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Mendocino County

DEC 06 2023

Planning & Building Services

December 6, 2023

Chair Diane Wiedemann
Vice-Chair Clifford Paulin,
Commissioners Elora Babbini,
Alison Pernell, and Marie Jones
Planning Commission
County of Mendocino
860 North Bush Street
Ukiah, California 95482

Re: Verizon Wireless Application UR_2023-0005
821 Finne Road, Redwood Valley
Renewal of Use Permit for Wireless Communications Facility
Planning Commission Agenda Item 6(c), December 7, 2023

Dear Chair Wiedemann and Planning Commissioners:

We write on behalf of Verizon Wireless to ask that you approve the renewal of its use permit for a wireless telecommunications facility serving the Redwood Valley area (the "Existing Facility"). First approved in 2004, the Existing Facility has been modified several times over 20 years with upgraded technology, and Verizon Wireless secured all required zoning permits, notably a 2013 use permit modification, which extended the term to this year. Adjacent property owner Robert Edwards ("Objector") claims that Verizon Wireless must secure his permission for permit renewal because utility easements cross his property, but Verizon Wireless does not hold easements on his property. Offsite easements held by other state-regulated utility companies providing service to their customers bear no relation to the findings for approval of this permit renewal. We urge you to approve the renewal of Verizon Wireless's use permit.

The Existing Facility is an 85-foot tower facility camouflaged as a pine tree, located in a fenced equipment compound at the rear of a 30-acre parcel. The power and fiberoptic utilities lead from Verizon Wireless's equipment area to the point of connection on a utility pole on the same property near Finne Road, which is served by PG&E and fiber provider AT&T. PG&E and AT&T installed and maintain their utility lines across neighboring parcels pursuant to longstanding public utility easements. Verizon Wireless does not maintain utility lines on properties beyond the utility pole point of connection on the subject property, and so does not require easements across neighboring properties. There is no basis for the Objector or any other landowner to


grant or withhold permission for Verizon Wireless to continue operating the Existing Facility.

The PG&E and AT&T lines beyond the utility pole also serve other local customers and are not part of the Existing Facility. They are beyond the scope of permit applications for the Existing Facility, and in particular the renewal application because it involves no physical changes. Accordingly, any offsite easements for PG&E and AT&T are irrelevant to the permit renewal, which would not overburden any offsite easements.

Offsite easements bear no relation to the findings for approval of a use permit renewal. Mendocino County Zoning Ordinance § 20.196.020. Of note, Verizon Wireless long ago secured adequate utilities to serve the Existing Facility through connections to the utility pole on the subject property. With no physical change required, approval of the renewal will pose no nuisance nor detriment to health, safety or general welfare. In fact, it will provide an important public benefit by ensuring continued, reliable wireless service for Redwood Valley residents, visitors, emergency personnel, and motorists along nearby Highway 101. The Commission's review is limited to confirming compliance with these findings for approval.

Verizon Wireless does not hold easements across Objector's property. Longstanding easements over Objector's property are held by other state-regulated public utilities, such as PG&E, which are providing service to their customers such as Verizon Wireless. It would be an absurd contradiction of established California law to require individual customers to obtain easements over every parcel crossed by a public utility line. The Commission should dismiss Objector's claim, and approve the renewal of the use permit for the Existing Facility.

Very truly yours,



Paul B. Albritton

cc: Christian Curtis, Esq.
Matthew Kiedrowski, Esq.
Liam Crowley