



Minutes for 7 November 2019

The regular monthly meeting of the Gualala Municipal Advisory Council (GMAC) was held on Thursday, 7 November at the Gualala Community Center (GCC) in downtown Gualala. Council Members present were: Lloyd Chasey, Melissa Finley, Donald Hess, Robert Juengling, and Tom Murphy. Council Member Charles Ivor was absent. Special guests were Mendocino County 5th District Supervisor Ted Williams and Mendocino County Under Sheriff Mathew Kendall. Administrative Secretary Mary Mobert and 32 members of the public were also present (see sign-in sheet and speaker's cards).

1. **Introductions and Announcements: Council Chair Juengling** convened the meeting at 18:00. Council Members introduced themselves. **Administrative Secretary Mobert** announced that Gualala-area resident, George Provencher, had been appointed to the Council by the Mendocino County Board of Supervisors (BOS) 6 November and, after he is sworn in, he will take his seat on 5 December.
2. **Consent Agenda:**
 - 2.a. **Minutes: 3 October 2019:**
 - i. It was moved by Council Member Chasey, seconded by Council Member Murphy, and unanimously carried that the Minutes of 3 October be approved as presented.
 - 2.b. **Correspondence:**
 - i. **CDP #2019-0023 (CalTrans):** At various mileposts along Highway One Between Schooner Gulch and the Gualala River.
 - ii. **CDP #2019-0029 (PG&E):** APN 145-091-07; Location: 39200 Old Stage Road
 - iii. **THP #1-19-00166-MEN**
 - iv. **Letter, Mary Mobert:** Re.: PG&E PSPS Outage 26-30 October, 2019
 - v. **CDP 2019-0032 (Wahlberg.):** APN 145-121-18; Location: 47101 Big Gulch Road
3. **Approval of Agenda:**
 - a. It was moved by Council Member Murphy, seconded by Council Member Chasey, and unanimously carried that the Agenda be approved as amended by:
 - i. adding CDP 2019-0032 (Wahlberg.): APN 145-121-18; Location: 47101 Big Gulch Road to the Correspondence and Item 16.b. Walk/See, and;
 - ii. deleting Council Member Hess' name from Item 13.
4. **Public Input on Non-agenda Items:**
 - a. **George Provencher**, Gualala-area resident, suggested GMAC's future Agenda include housing. The County Planning Department is amending County Codes to include Accessory Dwelling Units (ADUs), which may or may not be suitable for the Gualala Area. He felt GMAC should submit its opinion to the County for consideration during the process.
 - b. **Mary Mobert**, Gualala-area resident, noted that, during the recent PG&E PSPS Outage, the Point Arena Shell station charged \$10 dollars a gallon for gas and Surf Market charged \$3 a bag for Ice, which was price gouging and a felony under State law. She will contact Sheriff Allman about the matter.
5. **Report: Mendocino County Law/Code Enforcement:**

Mendocino County Under Sheriff Mathew Kendall stated the department has almost full employment. The jail's personnel is at full capacity and the jail is almost in full use at its two facilities. A new substation is being put in place in Redwood Valley, moving the main office away from three schools located on Low Gap Road in Ukiah, as well as to aid in response to emergencies. County crime is presently at a low point. He urged anyone experiencing price gouging to report it to the sheriff.
6. **U #2019-0017 (Bryson);** Location: 0.4± miles east of Highway One on Big Gulch Road; APN 145-070-01. Coastal Development Use Permit to authorize construction and operation of a wireless communications facility consisting of a 199 ft. tall monopine with various appurtenant equipment and ground equipment including a generator and equipment cabinet. Associated improvements include a 20 ft. wide easement for access and utilities to the site location. The proposed monopine will be located within a 4,500 sq. ft. fenced compound. Council Members Chasey and Finley walked the property.

Tim Cotter from Telescan Telecommunications represented the Bryson's and related what his company does, the history of the project, and the Federal RF standards to which he must comply. They have searched for three years to

find a property large enough to meet County restrictions and community wants. All area first responders are in support of the project. The site will enable four carriers and seventeen trees will be removed during construction. Each carrier will have their own thirty kilowatt generator that is housed in a sound-muffling shed and will be vented upward. They will run five to ten days on 200 gallons of either propane or diesel fuel. The tower will extend fifty feet above the trees but won't have a navigation lite on top. It will broadcast into Gualala proper providing cell phone, voice, and data service to 1100 parcels, and overlap Verizon's tower located eight miles south of down-town Gualala on The Sea Ranch. All the necessary surveys were completed.

Marcia Luchini, Gualala resident who lives directly below the tower, cited health risks via radiation, environmental concerns, generator noise, loss of property values, traffic a narrow road, etc.—she has had cancer and was worried about her health and the health of others. The *American Association of Fire Fighters* won't allow a cell tower to be erected at any of their facilities because of the health risks to their people. The neighborhood should stay residential and the County shouldn't allow commercial enterprises to encroach on residential areas. She had cell service, didn't need another provider, and was concerned all the required surveys had not been done.

Mendocino County Under Sheriff Mathew Kendall felt the tower would enhance public safety and would aid Sheriff's Officers and first responders in their duties. **Council Member Finley** asked if the Sheriff if his officers had satellite cell service. **Under Sheriff Kendall** said the department had six units but they are too expensive to have one for each officer and/or at every post.

Terry Pfordresher, Gualala-area resident who lives within a half mile of the tower, wrote a letter to Planning and Building stating the required posted notice was posted on private property, away from the road, and could not be read or seen by anyone, thus it was illegal. The matter has not been corrected to date and the law states a project cannot go forward without t a legal posting. The Biological Study does not cite the active presence of osprey nesting in the area. California Fish and Game will be notified by Planning and Building that this is not in the Biological Report on the County website and it is a concern. She estimates her property value will decrease by up to 20% which is a big concern for all who live in the subdivision. She asked Mr. Cotter to find another location.

David Caley, District Administrator of Coast Life Support Ambulance Service in Gualala, stated the tower will help with communications between all first responders and hospital personnel. Ambulances have a two hour transport time to the nearest hospital from this area. During the drive, ambulance EMTs alert the hospital in advance, send pictures of what the paramedic sees, machine test results, and patient pain level to hospital medical staff.

Eric Mills, Gualala-area resident and former Council Member, said he understands the benefits of having cell service that hasn't been available in the community until now but all his family have suffered from cell tower radiation and his wife is extremely sensitive to-and has been permanently disabled by the radiation. Our government isn't helping and the *Federal Communications Commission* (FCC) doesn't recognize the health risks involved; the present FCC chairman is a former Verizon CEO. All our children are being affected and more towers will be coming to the Coast.

Greg Warner, South Coast Volunteer Fire Chief in Gualala has been a firefighter for forty years and has worked with the sheriff and others to save lives and improve communications. He is a cancer survivor as well but the radiation from a handheld cell phone is ten times more than will be emitted by the cell tower. Not all scientific studies support the health fears. The area's communications are too limited. The tower is a good thing; it will save lives.

Steve Chell, Gualala-area resident, felt the responders need these communications but the question is where to put the tower so it doesn't affect homes. People who have never been radiated can safely live near a tower 1/4 mile from their home. Those who have had radiation can safely live near a tower 1/2 mile from their home. He asked a place be found that was not so close to homes, preferably in the wilderness.

Pat Hentschel, Gualala-area resident, noted that scientists disagree on medical outcomes and risks. He urged the Council not to sacrifice community members to "save lives;" find another way.

John Bower, Gualala-area resident, said the company wanted to put a lattice tower on his property but he decided against it because it would impact people's decision to build in his subdivision due to of perceived loss of property values and health issues, and a lattice tower whistles very loudly during windy conditions. He urged the company to install a light on the tower. The tower, being fifty feet above the trees and having no light, wouldn't alert REACH helicopters of its presence during their emergency flights at night. The tower is within 1 to 1½ miles from the ridge airport, which is around 30 seconds of flight time. Pilots may turn toward it and not see it at night. The property he owns that would be suitable is too close to Downtown Gualala and is ESHA land. **Mr. Cotter** noted the *Federal Aviation Administration* (FAA) has approved the project.

Mary Mobert, Gualala-area resident, noted that Elon Musk is launching swarms of communication satellites, fifty or more a launch. The network will be up and running in a year or so and will serve as worldwide communications outlet. Why not wait for that service to connect everyone without a tower here.

Sara King, Gualala-area resident, lives 500 yards from tower and asked how she would be affected. **Mr. Cotter** stated it depended on the power output, barriers between her and the tower, and other factors, so he couldn't say.

Council Member Finley had other concerns than the site. The 1996 regulations were based on research done on a 1990 cell phone. The FCC refused to study cell towers or recognize other research from that time through to the present. All research used to create federal codes is over twenty years old.

Council Member Chasey noted the site covers 65 acres and the tower rests 1189 feet from nearest house, almost 1/4 mile away. There is no wilderness in which to put it. AT&T is not fixing or installing new land lines—they will be gone eventually—and, in emergencies, the only way to communicate will be cell towers. This is the best place and he supports the project.

Council Member Murphy asked what companies would rent carrier space; how many more towers will go into Gualala, and; if the tower could be put in the water directly west of town. This proposal will not be the last tower project to come before GAMC. **Mr. Cotter** stated Verizon and AT&T are two; Sprint and T-Mobile were in merger talks and may rent in the future. The federal *Justice Department* has also expressed interest. Since the tower cannot handle 5-G communications, building new towers would depend on community needs and this site being driven to its capacity. Five future locations were found, two sites at the mobile home park on Highway One, one on Mr. Bower's property, and two on *Gualala Redwood Timber* property. A tower can't be put on a platform in the ocean because it's a *National Seashore Reserve* and protected.

Council Member Hess noted cell service in Gualala is pathetic, but in Manchester, it's quite good. He felt it was important in this day-and-age to have cell service, especially for first responders, emergency events, local citizens, and visitors to the area; he favors the project.

Supervisor Ted Williams stated AT&T wants out of long line service. They are barely maintaining what they have and are not installing anything new. *Sky Fiber* and *Further Reach* must have generators for each facility's amplifier. He would support the project if, in fact, it were the best available site for the area. If the community isn't happy with cell towers being built, they should write their State and/or federal representatives asking they change the law. He assured the Council their decision will hold weight with the BOS.

Council Member Juengling acknowledged the large quantity of work that had been done and asked how the Verizon facility works with this one since coverage doesn't seem to overlap much. The Verizon facility offloaded and blocked almost all calls during the last PSPS Outage, thus no service to the area. This project will fill in during emergencies.

Mr. Provencher asked how much further the tower could be moved from the nearest home. **Mr. Cotter** said the tower was in the middle of a 66 acre parcel and equidistant from all surrounding homes. If it's moved from the nearest home, it will be closer to the next nearest, etc.

After more questions from and discussion by the public, it was moved by Council Member Finley that the project be recommended for denial; the motion died for lack of a second.

After more discussion, it was moved by Council Member Chasey, seconded by Council Member Murphy, and carried 4 YES (Council Members Chasey, Hess, Juengling, and Murphy), 1 NO (Council Member Finley), and 0 ABSTENTIONS that the project be approved as presented.

A nineteen minute break was taken between 21:08 and 21:27.

7. **Status of the Gualala Water Moratorium:**

Council Member Juengling noted the bypass flow requirements are being maintained at five-to-six cubic feet per second. The Item will be discussed further on 5 December.

8. **Council Matters:**

a. **Discussion: Gualala Downtown Enhancements Project** – Initial Study with Proposed Negative Declaration: (see: <https://ceqanet.opr.ca.gov/2019079020/2>)

GCAP Streetscaping Ad Hoc Committee:

Council Chair Juengling commented on creating various sub-committees to address issues pertaining to streetscaping—continuing the present GCAP committee as an official body—, one addressing PSPS Out ages and electrical issues, land use, and housing and economic development.

Council Member Chasey didn't see the need to continue the GCAP Committee because the community has moved forward with a streetscaping plan. Any reports or changes to the plan could come back to the whole Council to be addressed at that time.

Council Member Murphy said he and Council Member Juengling had been attending County and Mendocino Council of Governments (MCOG) meetings as unofficial members of the Council. Legally, they would better serve GMAC if they were official recognized as an ad hoc committee under the Brown Act. Then they could speak to organizations and interested parties with more authority. After discussion, **Council Members Juengling and Murphy were appointed as members of the GCAP Ad Hoc Committee.**

b. PSPS/ Emergency Preparedness Ad Hoc Committee:

Holding an open forum on the PSPS Outage was discussed. **Mr. Provencher** reminded attendees of the PSPS Outage meeting being held by South Coast Volunteer Fire Chief Greg Warner, 14 November at the GCC starting at 18:00. Chief Warner wants to organize a preparedness committee that would create an emergency plan. GMAC should advocate and participate in the process. Council Member Murphy added that Supervisor Williams is working with various County agencies, local radio stations, community groups, Mendocino County Preparedness Group, and *The Sea Ranch Association* to coordinate in creating their emergency plans (see *Emergency Preparation / Post PSPS Critical Needs List*, attached).

Fire Chief Warner expressed concern that many residents and evacuees were very fearful during the last PSPS Outage because of the lack of information available. Having a plan where local businesses—gas stations, markets, radio stations, restaurants, etc.—will have current information to disseminate to the public and work would together to ease fears and calm the chaos, would be of great service.

Supervisor Williams noted the radio stations were a wonderful resource during the PSPS Outage. His office was able to text-message all the key radio stations in his District. He would like to include Sonoma County's North Coast in Gualala's planning process since their people depend on Gualala for their food, gas, mail, etc and *The Sea Ranch Association* already has an emergency plan in place. He stated the County radio network is crashing weekly now for up to six hours at a time, which affects fire, law enforcement, ambulance, medical services, etc. The only way to reach these emergency responders is via cell phone; he is aware the Gualala-area is very underserved by cell providers at this time.

Council Members Finley, Hess, and Provencher (after he has been officially sworn in) **were appointed as members of the Emergency PPS Planning Ad Hoc Committee**. Other committees and their members will be discussed 5 December.

Council Member Juengling announced MCOG is requesting for \$900,000 for next Right-of-way Acquisition Phase of the GCAP and \$3.9 million for the Construction Phase that will start in 2022 or 2023.

c. Timber Harvest Plans (THPs) Report: Tabled

d. Report: Mill Bend Community Forum:

Kathleen Chasey Member of the Gualala River Park Coalition and the Redwood Coastal Land Conservancy reported the Mill Bend Public Forum, 5 November at the GCC was well attended and very informative (see *Independent Coast Observer* article, attached). The purchase of the two Mill Bend properties has been finalized. Public tours of the property will be held Saturday, 30 November starting at 13:00. **Council Member Juengling** noted it would be wonderful to have a museum in town with pictures showing the history of Gualala.

e. Various CalTrans & County Issues:

i. Housing and Economic Development Ad Hoc Committee

Council Member Murphy has been in contact with Heather Gurewitz of the *Economic Development & Financing Corporation* on creation of a *County Economic Recovery and Resilience Plan*. She may attend the 5 December meeting. He will invite business owners to come and participate in the discussion

Supervisor Williams also suggested that a representative from *West Company* or *West Business Development Center* would be a good speaker on housing and ABUs. He, as well as Planning and Building, would like to know if the Gualala Community would support adopting the suggested size of an ABU (1,200 square feet) and placing them on properties west of Highway One, as is being done in the rest of the Coastal area. The Gualala Town Plan was adopted before ABUs were in place and limits second housing units to 962 square feet. If there is a view shed issue, he would like to know.

Council Members Finley and Murphy were appointed as members of the Housing and Economic Development Ad Hoc Committee. Suggested reading on the subject was SB 1069

9. **Chairman Juengling's Report:** None
10. **Vice-Chairman Ivor's Report:** None.
11. **Treasurer Chasey's Report:** None
12. **Website Report: Maintenance of GMAC Website:** None.
13. **Broadband Report:** None.
14. **Public Electric Vehicle Charging Station in Gualala Report:** None
15. **GMAC Promotion, Citizen Participation & Recruitment:** None
16. **Administrative Secretary Mober's Report:** None

17. **Walk/See:**
 - a. **CDP #2019-0023 (CalTrans):** At various mileposts along Highway One between Schooner Gulch and south to the Gualala River: All Council Members will look at the existing example on the east side of Highway One between mile markers 10.00 and 10.35 traveling north and exactly opposite mile marker 10.08 traveling south.
 - b. **CDP #2019-0029 (PG&E):** APN 145-091-07, 39200 Old Stage Road: All Council Members will drive by the site.
 - c. **CDP 2019-0032 (Wahlberg.):** APN 145-121-18; Location: 47101 Big Gulch Road: Council Members Juengling and Murphy will walk the property.
18. **Agenda for next meeting: 5 December 2019:**
 - a. **Speaker Heather Gurewitz** of the *Economic Development & Financing Corporation* on creation of a *County Economic Recovery and Resilience Plan*
 - b. **Executive, Closed Session** beginning at 17:30 regarding a legal issue.
 - c. **Invitations for Future Speakers:** Dave Jorden on Timber Harvest Plans.
19. **Adjournment:** 22:21

DRAFT Minutes prepared by Administrative Secretary Mobert

GMAC's archives may be viewed at this website: www.gualalamac.org, and/or by contacting Administrator Mobert: (707)884-3368.

The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.

Public Attendance and Participation is Encouraged at GMAC Meetings.