

Mendocino County  
AUG 18 2022  
Planning & Building Services

Public comments U-2017-0036 AT&T wireless communication facility in Manchester

Dear Commissioners,

I voiced my opposition to this project at the 5-16-2019 meeting. At that time the County came up with the idea that a Statutory Exemption per CEQA Sec. 15270 should be granted, but based on various issues among them a biological survey not completed during the appropriate season recommended denial without prejudice. This property belongs to AT&T. Also a petition was submitted and signed by 49 local residents opposed to this project. Locals mentioned that the facility will be visible from the Point Arena Lighthouse to Irish Beach, and along multiple points of Hwy 1. The Draft MND and the photo simulations tend to downplay this fact. Why were there no photo simulations taken from these sights, or from the ocean, the Point Arena-Stornetta Ranch, our Ca. Coastal National Monument? <https://www.blm.gov/programs/national-conservation-lands/california/california-coastal>. See: <https://www.mendocinocounty.org/home/showpublisheddocument/28453/636940310377500000> Why was this meeting not reflected in the Related Applications, or in the Resolution listing all the other meetings? Why is the current Resolution not listing the 8-18-2022 meeting?

I have been commenting on this project in writing in regards to the 5-16-2019 meeting. So far the public was prevented from commenting about the project located within a 1,050 square-foot fenced compound at the 5-16-2019, the 5-19-2022, and the 6-16-2022 meetings.

The staff report mentions that utilities will be extended to the site. How? By way of poles and cables in the scenic coastal area to the west of the first road parallel to the ocean? Please do not repeat what happened on Navarro Ridge Road in Albion where AT&T received a permit from the Transportation Department and installed these poles and cables in the scenic coastal zone without explaining their desire to the public or you. This project was finished with pressure from AT&T's lawyer, and the Board of Supervisors.

All of the biological studies are now more than 2 years old. Only the Tower Avian Avoidance Palm was updated about 1 year ago.

I agree with the 2-12-2021 & 4-22-2022 letters from Terra Fuller, DPR Sonoma-Mendocino Coast District. She addresses the Coastal Act-LCP Consistency Visual Resources, lists Policies 3.5-1, 3.5-3, and 3.5-4; as well as impacts to ESHA & Federal and State Endangered Species. Many animals and plants are attracted by marshes, dunes, saltwater marshes, freshwater seeps. In the vicinity we have Lake Davis, Brush Creek, the Garcia River with its black swans, another unnamed lake, and the Pacific Ocean. Ms. Fuller mentions the Ca. red-legged frog not mentioned in the Draft MND. Her comments and map listing the threatened and endangered species locations surpass the Initial Study & Draft MND. Does AT&T have a right to ruin the largest continuous dune system along our coast, a State Park Natural Preserve along with the WSP Beach, and adjoining KOA campground? The Coastal Permit Administrator at the 7-28-2022 meeting approved ADA accessibility improvements to existing day use and campground facilities at Manchester State Park located a half a mile from the project site. Some of these handicapped people might also be sensitive to electromagnetic radiation and should not have to suffer. Neither should anyone else who intends to relax at these campgrounds/the dunes, or the animals passing/flying by.

The staff report mentioned that this wireless telecommunications facility is located far away from the local school. What about the effect of sensitive receptors like children, pets, and adults camping at the local campground, the group campsite, the Day Use Area, and the KOA? What about the endangered

and threatened species that are exposed 24/7 to this technology that has not been proven safe? It can not be proven safe. It is not safe for people, plants and animals. Families from all over the world that are attracted to the Northern California coast and drive on Hwy 1 (that could become a scenic route). This is recreation land that should be used as such. According to the Coastal Commission there is a mandate to offer affordable ocean access to citizens. They have a right to be safe.

Thanks to the Children's Health Defense and the Environmental Health Trust a successful law suit challenged the Telecommunications Act from 1996 (way outdated!) and forced the FCC to prove that this technology is safe. They have not done that yet and can't. We know that it is not safe, nor healthy to spend time next to a wireless communication facility. The County's Wireless Guidelines from 2015 are not up to date. On 6-27-2006 the County adopted the Precautionary Principle Policy. A minimum of 301,656 signatures from scientists, doctors, engineers, psychologists, psychotherapists, social workers, and nurses were collected against 5G on Earth and in Space. [www.5gSpaceAppeal.org](http://www.5gSpaceAppeal.org) Regardless we have at least 441, 449 low earth orbit satellites operating, approved, and proposed and cell towers on the ocean floor. There is no longer a need for more wireless communication facilities. <https://www.cellphonetaskforce.org/wp-content/uploads/2022/01/441449-Low-Earth-Orbit-Satellites.pdf> <https://www.cellphonetaskforce.org/wp-content/uploads/2022/01/Cell-towers-on-the-ocean-floor.pdf>

The public asked many times to have the Wireless Guidelines updated, asked for a workshop about 5G, and for rewriting the Planning Commission's bylaws. When will this happen?

This project is inconsistent with the Coastal Coastal Element of the County's General Plan and would deter the visual quality of the natural landscape. It will have significant adverse impacts on the environment within the meaning of CEQA. It is located in the Highly Scenic Area.

Based on the Tower Avian Avoidance Plan this tower would be located next to the Pacific Flyway (the route for migratory birds) and this fake (not wood) water tank/wireless communication facility would contain spikes of stainless steel that might only prevent big raptors from using it as a perch. The letter from AT&T's lawyer indicates that "water towers are a well-known feature on the coast", and will be "subordinate to the character of the setting, and consistent for preserving visual resources". The letter by AT&T's lawyer sent two days before the 5-19-2022 meeting indicates the significant gap, but does not show how many people would be served. The letter indicates that this is the "least intrusive means". I disagree. There is a wireless communication facility from another company close by. How many people would be served is not mentioned.

The water towers in Mendocino for example are not fake towers. They are/were built with redwood, used for survival, are historic now, and portray a similar feeling like the towers in San Gimignano, Italy. The originally 72 stone towers were a status symbol used for protection and the town is now a cultural site of exceptional value.

<https://www.itinari.com/the-towers-of-san-gimignano-sv0q>

The conclusion in the AT&T's lawyer letter indicating that federal law strongly supports (indeed requires) approval is revolting.

The Coastal Act (Public Resources Code) section 30001 provides that "The Legislature hereby finds and declares:

(a) That the California coastal zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.

- (b) That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.
- (c) That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.
- (d) That existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone.

According to the Coastal Act (Public Resources Code) section 30001.5 "the Legislature finds and declares that the basic goals of the state for the coastal zone are to:

- (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone."

According to the Mendocino County Code Section 20.196.020(c), the approving authority is required to find "That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect."

I agree with Tim Bray (President Mendocino Coast Audubon Society), as well as Dave Bengston (Ed. Chair of the Peregrine Falcon Audubon Society) that this project would significantly impact birds and that the proposed mitigation measures can not be reduced to a less than significant level at this proposed location. Tim Bray questions Measure AES-1, Measure BIO-3 and the Standard Condition 39.

AT&T sealed a deal with First Net on 3-28-2017 for a period of 25 years and wants to install First Net at all AT&T towers. First Net's technology does not seem to be in accordance with the County's Wireless Guidelines that mention health, safety, comfort & general welfare. Our first responders do not need First Net. It might help some out of town responders, but it comes at a price. With First Net we will have 5G (a military patent and not a communication patent like 1G, 2G, 3G, or 4G are), the Internet of Things, a weaponized surveillance system, 5 additional RRUS' to the 8 RRUS already planned, and a stronger generator (30KW instead of 15 KW).

The CA firefighters famously wrote themselves some legislation to be able to REFUSE the First Net/LA RICS towers and antennas on their stations.

<https://citizensforaradiationfreecommunity.org/wp-content/uploads/2014/10/IAFF-Resolution.htm>

<https://citizensforaradiationfreecommunity.org/wp-content/uploads/2014/10/Cease-and-Desist-UFLAC-2.-Health-and-Safety-Radio-towers.Lima.pdf>

<https://citizensforaradiationfreecommunity.org/wp-content/uploads/2014/10/2nd-UFLAC-cease-and-desist-to-FC-re-cell-phone-towers-1.092414.pdf>

<https://citizensforaradiationfreecommunity.org/firefighters-union-calls-for-halt-to-cell-tower-installation-due-to-severe-health-effects/>

A 350% increase in cancer cases was documented when residents live or work within 1,500 Feet of a cell tower for Average of 5 Years.

<http://citizensforaradiationfreecommunity.org/wp-content/uploads/2012/06/Cell-Towrs-Increase-in-Cancer-4-fold.pdf>

<https://thepeoplesinitiative.org/cell-towersantennas/>

According to the Telecommunications Act of 1996, the County's adopted Wireless Guidelines from 2015, the staff report, and Exhibit A, the Conditions of Approval and Mitigated Measures this project apparently can be approved with Conditions.

An EIR would be the appropriate environmental tool to address these issues as they can not be addressed with this MND. Another option is to deny this permit. I am in favor of denying this project.

Sincerely, Annemarie Weibel  
8-17-2022