefore, implementation of the proposed project, would result in less than significant impacts to air quality caused by pollutants currently in non-attainment for NCCAB and construction-related activities. (Source: 1 and 11)

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 2, 3, 6, & 30)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 2, 3, 6, & 30)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 2, 3, 6, & 32)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 2, 3, & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5? (Source: 1, 3, 5, 7, 14, 15, 16, 17 & 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 3, 5, 7, 14, 15, 16 & 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 3, 5, 7, 14, 15, 16, & 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

6. ENERGY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: 1, 3, 4 & 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: 1, 3, 4 & 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1 and 7) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: 1, 3, 5 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides? (Source: 1, 3, 5 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: 1, 3, 5 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 3, 5 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
d)	Be located on expansive soil, as defined in Chapter 18A of the 2016 California Building Code, creating substantial risks to life or property? (Source: 1, 3, 5 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 3, 5 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

8. GREENHOUSE GAS EMISSIONS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1 & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1 & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. To reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State's vulnerability to global climate change. As in the discussion of VI.3 Air Quality of this Initial Study, the *2008 Air Quality Management Plan for the Monterey Bay Region (AQMP)* and the *2012-2015 Air Quality Management Plan (AQMP)* are referenced for discussion of greenhouse gases (GHGs). The *2012-2015 Air Quality Management Plan (AQMP)* only addresses attainment of the State ozone standard and builds on information developed in past *AQMPs*. The Monterey Bay Air Resources District (MBARD) is responsible for the monitoring of air quality and the regulation of stationary sources throughout the North Central Coast Air Basin (NCCAB) where the proposed project site is located. The MBARD produces the *AQMP* and all subsequent revisions.

8(b). Conclusion: No Impact.

Implementation of the proposed project would not conflict with any *AQMP* goals or policies for reducing emissions of greenhouse gases.

8(a). Conclusion: Less Than Significant.

As previously discussed, ambient ozone levels depend largely on the amount of precursors, nitrogen oxide (NO_x) and reactive organic gases (ROG), emitted into the atmosphere.

Implementation of the project would result in temporary impacts resulting from construction and grading activities that require fuel combustion of construction vehicles, a primary source of NO_x and ROG emittance. Typical construction equipment would be used for the project and ROG and NO_x emitted from that equipment have already been accommodated within the *AQMP*.

Therefore, these precursor emissions would have a less than significant impact on GHGs. No more than 20 cubic yards, or approximately 0.01 acre-foot, of grading is anticipated for implementation of the entire 527 sf facility, during a finite period of time. This temporarily generated amount is well under the recommended 2.2 acres per day, or 82 lb/day, threshold of significance of grading and excavation during construction phases. Therefore, the proposed project would have less than significant impact on GHG emissions.

9. HAZARDS AND HAZARDOUS MATERIALS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 6, 7, 9 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 6, 7, 9, 14 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 6, 7, 9, 14 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1, 6, 7, 9, 14 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (Source: 1, 6, 7, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 15, & 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. (Source: 1 & 24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The Federal Communications Commission (FCC) requires of each wireless communication facility (WCF) compliance with limits set for human safety in exposure to radiofrequency energy. An Electromagnetic Energy (EME) Exposure Report was prepared by OSC Engineering for the 100-foot tower that was originally proposed. The applicant reduced the height of the tower proposal to 60 feet after considerable public input and requests that were analyzed by the applicant for feasibility. An updated EME report will be required prior to issuing a building permit for the construction of the 60 foot tower.

9(a), (b), (d), (e), (f), and (g). Conclusion: No Impact.

The application and plans were distributed to Cachagua Fire Protection Department (FPD) and Environmental Health Bureau (EHB) during the project review period and neither department indicated the unmanned WCF would include the transport or disposal of hazardous materials or interfere with an adopted emergency response or evacuation plan. No demolition will take place, no existing or proposed school is within a quarter mile of the site, nor is the site within two miles of a public airport. The unmanned WCF at a distance of 800 feet to the nearest residence, would not expose people to significant risk of loss, injury, or death involving wildland fires.

9(c). Conclusion: Less Than Significant.

The project is not within a quarter mile of an existing or proposed school. However, the project would emit radio frequency (RF) that is monitored by the Federal Communications Commission (FCC) for safe levels of exposure. Therefore, the County required submittal of a technical report for analysis of the proposed project modeled for equipment emissions in relation to relevant FCC RF compliance standards. The Electromagnetic Energy Exposure (EME) Report prepared by OSC Engineering on September 10, 2018 modeled the project as if operating at one hundred percent capacity at the original 100-foot height proposal. Although communication facilities do not generally always operate at full capacity, simulating maximum operational power yields the maximum potential exposure levels. Report results show that at the maximum operational scenario, the project would be 3.8% of the FCC Maximum Permissible Exposure (MPE) Limit for the general population. General population MPE limits are applied to situations in which people who may not be aware of potential exposure to RF electromagnetic field (EMF) radiation cannot exercise control over their exposure (e.g., residents of a nearby neighborhood, employees occupying a nearby office building). The project would comply with FCC regulations limiting people to RF EMF radiation.

A factor in determining the MPE level within FCC regulations is the distance from the height of the antenna center (maximum radiation) on the tower to the height of the object of interest, such as a person or building. The antenna center will be lower on a 60-foot tower (50 feet high) than on a 100-foot tower (90 feet high), the distance from the antenna to the object of interest will be shorter. This shorter distance indicates closer proximity to the source of radiation on a 60-foot tower than on a 100-foot tower. The 100-foot tower operating at full capacity was shown to be 3.8% FCC MPE Limit for the general population. Conservatively, the lower tower height may indicate greater exposure. Therefore, a condition is applied to the project that requires a new technical report be submitted that quantitatively analyzes the RF EMF radiation exposure potential of the 60-foot tower prior to allowing construction permits. All WCFs are mandated to comply with and conduct annual performance evaluations for compliance with FCC regulations governing human exposure to radiation from communication tower equipment. Project implementation, as proposed and conditioned, would reduce potential impacts to less than significant.

10. HYDROLOGY AND WATER QUALITY					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements? (Source: 1, 2, 7 & 25)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: 1, 2, 7 & 25)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial <u>erosion or siltation</u> on- or off-site? (Source: 1, 2 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site? (Source: 1, 2 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 2 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Otherwise substantially degrade water quality? (Source: 1, 2 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 2 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 2 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 2, 7 & 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 7 & 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 2, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 2, 3, 4 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed project is subject to the goals and policies set forth in the Cachagua Area Plan (CAP) within the *2010 Monterey County General Plan* (General Plan). Figure #12 exhibits Scenic Highway Corridors & Visual Sensitivity in the CAP. Policy CACH-3.1 requires that landscaping and new development within areas designated as “sensitive” or “highly sensitive”

may be permitted if located and designed in such a manner that public views are not disrupted. The General Plan Policy OS-1.2 requires that development in designated visually sensitive areas be subordinate to the natural features of the area. Policy OS-1.3 prohibits “ridgeline development,” defined as development on the crest of a hill which has the potential to create a silhouette against the sky or other substantial adverse impact when viewed from a common public viewing area. Policies in the Conservation and Open Space (OS) Element of the General Plan support Goal OS-1 to retain the character and natural beauty of Monterey County by preserving, conserving, and maintaining unique physical features and natural resources. Chapter 21.64.310 of Title 21 (WCF ordinance) regulates the siting, design, and construction of wireless communication facilities in Monterey County.

11(a) and (c) Conclusion: No Impact.

Location of the WCF lease area at the proposed site would not cause a divisional barrier to an established community. There is no habitat conservation plan (HCP) or natural community conservation plan (NCCP) approved on the subject property or within the area. Therefore, the project would have no impact on either an established community or a conservation plan.

11(b). Conclusion: Less Than Significant

The monopole at the proposed location is ridgeline development that is visible from segments of Carmel Valley Road, which is designated “highly sensitive” in Figure #12 that shows Scenic Highway Corridors & Visual Sensitivity within the CAP. The 60-foot WCF monopole is proposed on a hilltop at approximately 2,000 feet elevation which could potentially disrupt public views from Carmel Valley Road (See Figures 5, 6, & 7 in VI.1 – Aesthetics). As previously discussed in VI.1 – Aesthetics, the combination of blue sky background and the height of surrounding vegetation provides no camouflage to subordinate the monopole in the viewshed of the designated visually sensitive Carmel Valley Road. Therefore, the project is in potential conflict with Policy CACH-3.1 of the CAP and with General Plan Policies OS-1.2 and OS-1.3 that require: 1) landscaping and new development within areas designated as “sensitive” or “highly sensitive” may be permitted if located and designed in such a manner that public views are not disrupted, 2) development in designated visually sensitive areas be subordinate to the natural features of the area, and 3) prohibits “ridgeline development,” defined as development on the crest of a hill which has the potential to create a silhouette against the sky or other substantial adverse impact when viewed from a common public viewing area.

Policy OS-1.3 of the General Plan, prohibits ridgeline development with exceptions to include consideration at a publicly noticed hearing, of findings that:

- 1) the development does not create a substantially adverse visual impact when viewed from a common public viewing area, and either
- 2) goals, policies, and objectives of the General Plan and Cachagua Area Plan are better achieved with the proposed plan than other alternatives, or
- 3) there is no feasible alternative to the ridgeline development.

In this case, the development will have a less than substantial visual impact (See Section VI.1 – Aesthetics). Alternatives to the height and location of the proposed development have been considered and were found to be infeasible because they would not provide service to the areas that have coverage gaps or because permissions from property owners could not be obtained. The Planning Commission will need to consider specific findings with supporting evidence to

permit the ridgeline development before the project is approved. Other than the visual impact, no other significant issues or potential conflicts have been identified. As described herein, the ridgeline development may be allowed provided the Planning Commission makes findings required by the General Plan and zoning.

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 7 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 7 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

13. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

13. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 7 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 7 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

14. POPULATION AND HOUSING				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Operation of the unmanned facility will require periodic visits for maintenance and repair, and will not accommodate the needs of residents, visitors, or employees. The operational aspect of the project requires implementation of a new power pole connecting with overhead lines to an existing power pole approximately 500 feet from the WCF lease area.

14(b) and (c). Conclusion: No Impact.

The project does not include housing or people who need housing. Therefore, implementation of the project would displace neither substantial numbers of people nor existing housing.

14(a) Conclusion: Less Than Significant Impact.

Implementation of the project is intended to bring wireless phone service to approximately 132 residents of the Cachagua area who do not currently have access to wireless phone service. The sparsely populated community would benefit from a wider network of wireless phone service, especially to accommodate citizen contact and emergency response of the Cachagua FPD and other first responders throughout the County. Wireless communication infrastructure in the Cachagua community could provide indirect incentive to move to the area. However, availability of housing and amenities does not support population growth in the area and cellular service is not a significant growth factor on its own. Therefore, the project has potential for less than significant impact on population growth.

15. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1 & 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

17. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 1, 2, 3, 4, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with the goals, objectives, and policies of the 2018 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? (Source: 1, 2, 3, 4, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: 1, 2, 3, 4, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 2, 3, 4, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
e)	Result in inadequate emergency access? (Source: 1, 2, 3, 4, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1, 2, 3, 4, 5 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The subject parcel location is accessed via Tassajara Road for which Level of Service has not been rated. (See Source 3). Construction activities for implementation of the project at the 527 sf lease area would cause temporary increase in truck traffic along Carmel Valley Road and continuing onto Tassajara Road.

16(b), (c), (d), (e), and (f) Conclusion: No Impact.

Development of the proposed project on the subject parcel would not have an impact on air traffic patterns, increase of hazards or incompatible uses, or adequate emergency access. The project would not conflict with any Complete Streets policies, plans, or programs; therefore, implementation of this project would have no impact on public transit, bicycle, and pedestrian facilities. Development of the WCF would not conflict with the 2018 Regional Transportation Plan goals, objectives, or policies for Monterey County; therefore, no adverse impacts are likely to occur on standards established by the Transportation Agency for Monterey County (TAMC) for any designated roads or highways. (See Source 21)

16(a) Conclusion: Less Than Significant Impact.

Minor increase in traffic during construction of the project would be temporary; therefore, impacts due to a temporary increase in construction traffic would be less than significant.

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: 1, 2, 3, 4, 5, 7, 12, 13, 14, & 17)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. Source: 1, 2, 3, 4, 5, 7, 12, 13, 14, & 17)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion: See previous Sections II.A (Project Description), II.B (Environmental Setting), IV.A (Environmental Factor Potentially Affected), as well as sources listed in Section IX.

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1 & 25)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1 & 25)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

20. WILDFIRE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Hazardous materials may comprise those that are flammable, including forest, brush and grasslands, which are present throughout the subject parcel. California Public Resources Code (PRC) Section 4291 regulates the fire protection mechanisms for fuel conditions in forested and wildland areas. The subject parcel is classified as a State Responsibility Area (SRA) for fire protection with a “very high” hazard for fire occurrence. Cachagua Fire Protection District (CFPD) has reviewed the project for design features adherent to PRC Section 4291 including the maintenance of a 100-foot buffer of defensible space and the use of non-flammable construction materials. There is no indication from CFPD that the plans for the proposed project would not comply with requirements of PRC Section 4291. (See Source 24)

20(a). Conclusion: No Impact.

The Jamesburg-Cachagua community is included in the *Monterey County Community Wildfire Protection Plan (MCCWPP)* as an area within the wildland urban interface (WUI) of the Ventana Wilderness that is at risk of fire hazard. The MCCWPP is an advisory document that was developed in 2010, with an update in 2016, in a multi-strata multi-agency collaboration with property owners and citizens, comprising the Monterey Fire Safe Council. No components of the project would substantially impair any strategies of the adopted *Monterey County Emergency Operations Plan* prepared by the County of Monterey Office of Emergency Services (OES) in 2014. (See Sources 14 and 23)

20(b), (c), and (d). Conclusion: Less Than Significant Impact.

The siting of the WCF lease area on the parcel is located on a small plateau 2,000 feet above mean sea level atop a steep slope. Outside the enclosure fence, a new power pole will be connected with overhead lines to an existing power pole on the property approximately 500 feet from the lease area. This additional infrastructure, along with slope and prevailing wind, could be combined factors that exacerbate wildfire risk. However, the equipment enclosure will be laid with concrete and surrounded by a gravel road. Further, two water storage tanks are located approximately 10 feet north of the relatively isolated location of the unmanned WCF lease area where homes and people are sparsely distributed throughout the properties toward Tassajara Road to the north. Given the unmanned operations of the project and the small area of impervious footprint along with the nearest residence approximately 800 feet away, the project is not likely to expose people or structures to significant risks, neither onsite nor downslope. Failure of equipment and infrastructure combined with weather events could produce circumstances that would be ameliorated with regular maintenance and repair of equipment at the facility and of supporting infrastructure. Therefore, Condition No. 12 requires recordation of a Deed Restriction mandating that equipment and infrastructure be maintained and repaired for deterioration or damage. The project, as conditioned, would have a less than significant effect on the environment due to wildfire.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated, and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1, 2, 3, 6, 7, 8, 9, and 19)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1, 2, 3, 4, 6, 7, 8, 9, and 19) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 6, 9, 11, & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Pursuant to Section 21083 of the Public Resources Code and Section 15065 of the CEQA Guidelines, a project would be considered to have a significant effect on the environment and an Environmental Impact Report shall be prepared, if impacts identified cannot be avoided or mitigated to a point where no significant effect on the environment would occur. Analysis provided in this Initial Study supports that implementation of the WCF at this location could have less than significant effect on the environment.

VII(a), (b), and (c). Conclusion: Less Than Significant Impact.

Construction and grading activities during implementation of the project would cause temporary adverse environmental impacts for air quality, greenhouse gas emissions, noise, and transportation. However, these temporary impacts would discontinue during operational components of the project. Therefore, environmental effects on air quality, greenhouse gas emissions, noise, and transportation would cause less than significant adverse impacts on human beings.

One other WCF co-located with AT&T equipment serves the Sleepy Hollow community in the Cachagua area and is located almost seven miles from the proposed project. Staff is not aware of any similar projects that were implemented in the past, are being currently implemented, or will probably be implemented in the future with ridgeline location to serve the Cachagua community. Companies that propose communication towers in the County are required to make allowance for co-location of equipment from other companies that may propose future projects. Therefore, incremental contribution of similar projects with potential to degrade the aesthetic quality of the environment that conflict with the adopted area plan, General Plan, or zoning are not likely to

have cumulatively considerable impact on the environment. Persistently and consistently monitoring the potential for proliferation of similar projects in the Cachagua and Tassajara area is essential to preventing aesthetic quality degradation in the future.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the California Department of Fish and Wildlife. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the California Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department’s website at www.wildlife.ca.gov.

Conclusion: The project will be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN180362 and the attached Initial Study / Proposed Negative Declaration.

IX. SOURCES

1. Project Application/Plans for Planning File No. PLN180362
2. *2010 Monterey County General Plan*
3. Cachagua Area Plan
4. Title 21 (Zoning) of the Monterey County Code
5. Title 18 (Energy) of the Monterey County Code
6. Monterey County Geographic Information System (GIS)
7. Staff Site Visit on 21 August 2019.
8. *2019 CEQA Statute and Guidelines*
9. Accela Public Information Portal 2019-2020.
10. ArcGIS for Desktop 10.2.2.
11. The 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision
12. California AB-52 Native Americans: California Environmental Quality Act 2014.
Available from:
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52
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14. California Department of Toxic Substances Control. “DTSC’s Hazardous Waste and Substances Site List – Site Cleanup (Cortese List).” Accessed 9 October 2019. Available from: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>
15. County of Monterey Office of Emergency Services (OES). 1 March 2014. *Monterey County Emergency Operations Plan*.
16. California Department of Conservation. (2015). “CGS Information Warehouse: Regulatory Maps.” Accessed 10 October 2019. Available from: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
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19. Google Earth Imagery dated September 14, 2018, 36°23'19.65" N 121°35'06.06" W, Elevation at 1,859 ft., Eye Alt. 5,209 ft.
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25. California Public Resources Code. PRC Section 4291 of Division 4, Part 2, Chapter 3.
26. Cal-Fire. (2019). "Wildland Hazards & Building Codes." Accessed 5 November 2019. Available from: <https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/>
27. California Building Standards Commission. (2018). *California Building Standards Code (CCR Title 24): 2019 Triennial Edition*. Accessed 5 November 2019. Available from: <http://www.bsc.ca.gov/Codes.aspx>
28. California Department of Water Resources. (2019). *SGMA Portal*. Accessed 3 December 2019. Available from: <http://sgma.water.ca.gov/portal/>
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31. Regional Water Quality Control Board, Central Coast Region. (September 2017). *Water Quality Control Plan for the Central Coastal Basin*.
32. Code of Federal Regulations. 40 CFR §230.3(o), Definition of the term, "waters of the United States".

Exhibit D-2

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PLN180362 (Eaton [AT&T Mobility])
CEQA Comments regarding Initial Study

Review period of September 17, 2020 through October 19, 2020

1. September 19, 2020 – Janis Lou Dickinson
 2. October 2, 2020 – Pamela Silkwood, Horan Lloyd
 3. October 4, 2020 – Dr. Walter Koenig
 4. October 14, 2020 – Janis Dickinson
 5. October 14, 2020 – Janis Dickinson
 6. October 14, 2020 – Michael Caddell
-
7. October 19, 2020 (11:06 PM) – Tony Keppelman & Carol Kuzdenyi (**Outside of review period**)
 8. October 19, 2020 (11:30 PM) – Tony Keppelman & Carol Kuzdenyi (**Outside of review period**)
 9. October 19, 2020 (11:47 PM) – Tony Keppelman & Carol Kuzdenyi (**Outside of review period**)

Friedrich, Michele x5189

From: Janis Lou Dickinson <jld84@cornell.edu>
Sent: Saturday, September 19, 2020 10:45 PM
To: ceqacommments
Cc: 100-District 5 (831) 647-7755
Subject: PLN180362

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

From:

Dr. Janis L. Dickinson
37503 Tassajara Road
Carmel Valley, CA 93924
jld84@cornell.edu

re: PLN180362

To: Resource Management Agency - Planning/Monterey County
cc: Supervisor Mary Adams

Dear sir/madam:

I received a Notice of Intent to Adopt a Negative Declaration from the planning commission today for PLN180362. I was surprised by this because it is conflict with the recommendations of the Cachagua LUAC and also differs markedly from the county's decision on this project in January 2020. That decision was based upon a balloon test that showed that a 50' tower would be highly visible on the ridgeline and would stand well above surrounding vegetation for a long stretch of Carmel Valley Road and for some of Tassajara Road and thus would be in violation of Cachagua Area Plan 40.1.2 (C) and the general plan in creating a visual impact when viewed with normal, unaided vision. The planner's own letter in January 2020 agreed with this.

There are several errors in the Notice of Intent and other documents for the revised project and these errors prevent me from obtaining or discerning correct information about what is being planned.

1. The link through which I should be able to view the negative declaration and initial study does not work. Either the site is not up yet or the link is wrong. This prevents residents and our lawyers from making an accurate assessment of what is being proposed.
2. The project description in the notice describes a 60' tower. The online information under PLN180362 says different things in different places:

<https://aca-prod.accela.com/Monterey/Cap/CapDetail.aspx?Module=Planning&capID1=18PLN&capID2=00000&capID3=00724>

In some places it says there will be a 100' tower and in others a 60' tower. I imagine there are other errors in the plan as it stands online.

Without correct and complete information it is impossible for me and others to review the plan in a timely fashion as it is our right to do.



Application Name: Eaton Robert W (A&T Mobility)
File No: PLN180302
Location: 37501 Tassajara Rd, Carmel Valley
Applied Date: 04/29/2019
Planner Assigned: Jaime Guthrie
Planner Email: Guthrie.JS@co.monterey.ca.us
Exhibition: Use Permit
Current Status: Referred
Referred Date: 05/30/2019

Description
Use Permit to allow construction of a wireless communication facility including a 60' monopole tower installed with twelve (12) panel antennas on antenna arrays, four surge suppressors, twenty-two remote radio units (RRU), and one microwave dish; and equipment enclosure installed with the walk-in cabinet, GPS unit, and diesel generator on a concrete slab. The property is located at 37501 Tassajara Road, Carmel Valley (Assessor's Parcel Number 418-293-006-000), Cachagua Area Plan.

Project Description:

Use Permit to allow construction of a wireless communication facility including a 60' monopine tower installed with twelve (12) panel antennas on antenna arrays, four surge suppressors, twenty-two remote radio units (RRU), and one microwave dish; and equipment enclosure installed with the walk-in cabinet, GPS unit, and diesel generator on a concrete slab. The property is located at 37501 Tassajara Road, Carmel Valley (Assessor's Parcel Number 418-293-006-000), Cachagua Area Plan.

I suggest that there is a need to make all of the information about this project correct and accessible before a planning meeting can be scheduled. Only with correct information well in advance off the meeting will we have fair time to review the data and make comments. Correct coverage maps for the proposed 60' tower (not just copies of prior maps) should be part of what is provided.

Please acknowledge this email and let me know when these corrections have been made.

With best regards,

Janis Dickinson

Friedrich, Michele x5189

From: Guthrie, Jaime S. x6414
Sent: Friday, October 2, 2020 4:39 PM
To: Friedrich, Michele x5189
Cc: Kakimoto, Monique x5185
Subject: Fw: Comments to Initial Study for PLN180362 (Eaton Robert W - AT&T Mobility)
Attachments: Comments to Initial Study - PLN180362 (AT&T Tower).pdf

Hi Michele,
Forwarding comments on this IS.

Thank you,
Jaime Scott Guthrie, AICP
Associate Planner
831.796.6414 | GuthrieJS@co.monterey.ca.us



County of Monterey Resource Management Agency
1441 Schilling Place South, 2nd Floor, Salinas, CA 93901
Code of Ordinances + Accela Citizens Access (ACA)



From: Pamela Silkwood <psilkwood@horanlegal.com>
Sent: Friday, October 2, 2020 4:21 PM
To: Dugan, John x6654 <DuganJ@co.monterey.ca.us>; Guthrie, Jaime S. x6414 <GuthrieJS@co.monterey.ca.us>
Subject: Comments to Initial Study for PLN180362 (Eaton Robert W - AT&T Mobility)

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Good afternoon John and Jaime,

Please see the attached comments to the Initial Study. Please confirm receipt. Thank you and enjoy your weekend.

Sincerely,
Pam

Pamela H. Silkwood

HORAN | LLOYD

Horan Lloyd
A Professional Corporation
26385 Carmel Rancho Blvd., Ste.
200
Carmel, CA 93923

psilkwood@horanlegal.com T: 831.373.4131 831.233.3859 (Direct)
www.horanlegal.com Cell: 831.277.5040 F: 831.373.8302

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PAMELA H. SILKWOOD
VIRGINIA E. HOWARD
MARK E. MYERS
KRISTIN M. DEMARIA
NICHOLAS W. SMITH

Of Counsel
ROBERT ARNOLD INC.
DEBORAH S. HOWARD

FRANCIS P. LLOYD (Retired)
JEROME F. POLITZER (Retired)
LAURENCE P. HORAN
(1929-2012)

HORAN LLOYD
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
26385 Carmel Rancho Blvd., #200
Carmel, CA 93923

Tel: 831.373.4131
Fax: 831.373.8302
horanlegal.com

Pamela H. Silkwood

psilkwood@horanlegal.com

File No. 8038.01

October 2, 2020



Via Electronic Mail and Regular Mail

Monterey County Planning Commission & Planning Department
Attn: John Dugan <DuganJ@co.monterey.ca.us>
& Jaime Guthrie <GuthrieJS@co.monterey.ca.us>
1441 Schilling Place South 2nd Floor
Salinas, CA 93901

Re: Comments to the Initial Study Prepared for PLN180362 (Eaton Robert W - AT&T Mobility Project), 37501 Tassajara Road, Carmel Valley

Honorable Commissioners:

This firm represents several neighbors residing near the proposed AT&T wireless communication tower facility ("Tower Project") in Cachagua. This letter is to comment on the Initial Study prepared by Monterey County and filed with the County Clerk's Office on September 17, 2020.

CEQA's policy goals include providing for the enjoyment of aesthetic qualities, and the term "environment" is defined in the statute to include objects of aesthetic significance. (Pub Res C §§21001(b), 21065.) The Initial Study inadequately analyzed the aesthetics impacts that would be caused by the Tower Project in violation of the California Environmental Quality Act ("CEQA").

To better understand the required environmental analysis under CEQA, it is important to first describe the environmental baseline and then set the standards of significance in order to properly evaluate the significance of a project's environmental impacts. For the Tower Project, the environmental baseline comprises pastoral hills surrounded by natural vegetation visible with the naked eye from protected highly visually sensitive public viewing areas of Carmel Valley Road.

The standards of significance is set forth in certain policies of Monterey County's General Plan:

October 2, 2020
Page 2

OS-1.2 Development in designated visually sensitive areas shall be subordinate to the natural features of the area.

OS-1.3 To preserve the County's scenic qualities, ridgeline development shall not be allowed. An exception to this policy may be made only after publicly noticed hearing and provided the following findings can be made: a. The ridgeline development will not create a substantially adverse visual impact when viewed from a common public viewing area; and either, b. The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives; or, c. There is no feasible alternative to the ridgeline development. Pursuant to Policy OS-1.6, in areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern.

CACH-3.1 Within areas designated as "sensitive" or "highly sensitive" on the Cachagua Scenic Highway Corridors and Visual Sensitivity Map (Figure 12), landscaping or new development may be permitted if the development is located and designed in such a manner that public views are not disrupted.

Based on the above standards of significance, any development would be considered to cause environmentally (visually) significant impact if:

- 1) It does not subordinate to the natural features of the area;
- 2) It constitutes prohibited ridgeline development; OR
- 3) It is located in a manner that public views are disrupted.

The Initial Study's environmental analysis states, in relevant parts, as follows:

The visibility of the monopole from Carmel Valley Road could have a potential substantial adverse effect on a scenic vista... During the balloon viewing at each of three heights (100, 75, and 50 feet, respectively) at the proposed WCF lease area, the balloon (monopine) was visible with the naked eye... The 50-foot height had the least imposing visual impact of the three heights. However, at 50 feet, the monopine would still create a silhouette against the sky, which defines ridgeline development.

The monopine would protrude above the existing vegetation line and would be visible with unaided vision from a half mile stretch of Carmel Valley Road, east of the intersection with Tassajara Road.

Based on the above environmental analysis in the Initial Study, it is clear the Tower Project may result in a significant effect on the environment because:

October 2, 2020

Page 3

- 1) It does not subordinate to the natural features of the area, i.e., the Tower would protrude above existing vegetation line;
- 2) It creates a prohibited ridgeline development, i.e., the Tower would create a silhouette against the sky and is visible with unaided vision from common viewing areas; and
- 3) It disrupts the public views of the protected highly visually sensitive areas.

Yet, the Initial Study includes conclusory statements unsupported by its facts and analysis, which will not suffice under CEQA. (14 CCR § 15088(c).)

The fair argument test under CEQA is a statutory mandate that an EIR must be prepared for any project that "may have a significant effect on the environment." (Pub Res C §21151.) Under this test, if a proposed project *may* cause a significant effect on the environment, the lead agency *must* prepare an EIR. (Pub Res C §§21100(a), 21151; 14 Cal Code Regs §15064(a)(1), (f)(1).) A project "may" have a significant effect on the environment if there is a "reasonable probability" that it will result in a significant impact. (*No Oil, Inc. v City of Los Angeles*, 13 C3d at 83 n16; *Sundstrom v County of Mendocino* (1988) 202 CA3d 296, 309.) To put it another way, if any aspect of the project may result in a significant impact on the environment, an EIR must be prepared even if the overall effect of the project is beneficial. (14 Cal Code Regs §15063(b)(1).) This standard under CEQA sets a "low threshold" for preparation of an EIR.

Here, based on the description of the balloon test, it is clear, without a doubt, that the Tower Project may have a significant visual effect, particularly in consideration of the standards of significance set forth in the above-mentioned General Plan policies. Moreover, the Tower Project is clearly inconsistent with these policies. The inconsistencies, themselves, are evidence to support the conclusion that the underlying physical impact is significant.¹

Because there is a fair argument that the Tower Project may have a significant effect on the environment, Monterey County has no discretion other than to follow through on CEQA's mandate to prepare an EIR.

Thank you for this opportunity to comment on the Initial Study.

Sincerely,



Pamela A. Silkwood

¹ Section VII, Mandatory Findings of Significance, of the Initial Study appears to agree with our conclusion. "Potentially Significant Impacts" boxes are checked in the Initial Study form for the Tower Project's "potential to degrade the quality of the environment" which would be "cumulatively considerable".

Friedrich, Michele x5189

From: Walt Koenig <wdk4@cornell.edu>
Sent: Sunday, October 4, 2020 3:41 PM
To: ceqacomments; 100-District 5 (831) 647-7755
Subject: Re: PLN180362

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

From:

Dr. Walter D. Koenig
37503 Tassajara Road
Carmel Valley, CA 93924
wdk4@cornell.edu

re: PLN180362



To: Resource Management Agency - Planning/Monterey County
cc: Supervisor Mary Adams

Dear Sir/Madam:

I wish to express my dismay at the Notice of Intent to Adopt a Negative Declaration from the planning commission for PLN180362, which is in direct conflict with this agencies' decision of 23 January 2020. As previously expressed by Cachagua LUAC and this agency, a 60' tower on the proposed site would significantly impact the public viewshed, being 20-30 feet higher than surrounding trees and on a ridgeline visible from both Carmel Valley Road—a "highly sensitive" area within the Cachagua Area Plan—as well as Tassajara Road.

AT&T would appear to have given absolutely no effort to mitigating any of the problems associated with the proposed 60' tower identified in the 23 January 2020 letter, or toward any of the alternatives discussed in that letter. They have neither investigated alternative sites nor provided data demonstrating that a single 60' tower would be superior, in terms of coverage for the Cachagua area, over the suggestion of two or more shorter towers—an alternative that would be in keeping with the Cachagua area plan and the scenic viewshed of the area.

I strongly encourage the Monterey Resource Management Agency to maintain its prior stance regarding this project and insist that AT&T revise its plan for a 60' tower, replacing it with one on an alternative, less invasive site or two or more shorter towers strategically placed to provide more complete cell coverage of the Cachagua Valley.

Sincerely,

Walter D. Koenig
Resident

Friedrich, Michele x5189

From: Janis Lou Dickinson <jld84@cornell.edu>
Sent: Wednesday, October 14, 2020 1:00 PM
To: Tom Caddell; Dugan, John x6654; Guthrie, Jaime S. x6414; Cynthia B. Chapman; Pamela Silkwood; ceqacomment
Subject: AT&T/Eaton PLN 180362
Attachments: Jamesburg comment PLN180362 CEQA 14Oct2020.pdf

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Dear Mr. Dugan,

I have attached a copy of my letter, also sent by mail yesterday, regarding the negative declaration for proposed cell tower, PLN180362 Eaton/ATT. I have also sent in a separate email a file for figure 1, which I would like to see copied IN COLOR so that it can be interpreted by relevant staff and by the planning commission.

With best regards,

Janis Dickinson
Jamesburg Viewshed Association



To: John Dugan, Chief of Planning, County of Monterey Resource Management Agency
email: CEQAcomments@co.monterey.ca.us
From: Janis Dickinson for 31-Member Jamesburg Viewshed Association, 37503 Tassajara Road, Carmel Valley, CA. jld84@cornell.edu
Re: Eaton Robert W [AT&T Mobility], File Number PLN180362
Date of email: 12 October 2020
Date hardcopies sent: 13 October 2020

As leader of the 31-member Jamesburg Viewshed Association, I would like to register our opposition to the negative declaration on the 60' cell tower proposed under Monterey County plan #180362 (ATT/Eaton). We were disappointed that the planning department ignored their original recommendations of multiple, smaller (35') towers, which would have protected the viewshed and better served our community. We support installation of cell towers in our community consistent with what has already been done for existing towers along Carmel Valley Road, none of which impair the viewshed. We believe that we need multiple, smaller (35-40') towers in the areas of Cachagua, Tassajara Road, and Carmel Valley Road, and that these should be designed in a coordinated fashion to provide service along the roads and for our residences and businesses. This would improve coverage and safety over what a single, oversized tower would provide and would be consistent with the Cachagua Area Plan and Monterey County regulations regarding the public viewshed. Shorter towers placed strategically would not require an environmental impact assessment and would likely not be subject to a CEQA lawsuit. We believe that the proposed tower location could work, but only at the lower height as recommended in the planner's letter to the ATT Representative on January 23, 2020. Without additional towers, coverage from this one tower would still be poor; it would cover a small section of the roadway; it would give better coverage, but mostly to those who already have some coverage. We outline our rationale for reverting to the recommendation for a shorter tower below. We also request that the planning meeting be accessible via Zoom as many of us are over 65.

The biggest problem with the proposed site is that it does not comply with Section 21.64.31).C. I of the Monterey County Code, which **"requires wireless communication facilities to comply with all applicable goals, objectives and policies of the general plan, area plans, zoning regulations and development standards."**

- a. Carmel Valley Road was proposed for a scenic highway designation in the 1982 General Plan.
- b. According to the Cachagua Area Plan 40.1.2 (C), "To enhance and maintain sensitive visual resources, the County shall pursue measures to designate Carmel Valley Road as a scenic county route."
- c. Simply stated, the project must not create a visual impact (with consideration of proximity and duration) when viewed with normal, unaided vision from Carmel Valley Road and Tassajara Road, which are considered highly visually sensitive in Figure 12 of the General Plan.
- d. The balloon test at 50' (done in August 2019) was so far above ridgeline and so tall compared to anything nearby, that no disguise will help to ameliorate the visual impact of a tower even at the lowest height tested. The site constitutes

ridgeline development and LUAC is obligated to protect the scenic view in accordance with the Cachagua Area Plan. Allowing a monopine tower in the 50-100' size range would not meet the criteria of no visual impact, hence, a case for a variance cannot be made. We believe that the visual impacts of a 35' tower could be mitigated, but the disguise would have to be very good and fit with the habitat and a CEQA analysis would have to be done.

In addition, we call attention to possible errors in the data that were used in the negative declaration:

1. The sixty foot tower does not add much coverage to the area the tower would serve, which already has coverage from Palo Escrito, and it will serve a very small section of the Cachagua Valley. Is AT&T no longer going to use the tower on Palo Escrito?
2. The second site (site B) was not properly evaluated for its suitability, despite the fact that it was acceptable based on the balloon test. At the LUAC meeting it was pointed out that the Tom Johnson's (AT&T Rep) coverage maps showed as good coverage for the second site as for the chosen site further up the ridgeline. The AT&T Rep then said that the engineers wouldn't approve it, but he did not provide any rationale for their objections. The site is reached using the same private road that would be used to access the main site. We believe that an engineer who is not a vested interest in the project should evaluate the suitability of the second site. Otherwise, the county is merely taking the rep's word that it is unsuitable.
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See Figure 1 on next page

Overlay of 50' map on 75' map. Both maps were provided by AT&T Rep Tom Johnson at the Cachagua LUAC meeting. The pale green, pale yellow, and pale blue colors show coverage indoors, in vehicle, and outdoors for both a 50' and 75' tower, meaning both provide coverage in those areas. Darker green, yellow, and blue colors indicate small areas where coverage at 75' is better than at 50'. Thin lines at the interface of dark-light colors represent minute scale error due to imperfect manual overlay of the two maps. Close inspection shows trivial loss of coverage going from 75' to 50'. This begs the question of whether a shorter 35' tower as suggested by the county in January 2020 would provide the same coverage as the proposed 60' tower.

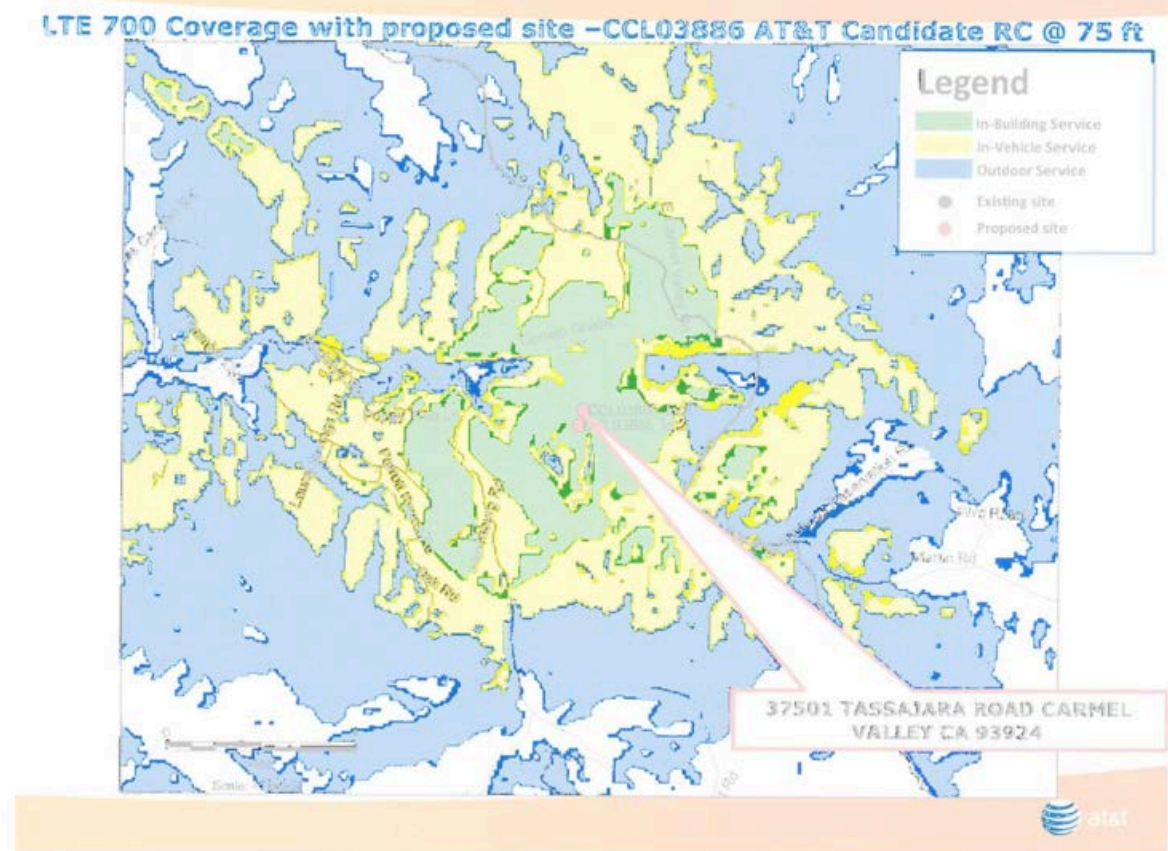


Figure 1. Overlay of 50' on 75' map provided by Johnson at CLUAC showing trivial loss of coverage with a shorter, 50' tower, including areas along Carmel Valley Road.

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See figures 2 and 3 on next page



Figure 2. Height of 50' balloon as seen from Tassajara Road <0.2 miles from the proposed cell tower. The 50' level is designated by the red dot to the left of the arrow tip.



Figure 3. Image of 50' balloon test as seen from Carmel Valley Road, which allowed us to place an image of a monopine 60' tall. This shows that the visual impact will be greater than depicted in the negative declaration.

Friedrich, Michele x5189

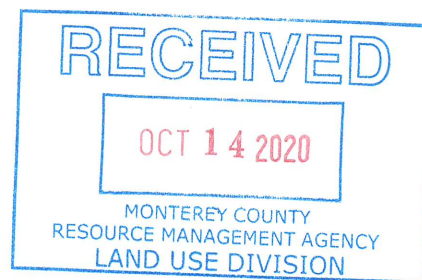
From: Janis Lou Dickinson <jld84@cornell.edu>
Sent: Wednesday, October 14, 2020 1:01 PM
To: Dugan, John x6654; Guthrie, Jaime S. x6414; Cynthia B. Chapman; ceqacomments; Friedrich, Michele x5189
Subject: AT&T/Eaton PLN 180362 map overlay for printing in color for planning staff and planning commission
Attachments: Map overlay.pdf

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Dear Mr. Dugan,

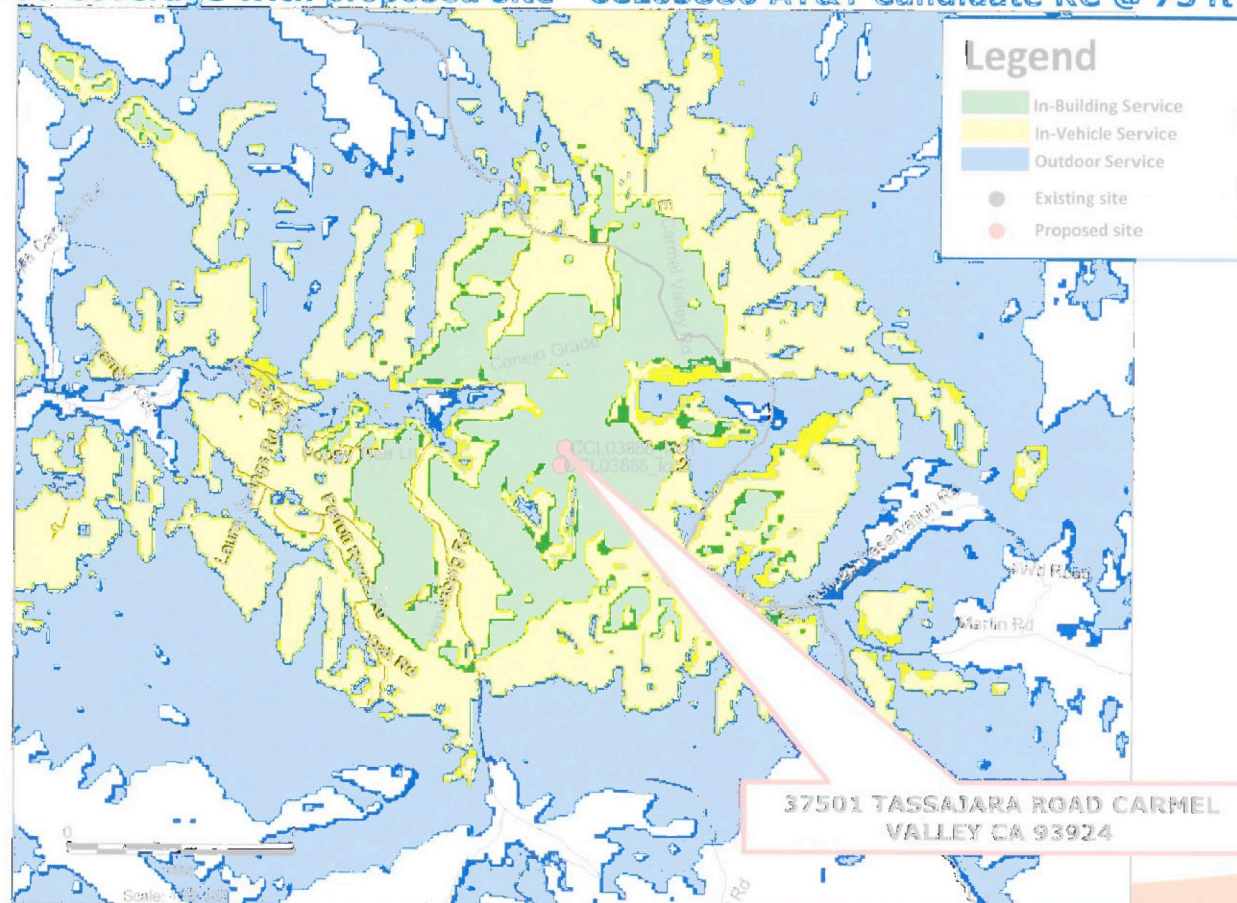
Attached is a larger version of the figure from my letter sent previously by mail and email. I would like to see this printed in color as color is needed for evaluation by the planning commission and staff.

Janis Dickinson



Overlay of 50' map on 75' map. Both maps were provided by AT&T Rep Tom Johnson at the Cachagua LUAC meeting. The pale green, pale yellow, and pale blue colors show coverage indoors, in vehicle, and outdoors for both a 50' and 75' tower, meaning both provide coverage in those areas. Darker green, yellow, and blue colors indicate small areas where coverage at 75' is better than at 50'. Thin lines at the interface of dark-light colors represent minute scale error due to imperfect manual overlay of the two maps. Close inspection shows trivial loss of coverage going from 75' to 50'. This begs the question of whether a shorter 35' tower as suggested by the county in January 2020 would provide the same coverage as the proposed 60' tower.

LTE 700 Coverage with proposed site -CCL03886 AT&T Candidate RC @ 75 ft



Friedrich, Michele x5189

From: Michael A. Caddell <mac@caddellchapman.com>
Sent: Wednesday, October 14, 2020 2:15 PM
To: ceqacomments
Cc: Janis Lou Dickinson; Pamela Silkwood
Subject: Fwd: Comments to Initial Study for PLN180362 (Eaton Robert W - AT&T Mobility)
Attachments: Caddell.pdf; Comments to Initial Study - PLN180362 (AT&T Tower).pdf; Jamesburg comment PLN180362 CEQA 1.pdf; PLN180362 EATON ROBERT W ATT MOBILITY.pdf

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

To whom it may concern:

Please be sure these comments and attachments are placed in the Monterey County record/file for the above referenced matter.

Best regards. Mike Caddellll

Michael A. Caddell
Caddell & Chapman
628 East 9th Street
Houston, TX 77007
P.O. Box 1311
Monterey, CA 93942
Tel.: 713.751.0400
Cell: 281.788.8387
Email: mac@caddellchapman.com
Website: www.caddellchapman.com



Begin forwarded message:

From: "Michael A. Caddell" <mac@caddellchapman.com>
Subject: Comments to Initial Study for PLN180362 (Eaton Robert W - AT&T Mobility)
Date: October 14, 2020 at 12:04:33 PM PDT
To: John x6654 Dugan <DuganJ@co.monterey.ca.us>, Jaime Guthrie <GuthrieJS@co.monterey.ca.us>
Cc: "Cynthia B. Chapman" <cbc@caddellchapman.com>, Pamela Silkwood <psilkwood@horanlegal.com>, Janis Lou Dickinson <jld84@cornell.edu>

Good afternoon Mr. Dugan and Ms. Guthrie,

Please see the attached comments (with attachments) to the Initial Study. Please confirm receipt. Thank you.

Sincerely,
Mike Caddell

Michael A. Caddell
Caddell & Chapman
628 East 9th Street
Houston, TX 77007
P.O. Box 1311
Monterey, CA 93942
Tel.: 713.751.0400
Cell: 281.788.8387
Email: mac@caddellchapman.com
Website: www.caddellchapman.com

CADDELL & CHAPMAN
ATTORNEYS AT LAW

628 EAST 9TH STREET
HOUSTON, TEXAS 77007
(713) 751-0400

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P.O. Box 1311
MONTEREY, CALIFORNIA 93942

mac@caddellchapman.com
www.caddellchapman.com

October 14, 2020

VIA ELECTRONIC AND REGULAR MAIL

Monterey County
Planning Commission and Planning Department
Attn: John Dugan DuganJ@co.monterey.ca.us
and Jaime Guthrie GuthrieJS@co.monterey.ca.us
1441 Schilling Place South 2nd Floor
Salinas, CA 93901

Re: Comments to the Initial Study prepared for PLN180362 (Eaton Robert W -- AT&T
Mobility Project), 37501 Tassajara Rd., Carmel Valley

Dear Commissioners:

I am a full-time resident of Carmel and a property owner in Carmel Valley off of Tassajara Road. Our property, 38637 Tassajara Road, is on the ridge directly opposite from and next to the ridge which is the proposed site of a "60" mono-pine tower installed with twelve (12) panel antennas on antenna arrays, four (4) surge suppressors, twenty-two (22) remote radio units (RRU), and one microwave dish; and an equipment enclosure installed with the walk-in cabinet, GPS unit, and diesel generator on a concrete slab."

This proposed tower will be a blight and an eyesore on the beauty that is currently Carmel Valley. It is inexplicable that the Planning Department ignored the original recommendations of multiple, smaller 35' towers, which would have better protected the viewshed and better serve the Carmel Valley community.

The notice of intent to issue a negative declaration is bereft of true analysis and consists of conclusory statements unsupported by facts, which will not suffice under CEQA. The photographs and diagrams submitted by others following the balloon test performed in August 2019 clearly demonstrate that the proposed 60' tower would have a significant impact on the public views and scenic vistas in Carmel Valley.

By this letter I am joining in comments previously submitted to the Planning Commission and Planning Department by Pamela H. Silkwood in her letter dated October 2, 2020, and by Janis Dickinson in her email dated October 12, 2020, both of which are attached to this letter.

In addition, I am attaching the comments I made and submitted to the Cachagua LUAC and the County on August 26, 2019. In this regard, I would like to highlight the fact that, to my knowledge,

October 14, 2020

Page 2

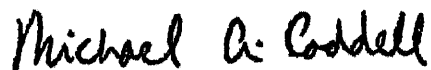
based on the coverage maps provided by the AT&T representative at the meeting of the Cachagua LUAC last year, there is no evidence in the record that a 35' mono-pine tower at the proposed location would be inadequate, or could not be sufficient when combined with one or two other similar towers located elsewhere in the Valley. This a serious omission from the record and demonstrates a severe lack of due diligence on the part of the Planning Department.

Ironically, the AT&T maps demonstrate there is truly very little difference between the anticipated coverage provided by a tower at the proposed location at any height down to 50'. It appears from AT&T's own coverage maps that the coverage provided by a 50' tower is more than 90% of the coverage provided at 100'.

Collectively these submissions detail the numerous flaws and/or omissions in the analysis of this matter by both AT&T and by the Monterey County Planning Department. As noted by Ms. Silkwood, Monterey County has no discretion other than to follow through on CEQA's mandate to prepare an EIR. If the County refuses to do so, we will have no option but to file a petition seeking a writ of mandate for same.

Best regards.

Sincerely,

A handwritten signature in black ink that reads "Michael A. Caddell". The signature is written in a cursive, slightly slanted style.

Michael A. Caddell

MAC/fdl

cc:

HORAN | LLOYD

ANTHONY T. KARACHALE
STEPHEN W. DYER
MARK A. BLUM
JAMES J. COOK
ELIZABETH C. GIANOLA
PAMELA H. SILKWOOD
VIRGINIA E. HOWARD
MARK E. MYERS
KRISTIN M. DEMARIA
NICHOLAS W. SMITH

Of Counsel

ROBERT ARNOLD INC.
DEBORAH S. HOWARD

FRANCIS P. LLOYD (Retired)
JEROME F. POLITZER (Retired)
LAURENCE P. HORAN
(1929-2012)

HORAN LLOYD
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
26385 Carmel Rancho Blvd., #200
Carmel, CA 93923

Tel: 831.373.4131
Fax: 831.373.8302
horanlegal.com

Pamela H. Silkwood

psilkwood@horanlegal.com

File No. 8038.01

October 2, 2020



Via Electronic Mail and Regular Mail

Monterey County Planning Commission & Planning Department
Attn: John Dugan <DuganJ@co.monterey.ca.us>
& Jaime Guthrie <GuthrieJS@co.monterey.ca.us>
1441 Schilling Place South 2nd Floor
Salinas, CA 93901

Re: Comments to the Initial Study Prepared for PLN180362 (Eaton Robert W - AT&T Mobility Project), 37501 Tassajara Road, Carmel Valley

Honorable Commissioners:

This firm represents several neighbors residing near the proposed AT&T wireless communication tower facility ("Tower Project") in Cachagua. This letter is to comment on the Initial Study prepared by Monterey County and filed with the County Clerk's Office on September 17, 2020.

CEQA's policy goals include providing for the enjoyment of aesthetic qualities, and the term "environment" is defined in the statute to include objects of aesthetic significance. (Pub Res C §§21001(b), 21065.) The Initial Study inadequately analyzed the aesthetics impacts that would be caused by the Tower Project in violation of the California Environmental Quality Act ("CEQA").

To better understand the required environmental analysis under CEQA, it is important to first describe the environmental baseline and then set the standards of significance in order to properly evaluate the significance of a project's environmental impacts. For the Tower Project, the environmental baseline comprises pastoral hills surrounded by natural vegetation visible with the naked eye from protected highly visually sensitive public viewing areas of Carmel Valley Road.

The standards of significance is set forth in certain policies of Monterey County's General Plan:

October 2, 2020
Page 2

OS-1.2 Development in designated visually sensitive areas shall be subordinate to the natural features of the area.

OS-1.3 To preserve the County's scenic qualities, ridgeline development shall not be allowed. An exception to this policy may be made only after publicly noticed hearing and provided the following findings can be made: a. The ridgeline development will not create a substantially adverse visual impact when viewed from a common public viewing area; and either, b. The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives; or, c. There is no feasible alternative to the ridgeline development. Pursuant to Policy OS-1.6, in areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern.

CACH-3.1 Within areas designated as "sensitive" or "highly sensitive" on the Cachagua Scenic Highway Corridors and Visual Sensitivity Map (Figure 12), landscaping or new development may be permitted if the development is located and designed in such a manner that public views are not disrupted.

Based on the above standards of significance, any development would be considered to cause environmentally (visually) significant impact if:

- 1) It does not subordinate to the natural features of the area;
- 2) It constitutes prohibited ridgeline development; OR
- 3) It is located in a manner that public views are disrupted.

The Initial Study's environmental analysis states, in relevant parts, as follows:

The visibility of the monopole from Carmel Valley Road could have a potential substantial adverse effect on a scenic vista... During the balloon viewing at each of three heights (100, 75, and 50 feet, respectively) at the proposed WCF lease area, the balloon (monopine) was visible with the naked eye... The 50-foot height had the least imposing visual impact of the three heights. However, at 50 feet, the monopine would still create a silhouette against the sky, which defines ridgeline development.

The monopine would protrude above the existing vegetation line and would be visible with unaided vision from a half mile stretch of Carmel Valley Road, east of the intersection with Tassajara Road.

Based on the above environmental analysis in the Initial Study, it is clear the Tower Project may result in a significant effect on the environment because:

October 2, 2020

Page 3

- 1) It does not subordinate to the natural features of the area, i.e., the Tower would protrude above existing vegetation line;
- 2) It creates a prohibited ridgeline development, i.e., the Tower would create a silhouette against the sky and is visible with unaided vision from common viewing areas; and
- 3) It disrupts the public views of the protected highly visually sensitive areas.

Yet, the Initial Study includes conclusory statements unsupported by its facts and analysis, which will not suffice under CEQA. (14 CCR § 15088(c).)

The fair argument test under CEQA is a statutory mandate that an EIR must be prepared for any project that "may have a significant effect on the environment." (Pub Res C §21151.) Under this test, if a proposed project *may* cause a significant effect on the environment, the lead agency *must* prepare an EIR. (Pub Res C §§21100(a), 21151; 14 Cal Code Regs §15064(a)(1), (f)(1).) A project "may" have a significant effect on the environment if there is a "reasonable probability" that it will result in a significant impact. (*No Oil, Inc. v City of Los Angeles*, 13 C3d at 83 n16; *Sundstrom v County of Mendocino* (1988) 202 CA3d 296, 309.) To put it another way, if any aspect of the project may result in a significant impact on the environment, an EIR must be prepared even if the overall effect of the project is beneficial. (14 Cal Code Regs §15063(b)(1).) This standard under CEQA sets a "low threshold" for preparation of an EIR.

Here, based on the description of the balloon test, it is clear, without a doubt, that the Tower Project may have a significant visual effect, particularly in consideration of the standards of significance set forth in the above-mentioned General Plan policies. Moreover, the Tower Project is clearly inconsistent with these policies. The inconsistencies, themselves, are evidence to support the conclusion that the underlying physical impact is significant.¹

Because there is a fair argument that the Tower Project may have a significant effect on the environment, Monterey County has no discretion other than to follow through on CEQA's mandate to prepare an EIR.

Thank you for this opportunity to comment on the Initial Study.

Sincerely,



Pamela H. Silkwood

¹ Section VII, Mandatory Findings of Significance, of the Initial Study appears to agree with our conclusion. "Potentially Significant Impacts" boxes are checked in the Initial Study form for the Tower Project's "potential to degrade the quality of the environment" which would be "cumulatively considerable".

To: John Dugan, Chief of Planning, County of Monterey Resource Management Agency
email: CEQAcomments@co.monterey.ca.us
From: Janis Dickinson for 31-Member Jamesburg Viewshed Association, 37503 Tassajara Road, Carmel Valley, CA. jld84@cornell.edu
Re: Eaton Robert W [AT&T Mobility], File Number PLN180362
Date of email: 12 October 2020
Date hardcopies sent: 13 October 2020

As leader of the 31-member Jamesburg Viewshed Association, I would like to register our opposition to the negative declaration on the 60' cell tower proposed under Monterey County plan #180362 (ATT/Eaton). We were disappointed that the planning department ignored their original recommendations of multiple, smaller (35') towers, which would have protected the viewshed and better served our community. We support installation of cell towers in our community consistent with what has already been done for existing towers along Carmel Valley Road, none of which impair the viewshed. We believe that we need multiple, smaller (35-40') towers in the areas of Cachagua, Tassajara Road, and Carmel Valley Road, and that these should be designed in a coordinated fashion to provide service along the roads and for our residences and businesses. This would improve coverage and safety over what a single, oversized tower would provide and would be consistent with the Cachagua Area Plan and Monterey County regulations regarding the public viewshed. Shorter towers placed strategically would not require an environmental impact assessment and would likely not be subject to a CEQA lawsuit. We believe that the proposed tower location could work, but only at the lower height as recommended in the planner's letter to the ATT Representative on January 23, 2020. Without additional towers, coverage from this one tower would still be poor; it would cover a small section of the roadway; it would give better coverage, but mostly to those who already have some coverage. We outline our rationale for reverting to the recommendation for a shorter tower below. We also request that the planning meeting be accessible via Zoom as many of us are over 65.

The biggest problem with the proposed site is that it does not comply with Section 21.64.31).C. I of the Monterey County Code, which **"requires wireless communication facilities to "comply with all applicable goals, objectives and policies of the general plan, area plans, zoning regulations and development standards."**

- a. Carmel Valley Road was proposed for a scenic highway designation in the 1982 General Plan.
- b. According to the Cachagua Area Plan 40.1.2 (C), "To enhance and maintain sensitive visual resources, the County shall pursue measures to designate Carmel Valley Road as a scenic county route."
- c. Simply stated, the project must not create a visual impact (with consideration of proximity and duration) when viewed with normal, unaided vision from Carmel Valley Road and Tassajara Road, which are considered highly visually sensitive in Figure 12 of the General Plan.
- d. The balloon test at 50' (done in August 2019) was so far above ridgeline and so tall compared to anything nearby, that no disguise will help to ameliorate the visual impact of a tower even at the lowest height tested. The site constitutes

ridgeline development and LUAC is obligated to protect the scenic view in accordance with the Cachagua Area Plan. Allowing a monopine tower in the 50-100' size range would not meet the criteria of no visual impact, hence, a case for a variance cannot be made. We believe that the visual impacts of a 35' tower could be mitigated, but the disguise would have to be very good and fit with the habitat and a CEQA analysis would have to be done.

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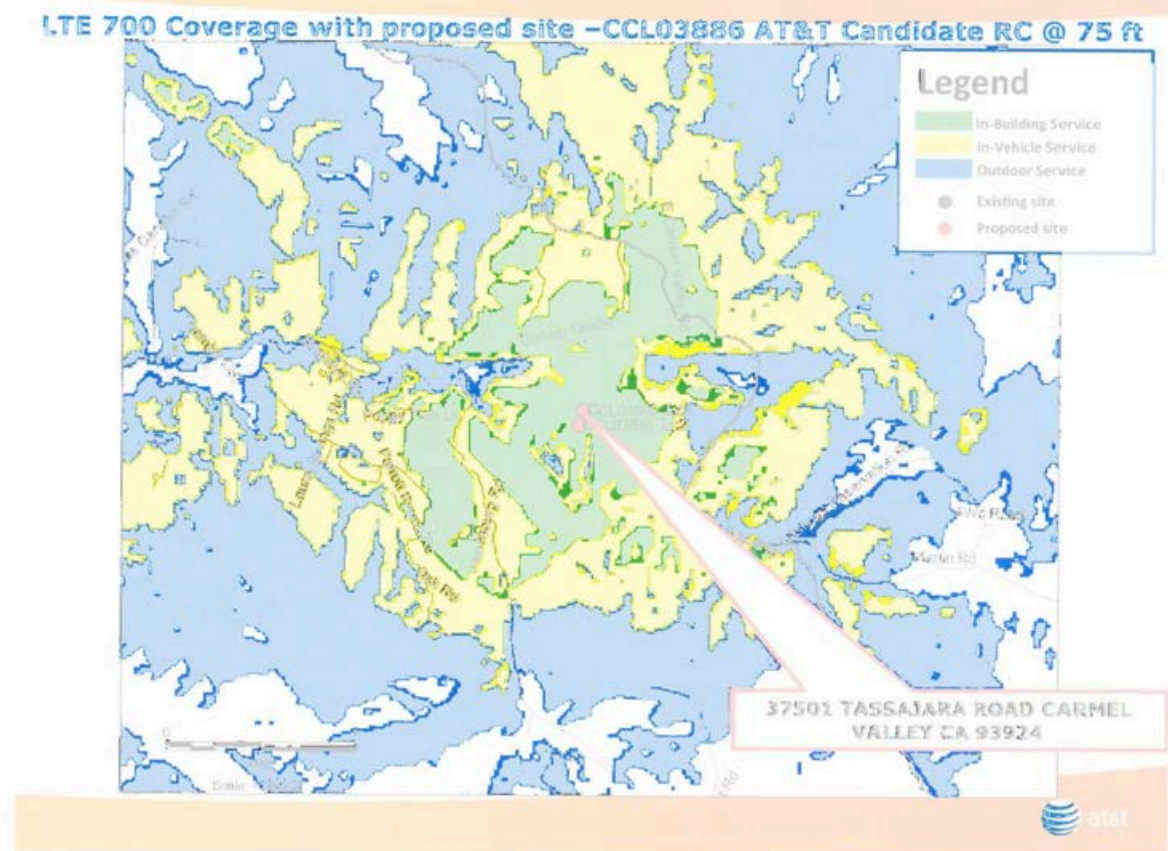


Figure 1. Overlay of 50' on 75' map provided by Johnson at CLUAC showing trivial loss of coverage with a shorter, 50' tower, including areas along Carmel Valley Road.

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The county’s other argument here is that the tower is visible for about 0.5 mile of Carmel Valley Road but is distant from the road and thus does not make a significant visual impact, however, the negative declaration fails to mention that the tower is within ~0.2 mile of Tassajara Road, which is also a proposed scenic roadway in the Cachagua Area Plan. Further, the images used as evidence in the negative declaration are panoramas, which minimize the visual impact. Our group took photographs on both Carmel Valley and Tassajara Roads. Here are photos of the balloon test from each road.

See figures 2 and 3 on next page



Figure 2. Height of 50' balloon as seen from Tassajara Road <0.2 miles from the proposed cell tower. The 50' level is designated by the red dot to the left of the arrow tip.



Figure 3. Image of 50' balloon test as seen from Carmel Valley Road, which allowed us to place an image of a monopine 60' tall. This shows that the visual impact will be greater than depicted in the negative declaration.

From: Michael A. Caddell mac@caddellchapman.com
Subject: Fwd: PLN180362--EATON ROBERT W (AT&T MOBILITY)
Date: August 26, 2019 at 8:11 AM
To: Friedrich, Michele x5189 friedrichm@co.monterey.ca.us
Cc: Brandon Swanson swansonb@co.monterey.ca.us, Jaime Guthrie GuthrieJS@co.monterey.ca.us, Diana Najar NajarDA@co.monterey.ca.us, Craig Spencer spencerc@co.monterey.ca.us, Janis Lou Dickinson jld84@cornell.edu, Pamela Silkwood psilkwood@horanlegal.com



Dear Ms. Friedrich,

I would appreciate it if you would forward the message below, with its attachments, to all of the Cachagua LUAC members and make sure this goes on the record with the County so that it can be considered by LUAC and by the Planning Commission.

Thank you and best regards. Mike Caddell

Michael Caddell
38637 Tassajara Road
Carmel Valley, CA 93924
2337 Bay View Avenue
Carmel, CA 93923
281.788.8387
macaddell@mac.com

Michael A. Caddell
Caddell & Chapman
628 East 9th Street
Houston, TX 77007
P.O. Box 1311
Monterey, CA 93942
Tel.: 713.751.0400
Cell: 281.788.8387
Email: mac@caddellchapman.com
Website: www.caddellchapman.com



Dear Ms. Guthrie, Mr. Spencer, and Mr. Swanson:

This is to register our strong objections to the proposed AT&T cellphone tower proposed for the Eaton property. The balloon test conducted last week confirmed our worst fears—the proposed site represents a severe impact on the scenic viewshed of Carmel Valley from Carmel Valley Road and Tassajara Road.

Attached are several photos taken last week from our property during the test (the coordinates are 36°22'40" N 121°35'01" W). The photos are taken from our intended homesite. This will be a huge eyesore for many of us in the area—and **importantly AT&T has still not demonstrated the engineering necessity for that site.** There is still a lack of true analysis of other alternatives.

As lawyers who practice all over the country and who have been experienced in major complex litigation for decades, the lack of evidence in the record to support the proposed site is glaring. This does not pass muster.

As noted in our first submission (attached in the chain below), in fact, the record appears to directly contradict the following claim made by AT&T:

"In identifying the proposed location, AT&T network deployment personnel have selected the Proposed Facility because it meets the technical objectives of RF engineering and provides the best site option with regard to other key criteria including, but not limited to, accessibility, utility

connections, zoning compatibility, minimal or no visual impact, liability and risk assessment, site acquisition, maintenance and construction costs.”

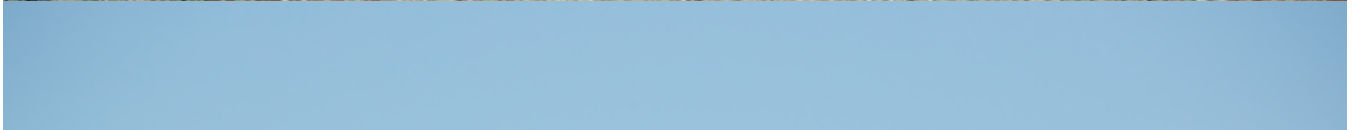
I recognize the need to find solutions that represent a balancing of competing interests (I am also a Forest & Beach Commissioner for the City of Carmel and we frequently have to reconcile conflicting viewpoints), but there has to be sufficient information and due diligence in the record to allow the decision makers to reach the correct determination. That does not appear too be the case in this instance.

In addition to the visual impact concerns, we reiterate the concerns expressed by us and others about the traffic impact to service the tower, the fire risks of a fuel tank, and the additional impact of lighting on the tower (if required).

I will attend the LUAC meeting on Wednesday evening and look forward to a full discussion of these issues.

Best regards. Mike Caddell







Begin forwarded message:

From: "Michael A. Caddell" <mac@caddellchapman.com>

Subject: PLN180362--EATON ROBERT W (AT&T MOBILITY)

Date: June 6, 2019 at 7:16:26 PM EDT

To: Ted Lopez <lopezs@co.monterey.ca.us>

Cc: Craig Spencer <spencerc@co.monterey.ca.us>, Brandon Swanson <swansonb@co.monterey.ca.us>

Dear Mr. Lopez:

My wife, Cynthia Chapman, and I own the property located at 38637 Tassajara Road in Carmel Valley. We are located on the ridge adjoining the proposed AT&T cell tower.

As you can see from the photograph below, the proposed site, as well as the alternative, are very visible from the deck that we built on our property at the location where we intend to build a home.

X marks the proposed location of the cell phone tower– which is on the absolute summit of the adjoining ridge, and which would position the cell tower to be silhouetted against the horizon. I have not attempted to insert a mock up of the tower, but could do so if needed. Obviously, it will be a huge eyesore from our property.



Even the alternative location, marked as Y on the photo, which is only a few feet down from the summit, would still be a blight on our view, particularly if the proposed height of the cell tower remains at 100 feet.

It seems clear to us that this entire process has been done without the proper study and due

diligence on the part of AT&T. There is little information in the application concerning the evaluation of alternative sites other than some conclusory statements. No engineering analysis was presented with respect to any other location.

The application only mentions two possibilities, hardly a true analysis. While an alternate location may not be perfect for all 123 residences, if it eliminates the visual impact and serves the vast majority, that could be the better choice.

And of course, there is no mention in the application of a camouflaged cell tower, which would be much more consistent with the viewshed in the Valley, and which would seem a no-brainer for a ridgeline location.

In fact, the record appears to directly contradict the following claim made by AT&T:

"In identifying the proposed location, AT&T network deployment personnel have selected the Proposed Facility because it meets the technical objectives of RF engineering and provides the best site option with regard to other key criteria including, but not limited to, accessibility, utility connections, zoning compatibility, **minimal or no visual impact**, liability and risk assessment, site acquisition, maintenance and construction costs."

Frankly, it is hard to imagine a site that would have greater visual impact– both from Carmel Valley Rd., Tassajara Road, and for the residents in the immediate area.

So, we believe that the County should require that AT&T utilize a monopine design like one of those below. That would make a huge difference, particularly if County also requires that the height be reduced to 40' and the location moved down the hill.



Also, we are concerned about the propane tank. We have already had one serious fire in the area in the last few years. What safeguards are being implemented to ensure that is going to be safe?

Our contact information is below.

Please put us on the contact list and keep us apprised of any developments/hearings, etc.

Best regards. Mike Caddell

Michael Caddell
2337 Bay View Avenue
Carmel, CA 93923
281.788.8387
macaddell@mac.com

Michael A. Caddell

Caddell & Chapman

628 East 9th Street

Houston, TX 77007

P.O. Box 1311

Monterey, CA 93942

Tel.: 713.751.0400

Cell: 281.788.8387

Email: mac@caddellchapman.com

Website: www.caddellchapman.com

Okay know if this will quick search using

Friedrich, Michele x5189

From: Carol Kuzdenyi <carolkuz@comcast.net>
Sent: Monday, October 19, 2020 11:06 PM
To: cegacomments
Cc: Guthrie, Jaime S. x6414; Spencer, Craig x5233
Subject: PLN180362
Attachments: Summary-of-Evidence-on-Smart-Meter-Fires.pdf



[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Re: PLN180362

October 19, 2020

Dear Ms. Guthrie,

I own two forty-acre lots on Lambert Flats Road, which is off Tassajara Road in the vicinity of the proposed cell tower. I live on one of these lots. I am 76 years old, and have been studying electricity since I was eight years old. I have been an EMF (electromagnetic fields) consultant for the last 10 years. My website is www.emfconsultant.com

I found out just recently that AT&T has applied for a cell tower on Tassajara Road, and I am grateful that I can still give my comments in writing regarding this tower. Please put me on your contact list for any new information regarding this tower.

In this letter I would like to address several important aspects of the proposed cell tower: 1. Fire hazard from lightning, 2. Property devaluation, 3. Probable 5G concern, 4. Monitoring cell tower radiation levels, and 5. Loss of my home.

1. Fire Hazard from Lightning

As you are aware, two very destructive fires have taken their toll on this area during August and September of this year:

The "River" Fire was active for 63 days. It burned 48,088 acres, damaging 13 and totally destroying 30 residential, commercial and other structures. There were also four confirmed fire personnel and civilian injuries.

The "Carmel" fire was active for 61 days. It burned 6,905 acres, damaging seven and totally destroying 73 residential, commercial and other structures. Here are David Gubernick's photos of the Cachagua Valley before, during, and after the Carmel fire. The fire got so close he had to leave his home at Parrott Ranch Road, which is off Tassajara Road in Carmel Valley.

The beautiful Cachagua Valley before the fire:



During the fire:



and



and



and



After the fire:



and



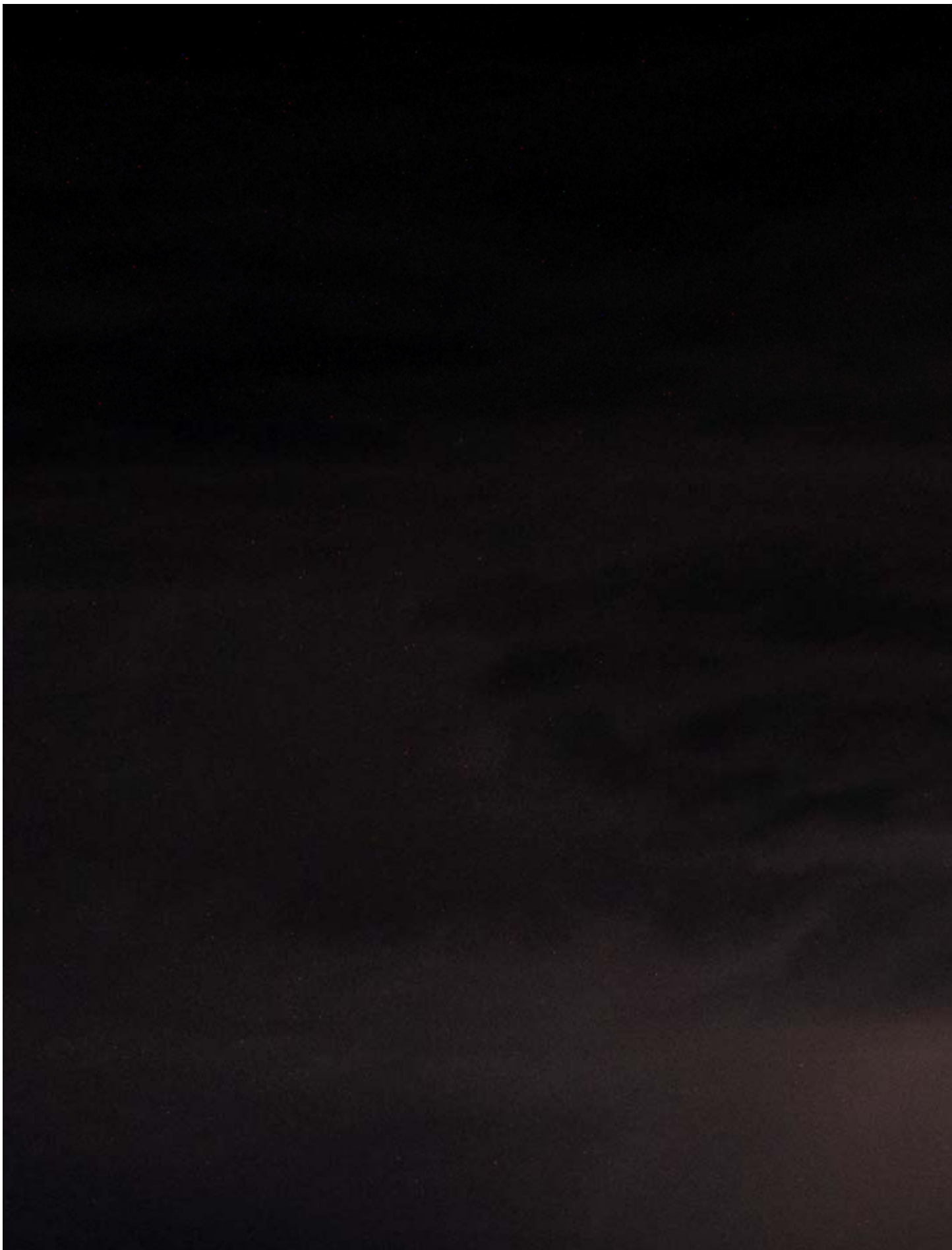
and



The “Dolan” fire in Big Sur was also a concern, but fortunately it moved mostly east and south.

The River fire was only one of the California fires started by lightning this year.

The electricity of lightning wants to go to ground, and it seeks the fastest way to get there, as this photo by David Gubernick shows. (These lightning strikes were photographed from David's home overlooking the Cachagua Valley. The lightning strikes happened during the wee hours of the morning the day the River fire started.)



Metal is an extremely good conductor of electricity, so having a tall metal structure, like a cell phone tower, on top of a mountain ridge, is an excellent invitation for lightning to strike the tower. It's the fastest way for the electricity in the lightning to go to ground.

Although the cell tower provides "wireless" communication, a huge amount of electricity is needed to power the equipment on the tower, and that electricity is provided through wires. Lightning is an unbelievably powerful thing. If lightning should strike the cell tower, it could very well bring it down. And the cell tower's wiring can get so hot it can ignite trees or bushes and/or the grass around it. Anything that is ignitable will burn.

There may well be a PG&E smart meter on or near this tower. Smart meters are notorious for catching fire. This PDF is a compilation of reports from the US, Australia, and Canada about fires, explosions, electrical problems or burned out appliances due to Smart Meter installations. PG&E's problems with smart meters heads the report.

2. Property Devaluation

From my own personal experience as an EMF consultant, many people call me asking if it's safe for them to buy a house close to a cell phone tower. They are sincerely concerned, and want me to come and measure the electrical fields to see if it's safe.

Here are several paragraphs from the Environmental Health Trust article "Cell Antennas Lower Property Values" — <https://ehtrust.org/cell-phone-towers-lower-property-values-documentation-research/#:~:text=Cell%20phone%20towers%20bring%20extra%20tax%20revenue%20and,property%20values%20have%20decreased%20by%20up%20to%2020%25.%E2%80%9D> —

— "Research indicates that over 90% of home buyers and renters are less interested in properties near cell towers *and* would pay less for a property in close vicinity to cellular antennas. Documentation of a price drop up to 20% is found in multiple surveys and published articles as listed below."

— "Most people in the United States are unaware that once a tower is built, it can go **up to 20 feet higher** with no public process due to the passing of [Section 6409\(a\) of the Middle Class Tax Relief and Job Creation Act of 2012](#). In other words, a 100 foot tower can be increased to 120 feet after it is constructed and the community will have no input. Communities are largely unaware of this law."

— "The US Department of Housing and Urban Development (HUD) long considers cell towers as "Hazards and Nuisances."

— "A coalition of real estate groups, including NAR, the National Multifamily Housing Council, the National Apartment Association, and the Institute of Real Estate Management, among others, submitted a letter to the FCC expressing concern over its proposed rule regarding over-the-air [wireless] reception devices. The coalition says the rule could make it easier for antennas and other devices to be placed on properties without the owners' consent. The coalition flagged these two potential issues:

- The rule could allow residential or commercial tenants to install a 5G small cell or other wireless infrastructure on a balcony or within a leased space to boost individual coverage and also transmit a signal to other customers of the telecom provider.
- The rule could allow a telecom carrier [AT&T for example] who already leases rooftop space from a property owner (for antennas or other equipment) **to be able to attach a 5G small cell** or other wireless infrastructure on that existing equipment **without having to change their agreement with the property owner.**"

3. Probable 5G Concern

At 2:37 on the timeline in this short video —
<https://www.youtube.com/watch?v=pqMqasein6w> —

Senator Richard Blumenthal asks telecommunication executives Mr. Gillen and Mr. Steve Berry, President and CEO, Competitive Carriers Association, if any studies have been or are being done to prove that 5G is safe. They admit that no industry studies have been done, are being done, or are planned to be done to show that 5G is safe.

Why is 5G such a concern?

Where it has already been rolled out, 5G is causing nosebleeds, bad headaches, insomnia, and burning eyes. One example is at this year's Glastonbury Festival in Somerset, England

— <https://theholisticworks.com/2019/06/29/mass-microwaving-of-hundreds-of-thousands-at-glastonbury-festival-heres-the-video-evidence/>

4. Monitoring Cell Tower Radiation Levels

This October 4, 2014 Wall Street Journal article, “One in 10 cell/grid towers violate RF radiation rules” — <https://www.takebackyourpower.net/wall-street-journal-one-10-cell-towers-violate-rf-radiation-rules/> — shows that “there is somewhere around 30,000 non-compliant cell phone towers in the USA that expose unsuspecting residents, school children and even their maintenance workers to dangerous levels of microwave radiation.”

Who is going to monitor this proposed AT&T tower? And how often?

50,000 independent studies have shown that wireless radiation is harmful to people, plants, and animals. Two of those studies are mentioned in this article, “World’s Largest Animal Study on Cell Tower Radiation Confirms Cancer Link” — <https://ehtrust.org/worlds-largest-animal-study-on-cell-tower-radiation-confirms-cancer-link/> —

From the article . . . “Researchers with the renowned Ramazzini Institute (RI) in Italy announce that a large-scale lifetime [study](#) of lab animals exposed to environmental levels of cell tower radiation developed cancer. A \$25 million study of much higher levels of cell phone radio frequency (RF) radiation, from the [US National Toxicology Program](#) (NTP), has also reported finding the same unusual cancer called Schwannoma of the heart in male rats treated at the highest dose. In addition, the RI study of cell tower radiation also found increases in malignant brain (glial) tumors in female rats and precancerous conditions including Schwann cells hyperplasia in both male and female rats.”

4. Loss of My Home

I bought the property on Lambert Flats Road about 40 years ago, with a deep dream of spending the last years of my life here in the beauty of nature. In these last 10 years it has been my work to become a professional EMF (electromagnetic field) counselor and service provider. This means that I work with people who are negatively affected by these fields. Some of the EMF effects are slight; many of the effects are deeply life-changing.

Throughout these last 10 years I have done a great deal of research and work in this area, both through the people I have been working with, as well as through the connections I have developed with some world-famous people who have discovered how electromagnetic fields affect all life forms. I take my work very seriously, and it saddens me to realize that because of what I know, if this cell tower goes up, I will no longer be able to live in what I have long-considered to be my home. My heart goes out to so many people who I know will be deeply affected and suffer much if they stay anywhere near this tower. Consequently, I ask you to deny the application for this cell tower.

Sincerely,

Tony Keppelman,
Tony Keppelman EMF Services
831-204-3982 (land line)
www.emfconsultant.com

and

Carol Kuzdenyi
Associate,
Tony Keppelman EMF Services
831-373-3306 (land line)

Summary of Evidence on Smart Meter Fires



In California and around world, smart meters have been linked to fires, explosions, and damaged appliances. For every fire started at the meter, in an appliance, or on wiring, smart meter causality should be suspected.

In 2012 a Pacific Gas and Electric (PG&E) whistleblower Pat Wrigley, who worked as a meter reader for 9 1/2 years testified at California Public Utilities Commission judicial hearing:

- **Smart meters cause fires**
- **PG&E is covering up the risk**

<https://youtu.be/EnxIoltNUek>



Matt Beckett, a California fire department captain stated, *"Two years ago PG&E replaced that meter [analog] with a "Smart Meter". Immediately following we noticed power surges in the form of our refrigerator motor intermittently speeding up simultaneously with our lights becoming brighter. As a seventeen year veteran and current Fire Captain this caused me to become very concerned."* The Smart meter on his house was replaced with an analog, and there were no problems, until a new Smart Meter was reinstalled. This time he had two surge protectors burn out. <http://emfsafetynetwork.org/fire-captain-finds-hazardous-power-surges-follow-smart-meter-installations/>

Another California fire captain, Ross writes, *"I was at home doing yard work in the late afternoon when my wife came outside and told me that "half the power was off again". This had been happening on and off for about two weeks ... I then went outside to*

where my meter was and I could instantly smell the burnt electrical smoke. As I was looking at the meter I inadvertently placed my hand on the meter itself and almost burned my hand...the metal box into which all the home's wiring from the meter is stored was also too hot to touch with a bare hand." <http://emfsafetynetwork.org/smart-meter-arcing/>

California Public Utilities Commission, and PG&E's response

In 2009 PG&E reported to the California Public Utilities Commission (CPUC) smart meters interfered with AFCI's and GFI's *"During the second quarter of 2009, PG&E discovered a limited number of cases of SmartMeter™ radio interference with customer electronics, including ground fault circuit interrupters (GFCI) and arc fault circuit interrupters (AFCI). Pages 6-7 Advanced Metering Infrastructure; January 2010 Semi-Annual Assessment Report and SmartMeter™* http://emfsafetynetwork.org/wp-content/uploads/2010/03/Updated-Semi-Annual-AMI-Report_Jan_2010-12.pdf

January 2011: PG&E, The Utility Reform Network, CPUC Office of Ratepayer Advocates, California Energy Commission, CPUC Energy Division and others discussed "smart meter incidences involving fires..." Meeting agenda: http://emfsafetynetwork.org/wp-content/uploads/2016/01/TAP-Agenda-1282011-inc-smart-meter-fires-SB_GTS_0652075.pdf

2.	Provide insight (incident rates) on TURN-identified issues: smartmeter incidences involving fires and electrical shorts; interference (900MHz, garage and consumer devices) and 'dead sockets' (Dec meeting)	Jim Meadows	January meeting
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2013: PG&E Data Response on smart meter fires. <http://emfsafetynetwork.org/wp-content/uploads/2010/03/Data-Response-PGE-smart-meter-fires.pdf> Much of the document is redacted, and PG&E states, *"In no instance has PG&E found that a SmartMeter™, either gas or electric, has caused a fire."* However, PG&E now monitors temperature and voltage readings of smart meters for hazardous conditions. *"PG&E issues field orders to perform safety inspections at potentially overloaded and or high temperature sites. The data has led to panel inspections at customer premises that have found undersized wiring, physical panel damage, and overloaded conditions."*

The CPUC is charged with overseeing utility safety. In the CPUC's Annual Report to the Governor and the Legislature May 2014, they state, *"There was some concern regarding fires in smart meters but this was investigated by CPUC staff in 2013. Staff determined that, of reported fires involving smart meter installation, none were actually caused by the smart meter."* (p.5) **EMF Safety Network sent a records act request in December 2014 for the details of that investigation, however the CPUC has not provided any details.** <http://emfsafetynetwork.org/wp-content/uploads/2016/01/Smart-Grid-Annual-Report-2013-.pdf>

Smart meter fires, surges, exploding meters, and damaged appliances in California and around the world



Bakersfield, California, Smart Meter Blows Up At Business (2009): *“employees at Henry M.M. Engines said their Smart Meter caught fire, which sparked concern and questioned the safety of these new meters. On Wednesday, a PG&E technician was called out to replace the meter after employees found the device burned up and lying on the ground.” “Basically it was an explosion. I saw the meter on the ground and the face plate was blew off and the whole meter was blackened. Even the breaker box that housed the meter was blackened by what*

seemed to be an electrical short,” said Vernon Nelson, an employee.” <http://www.turnto23.com/news/your-neighborhood/north-river-county/smart-meter-blows-up-at-business>

Berkeley California Fire Department report (2010) states, *“Investigation revealed the newly installed PG&E Smart Meter in the kitchen was hot to touch and smoking, with a orange glow inside the meter housing”* <http://emfsafetynetwork.org/wp-content/uploads/2010/07/Berkeley-Smart-Meter-Fire.pdf>



Stockton California (2015): Dozens of smart meters exploded and caught fire after an electrical surge cut power to about 5800 homes near Stockton CA. CBS News reports, *“A power surge left thousands without power for most of the day in Stockton after smart meters on their homes exploded on Monday.” “Neighbors in the South Stockton area described it as a large pop, a bomb going off, and strong enough to shake a*

house.” <http://emfsafetynetwork.org/dozens-of-smart-meters-explode-from-power-surge/>

Santa Rosa, California (2011): Three smart meters explode at a shopping mall. According to the incident report from the Santa Rosa Fire Department firefighters found the electrical room at the Santa Rosa Mall “charged with smoke” and *“upon investigation found 3 PG&E meters that had blown off the electrical panel causing damage to the interior wiring of the electrical panel. A fire was still smoldering...”* <http://emfsafetynetwork.org/3-pge-smart-meters-explode-at-santa-rosa-mall/>

Palo Alto (2011): 80 PG&E smart meters caught on fire and burned out after a power surge. The incident raised questions for residents and utilities officials about smart meter safety. *"Mindy Spatt, communications director for The Utility Reform Network (TURN), said the utility-consumer advocacy group received many complaints about surges damaging appliances when the SmartMeters were first installed. Comparing analog to the new meters, she added, "In the collective memory of TURN, we have not seen similar incidents with analog meters."* <http://www.paloaltoonline.com/news/2011/09/04/power-surge-raises-questions-about-smartmeters>

Power mishap damages appliances for Livermore residents (2012): 28 smart meters were replaced by PG&E when a power line replacement caused a power surge which fried appliances, TVs and air conditioners. *"The surge of electricity ripped through 28 homes on Hudson Way in Livermore."* <http://abc7news.com/archive/8770840/>

Nevada (2014): Reno and Sparks fire chiefs call for smart meter fire investigation, *"in the wake of a troubling spate of blazes they believe are associated with the meters, including one recent fire that killed a 61-year-old woman."* <http://www.rgj.com/story/news/2014/09/13/reno-sparks-fire-chiefs-call-smart-meter-probe/15580069/>

Florida, News Investigative report (2011): *"I went over to the FPL meter and it had caught on fire, it was all black smoke and charred,"* <http://www.wptv.com/news/region-c-palm-beach-county/some-homeowners-concerned-about-meter-installation#ixzz1d3MvQ4r5>

Chicago Illinois (2012): 2012 ComEd confirms smart meter fires. http://articles.chicagotribune.com/2012-08-30/business/chi-comed-confirms-smart-meters-involved-in-small-fires--20120830_1_smart-meters-comed-customers-poor-connection



Philadelphia Pennsylvania (2012): utility PECO suspended smart meter installation due to fires. <https://youtu.be/g8nwrRchtuk>

Texas (2012): Customers of Centerpoint report smart meter fires. <http://www.khou.com/story/news/2014/07/21/11803806/>



Oncor Changing Smart Meter Installation After Fires
« CBS Dallas / Fort Worth: *"The Chief Executive Officer of Oncor says the company has a new procedure for installation of smart meters after two house fires in Arlington last week. Robert Shapard says old wiring in two homes could not support the new smart meters."*

<http://dfw.cbslocal.com/2010/08/24/oncor-changing-smart-meter-installation-after-fires/>

Canada: Nanaimo mother of two left without power for two days after smart meter smoked and caused a power outage <https://youtu.be/9NO6wIx8UFc>

New Zealand: Fire Prone Meter boxes causing concern. *"Front line firefighters are concerned about the number of household power meter boxes that are bursting into flames. There have been 67 callouts in Christchurch to electrical malfunctions so far this year, and new smart meters have*

been involved in three in the last five days." <http://www.3news.co.nz/nznews/fireprone-meter-boxes-causing-concern-2010060317#axzz3vYE7LXcr>

Australia:

- **"Smart Meter Disaster"** is a 2012 Australian TV news report on smart meter hazards, including fires. https://youtu.be/4e71qAr_qGk
- **Smart meter shock: electrical hazards found in 3500 homes** *"Victoria's energy regulator has conceded smart meter contractors might lack required skills and is reviewing the qualifications of workers rolling out the \$2 billion scheme."* *"smart meter installers have identified dangerous and possibly life-threatening electrical hazards in 3500 Victorian homes."* http://www.theage.com.au/victoria/smart-meter-shock-electrical-hazards-found-in-3500-homes-20110212-1are0.html?from=age_sb
- **Smart meter blasts covered up 2012:** A whistleblower claims power companies know smart meters are exploding and are lying to consumers to cover it up. 'John' works for Jemena and claims at least six smart meters have exploded in and around Pascoe Vale, since Christmas. John was installing a meter yesterday which burst into flames in front of him. He's told Neil Mitchell under strict anonymity power companies are misleading the public and smart meters are dangerous. <http://www.3aw.com.au/blogs/breaking-news-blog/smart-meter-blasts-covered-up/20120222-1tmqr.html>

Thousands of smart meters replaced due to fire risk

- Portland General Electric Oregon replaced 70,000 smart meters due to fire risk. http://www.oregonlive.com/business/index.ssf/2014/07/pge_replacing_some_electricity.html
- Lakeland Florida replaced 10,657 smart meters due to fire risk: <http://www.theledger.com/article/20140826/NEWS/140829388/1410?Title=Overheating-Concerns-Lakeland-Electric-to-Replace-10-657-Residential-Smart-Meters->
- In Canada SaskPower replaces 105,000 smart meters due to fire risk. <http://www.cbc.ca/news/canada/saskatchewan/saskpower-to-remove-105-000-smart-meters-following-fires-1.2723046>
- Ontario, Canada Thousands of smart meters in Ontario to be removed over safety worries: “Some 5,400 of Ontario’s 4.8 million smart meters are being removed and replaced because of a risk they could heat up, cause an electrical short and possibly spark a fire.” <http://www.thestar.com/news/queenspark/2015/01/22/thousands-of-smart-meters-in-ontario-to-be-removed-over-safety-worries.html>

Industry and expert commentary



IEEE [professional technological association]: “Obviously all companies with smart meter programs, and all their suppliers and sub-contractors, are going to have to take a close look at the issue of fire hazards. This is just the beginning of a difficult story.” <http://spectrum.ieee.org/energywise/energy/the-smarter-grid/smart-meter-fire-reports>

TESCO: According to research by TESCO smart meters are more prone to “hot socket” than analog meters. Failure modes include catastrophic (expected) “Catastrophic failure” is defined as “a meter which has burnt, melted, blackened, caught fire,

arced, sparked, or exploded.” See: <http://smartgridawareness.org/2015/11/03/catastrophic-failures-expected-with-smart-meters/> See also: <http://emfsafetynetwork.org/wp-content/uploads/2010/03/TESCO-Lawton-on-Hot-Sockets.pdf>

Wireless Smart Meters and Potential for Electrical Fires. Commentary by Cindy Sage, Sage Associates and James J. Biergiel, EMF Electrical Consultant July 2010: Smart meters can create an over-current condition on the wiring and produce heat, which the neutral cannot properly handle, which can lead to fires.

- “The use of smart meters will place an entirely new and significantly increased burden on existing electrical wiring because of the very short, very high intensity wireless emissions (radio frequency bursts) that the meters produce to signal the utility about energy usage.”
- “The location of the fire does NOT have to be in close proximity to the main electrical panel where the smart meter is installed.”
- “A forensic team investigating any electrical fire should now be looking for connections

- to smart meters as a possible contributing factor to fires.”*
- <http://emfsafetynetwork.org/wp-content/uploads/2011/06/Smart-Meters-Risk-for-fire.pdf>

Ontario Fire Marshall Report: *“During our initial research of the new meters we encountered an unusual amount of fire incidents involving smart meters. “Anecdotal information supported [the fact that] problems occurred after the old analog meters were updated to the new digital smart meters.” The report noted the possibility of a fire resulting from “a loose connection in the meter base.”*

“What could be the reason for this? The old meter base connections may not have been in a condition for seamless exchange to a new meter. New meters may have defects that cause electrical failures or misalignment with old meter base. Careless installation during changeover.”

<http://www.oafc.on.ca/article/unusual-number-fires-smart-meters-linked-ontario-fire-marshall-says-faulty-base-plates-could>

American Electric Power (AEP) How hot are your meters? 2015: *“Today’s meters are light. The old ones were heavy and dissipated heat a lot better, actually,” said Ken Dimpfl, of American Electric Power (AEP). In 2010, they started seeing smart meter failures due to high temps or thermal overload. “This began our journey of looking at ‘hot sockets,’” Dimpfl said. “Over the course of a two-year period, AEP analyzed roughly 25 meters that failed. Post event analysis concluded that the root cause was a poor connection at the meter.”*

<http://www.intelligentutility.com/article/15/10/how-hot-are-your-meters>

Hydro Quebec requires 3 meters distance between a smart meter and gas tank

<http://ofsys.hydroquebec.com/T/OFSYS/SM2/2/S/F/4947/13087532/Dnm3qyNW.html>

Norm Lambe, an insurance claims adjustor, contends the utility companies are tampering with the evidence by immediately removing smart meters when there’s a fire. *“A dangerous precedent is being followed in the insurance industry concerning the investigation of smart meter fires...When the local electrical utility arrives and determines that a smart meter is the issue, they have been removing the meter, and preventing the inspection of the meter by the experts...This is a serious situation, as the utility company, upon removal of the meter is tampering with what is evidence concerning the cause of the fire and can be held criminally responsible.”* <http://www.examiner.com/article/are-insurance-companies-avoiding-the-smart-meter-problem>



Summary of Evidence on Smart Meter Fires compiled by Sandi Maurer, EMF Safety Network Director, January 2015. Sandi Maurer has intervened on smart meter proceedings at the CPUC since 2010. See also EMF Safety Network Smart Meter Fires and Explosions: <http://emfsafetynetwork.org/smart-meters/smart-meter-fires-and-explosions/>

Friedrich, Michele x5189

From: Carol Kuzdenyi <carolkuz@comcast.net>
Sent: Monday, October 19, 2020 11:30 PM
To: ceqacomments
Cc: Guthrie, Jaime S. x6414; Spencer, Craig x5233
Subject: PS — PLN180362



[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

PS — PLN180362

October 19, 2020

Dear Ms. Guthrie,

I just discovered that two of the links I sent you in my e-mail just now no longer work. Please use these substitute sources instead:

Use this for the 5G Concern —

<https://www.electricsense.com/5g-radiation-dangers/>

Posted by Lloyd Burrell on his website, ElectricSense.com, on May 12, 2017, this article and video on the soon coming 5G technology provides a lot of good information and insight on what 5G is, how it works, and on the health hazards it will bring with it. I strongly recommend that we educate ourselves and those around us about this. It is our environment that is being changed without our full knowledge in terms of its effects on human, animal, and plant life on this planet!

Use this for the NTP (National Toxicology Program) study —

<https://microwavenews.com/news-center/ntp-peer-review-sees-tumor-risk>

This April 9, 2018 article by Louis Slesin, PhD, editor of Microwave News, explains why a peer-review panel recently upgraded seven different National Toxicology Program findings about RF radiation causing cancer in rats and mice. This is an unprecedented number of upgrades.

A major discussion point concerns nonlinear dose-response. From the article:

In fact, nonlinear interactions are nothing new in the electromagnetic radiation community. Thirty-five years ago, Ross Adey organized a conference on nonlinear effects of electromagnetic radiation in biological systems. (We covered that meeting.) "There is [now] impressive and growing evidence consistent with nonlinear, nonequilibrium interactions ... in widely diverse tissues that include brain, bone, pancreas and leucocytes," Adey said at the time.

Thanks very much,
Tony Keppelman

Friedrich, Michele x5189

From: Carol Kuzdenyi <carolkuz@comcast.net>
Sent: Monday, October 19, 2020 11:47 PM
To: ceqacomment
Cc: Guthrie, Jaime S. x6414; Spencer, Craig x5233
Subject: PPS — PLN180362

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

PLN180362

October 19, 2020

Dear Ms. Guthrie,

Sorry . . . just one more note of clarification. My computer is in the hospital right now, so I'm using my Associate, Carol Kuzdenyi's computer. That's why the e-mails are coming from her address.

My e-mail address is tkeppelman@consultant.com

Please put us both on your contact list.

Thanks very much,
Tony Keppelman

