

Public Hearing on June 18, 2015

(irrelevant discussion)

Nan Rider [Chairwoman and Commissioner]: Thank you. Any questions on the director's report?

Unknown Speaker: [inaudible].

Nan Rider [Chairwoman and Commissioner]: Okay. Commissioner comments? District one, Commissioner Weldy?

Jonathan Weldy [Commissioner]: Yes, a couple. With regret, I won't be here on 7-2 for that meeting. And regarding the Verizon issue, to the best of my ability I think I have reviewed the previous hearing and read all of the material previous, and on 6-13, I drove up to the site and looked around.

Nan Rider [Chairwoman and Commissioner]: Very good. Commissioner Allard?

(irrelevant discussion)

Nan Rider [Chairwoman and Commissioner]: Okay, we'll move on to item number three, which is a continuance from a January item. Oh my. Okay. Okay. Okay, we have 26 speaker slips. So, I would like to ask you all to please be very succinct in your comments because of the time refrain. We'd like to allow everyone a chance to speak. We'd like to hear everyone. Commissioners, I'm going to make a motion that we change the time limit from five minutes to three minutes, because of the number of speaker slips. Do I have a second for that?

Ray Allard [Commissioner]: Yes.

Nan Rider [Chairwoman and Commissioner]: All those in favour?

Ray Allard [Commissioner]: Aye.

Paul Smith [Commissioner]: Aye.

Nan Rider [Chairwoman and Commissioner]: Aye.

Audrey Mathews [Commissioner]: Aye.

Jonathan Weldy [Commissioner]: Aye.

Nan Rider [Chairwoman and Commissioner]: All right. So we're going to have three minute comment period for all of these today. Because I'm sure you all don't want to be having dinner here tonight with us. Okay, so should we. . . can we hear from staff first?

Jim Morrissey [Staff]: Madam Chairman, members of the commission, Jim Morrissey, contract planning staff. Yes, this is a continued public hearing, in fact was continued several times thereafter, so we want to give a little history of that. This a proposed cell tower, approximately 45 feet in height, just off of Mt. Baldy Road in the Mt. Baldy area.

So, as mentioned earlier, it came up at the January 22nd hearing, it was re-scheduled for April 9th, but there was a public concern relative to a spring that was in the area, there's a number of property owners who are served by local springs. Water system in the area. So we have requested that the applicant undertake a geotechnical study, which they had done prior to the first hearing, but they had just done it as kind of an in-house document, had not provided it to us. So they provided it to us just prior to the hearing, but we couldn't review it quick enough to get it before the commission, so the hearing was continued to the April 9th meeting.

At that time, we had provided comments to the applicant, but when it was time for the agenda, we didn't have comments back from the applicant, relative to our review of the document, so we requested the item be continued again. The item has been reviewed by the county geologist who is here. If you have any questions relative to that document, his review, he'll be happy to respond to those questions. We've added several conditions of approval, number 45 and 46, to the staff report. We've highlighted them as well, so you can see what those particular conditions are.

To backtrack a little, why don't we take a look at the original staff report, and the. . . the location of it. So as I mentioned, it's in the Mt. Baldy area, it's on a 17.5 acre parcel. You can pull that one out. And what I'm going to do, as part of the aerial photos, this area kind of at the end of the dot, is where the cell tower location will be located.

One of the slides I'm going to refer to is across the way. I think at the original public hearing when I referenced what was in the surrounding area, the photo looks a little odd. Because you're not able to see Mt. Baldy Road or San Antonio Creek. So I'm going to point that out, that there's significant

distance between where the photo is looking in the foreground, and what you see in the background.

The site plan. And then the photo. So in this one, in the back, that's approximately three to four hundred feet from where the photo was taken. So the foreground is where the site's going to be. The proposed project site. The electrical facilities that you see are on the down side of the slope that heads down to Mt. Baldy Road. So below you have the distance of Mt. Baldy Road, you have San Antonio Creek, then in the background, this is what you have, the hills, on the opposite side of the creek moving up. So they're not immediately attached. This is at the kind of the edge of a knoll or a little hill in that area. The next photo, looking south, shows a little bit more of the immediate project site. As you'll note, there's no trees in that immediate area. Next one.

Paul Smith [Commissioner]: Was that the...Was that the...on the photo on the right, was that the access road up to the site?

Jim Morrissey [Staff]: Yes. What's going to happen, is if we go to the next set. If you look at the photo on the right, it's looking up towards the site. So what's going to happen, is the roadway shown on the left photo is going to be improved on the right photo, to look that way. So you can actually drive a vehicle up there and the equipment. So there'll be some extra grading approximately 230 feet up to that site. So if we go back again to further clarify. So here you're looking down now. In the other one you were looking up towards the site. Okay.

The photo on the left starts essentially at the bottom of the hill. You have the... the fishing area where people can park, that's fenced off, you then have the private property, as you enter the private property, you come upon this road, and you start your climb, kind of circuitous up to the project site.

Previous action that we've undertaken. Distributed project notices. Those were again provided to you in your packet and initial study for environmental purposes was undertaken and included biological and archaeological technical studies were sent to the state clearinghouse for routing. Comments were received on the initial study. And those were included in your packet.

What we'd like to do this evening, or, excuse me, this morning, we're not yet in the evening, is adopt a recommended option of mitigated negative declaration finding that the draft initial study has been completed in compliance

with CEQA, it's been reviewed and considered prior to approving the project and that the draft initial study mitigated negative declaration reflects the independent judgement of San Bernardino County. We recommend approval, of the conditional use permit to establish the unmanned telecommunications facility on approximately 17.56 acre parcel, subject to the recommended conditions of approval including those two additional that I referred to, that were recommended by the county geologist.

Adopt the findings in the staff report, for approval this conditional use permit, and then to file the notice of determination. The... also, I wanted just to highlight too, that in your package you have all the materials related to the geotechnical report, the comment letter from the county geologist, the response letter from the applicant's geologist, and the San Bernardino County geologist's approval letter. Also all that material is in front of you. If you have any questions, I would be happy to respond.

Nan Rider [Chairwoman and Commissioner]: On the map, where it says fish ponds, is that the trout farm?

Jim Morrissey [Staff]: Yes.

Nan Rider [Chairwoman and Commissioner]: Okay. Commissioners, do you have any questions of staff?

Ray Allard [Commissioner]: I don't.

Nan Rider [Chairwoman and Commissioner]: Commissioner Weldy is shaking his head, yes. So go for it.

Jonathan Weldy [Commissioner]: In finding number seven, can you help me understand that, I'm... was a little lost.

Nan Rider [Chairwoman and Commissioner]: What page is that on?

Unknown Speaker: Page 12 and...

Terri Rahhal [Director]: We're looking at page 12.

Nan Rider [Chairwoman and Commissioner]: Okay.

Jonathan Weldy [Commissioner]: So the design of the site has considered the potential... has considered the potential for the use of solar energy systems, passive, natural heating and cooling. Are those part of the application, are those... I'm not sure what you're saying there in findings.

Jim Morrissey [Staff]: The findings... The beginning of each finding, is in the development code. So what we've done is re-iterated the statement in the development code, and then provided a response to that. So, if you look at the item you pointed out, it has a finding relative to the design of the site considered for the potential of solar energy systems, etcetera, and then the factual statement is, because the project site will occupy a very small portion of the site. So I think maybe your question is: why is... why do we even have a finding for solar facilities?

Jonathan Weldy [Commissioner]: No, if it said, we reviewed it for solar, the site is only that big. And so solar is not an option. I... That would make sense. I don't know that this is a conclusion. It just says you looked at it, and the site's small.

Terri Rahhal [Director]: Can I intercede a little bit? What that finding is supposed to allow for, or state, is that it leaves the potential to utilize solar energy. So there's plenty of space if at a future date someone wanted to install a solar panel to power the site. Or, that there are no obstructions, sometimes the way you site a project, you're going to be... or building it, you might be blocking opportunities to utilize solar energy, and that... So because this is just taking up a very small portion of a very large site, it doesn't preclude using solar energy there in the future.

Jonathan Weldy [Commissioner]: But it also doesn't approve using solar, or something else...

Terri Rahhal [Director]: No, it does not.

Jonathan Weldy [Commissioner]: ...in this action. So in that same vein, condition 74... or 64, talks about colocation. It's a... just a requirement to allow the tower colocation for other users. Condition 7 talks about changes. And my question is, if in one condition we require that they be available to other users, are we at the same time saying if you add additional equipment sheds, and you add additional antennas and so on, as part of the colocation condition, that's already been approved? Or does it have to come back?

Terri Rahhal [Director]: For telecommunication facilities there are specific colocation additions or modifications that are permitted outright. And under our county code, only under certain circumstances would you be required to re-apply for a revision. So if you hit that threshold, of installing new

equipment shelters, expanding the shelter, or new facilities on the ground, we would require a new application.

Jonathan Weldy [Commissioner]: Okay, so they couldn't... they... Verizon, in this particular case, or Spectrum, couldn't say 'no, it's exclusive, you can't colocate here'. But if they allowed colocation and it required another equipment shed, bigger yard, or so on, it would still have to come back for a public hearing.

Terri Rahhal [Director]: Not necessarily a public hearing. But the proposer that was collocating at that facility might be responsible for filing an application with us.

Jonathan Weldy [Commissioner]: Okay. All right. Very good. Condition 10a, talks about the continuous property maintenance. I'm concerned about the... this concept of stealth. And so I'd like to see something added there that just adds visual to the things that you're looking at, as far as continual maintenance. So we talk about the parking lot and the walkways and the fenceways and the driveways and so on, but there isn't something specifically that talks about the fact that these, when they're not maintained, start to look a little scraggly. It's certainly not what you approved at the very beginning. So is that possible, to add something, to 10a, just to put that in place?

Terri Rahhal [Director]: Yes. I'm just taking a quick scan to see if we cover it in another condition.

Jonathan Weldy [Commissioner]: It's picked up in a couple of... there's... stealth is mentioned further down in condition 59, but I'm... I don't have a problem with a little redundancy. So that's... that was my concern there. When you go to condition 59, and we talk about the removal. [inaudible]down to it.

One other thing that I would like to suggest is where we talk about posting security for the removal, that that security also include restoration. I don't know exactly what that means in this particular case, but if the site is disturbed, then it should be restored so that it doesn't create an erosion problem and so on, and so I think it's inferred, but it's not specifically listed. So in the couple of places where we talk about surety for removal, or abandonment surety, I think the issue of restoration should be included in there also, specifically. So that that gets into the proposal, and that gets into the estimate.

Terri Rahhal [Director]: Normally for a telecommunications facility they're really only removing equipment. It's not a large area to be restored like you might on a site that's been graded.

Jonathan Weldy [Commissioner]: Then this will be a pretty small line item.

Terri Rahhal [Director]: Maybe we could specify restore to a condition... a pre-development condition.

Jonathan Weldy [Commissioner]: Pre-development or stable. One of the two. I mean we use landscaping conditions saying you have to landscape again, and it's gotta be mature enough to stabilize the... you know, I would be satisfied with that. But I don't want them to come tear the footing out and leave it there, and then it becomes a maintenance problem. Particularly in a sensitive area.

Jonathan Weldy [Commissioner]: Okay. The... one of the letters specifically talks about lights. Not the maintenance light that's on a... active cell, but does this have a red light on top of it? Does this have an airplane light on top of it? Is there a blinking something going with this?

Jim Morrissey [Staff]: Not that I'm aware of, no.

Terri Rahhal [Director]: Let us look into the requirements if whether at a 45 foot height that might be required. It is in a mountainous area so it's...

Jonathan Weldy [Commissioner]: I think you're in trouble if you hit it already. But the point is, when you talk about visual, and you talk about night sky, and so on, having a blinking red light there, I think, adds insult to injury. And I'm just curious if it's required.

Nan Rider [Chairwoman and Commissioner]: I don't think it's tall enough to require a light.

Ray Allard [Commissioner]: [inaudible].

Terri Rahhal [Director]: We haven't received any notification of a requirement for that. May I bring your attention to... you know, as we're talking about some of these conditions that may... you might not find it in one condition, might be in another. Condition number 65 which is the special use permit requirement for annual inspections. It does contain requirements for

maintenance of the facility itself, including the stealthing camouflage to be maintained in good condition.

Jonathan Weldy [Commissioner]: Okay.

Terri Rahhal [Director]: And did you still want to add that to the other condition of approval?

Jonathan Weldy [Commissioner]: It could actually just reference it. I'm just wanting to make sure that it's part of. . . This condition specifically is for the inspection, right? So as long as it gets inspected on a regular basis, somebody's paying attention to it and there's teeth. Community says that this is important. That we approved it, looking like a monopine, it's got to stay looking like a monopine. I'm satisfied with that.

Terri Rahhal [Director]: Okay. Thank you, because condition number 65 is specifically about maintaining that facility. The other condition that you cited initially about property maintenance, continuous property maintenance, number 10, is one that we apply to every application, and it's just for general property maintenance.

Jonathan Weldy [Commissioner]: All right. Very good.

Terri Rahhal [Director]: Okay.

Jonathan Weldy [Commissioner]: And there were a couple of letters of reference about. . . asking for additional information. Cultural concerns, and specifically one on some correspondence with the California Department of Fish and Wildlife. Have those been resolved? Because I saw the letters in there, but I didn't necessarily see the balance of it. So how did that settle itself out?

Jim Morrissey [Staff]: Yeah, I think what happened was the correspondence came in prior to the preparation and completion of the architectural. . . excuse me, the archaeological cultural resources study.

Jonathan Weldy [Commissioner]: Okay.

Jim Morrissey [Staff]: So they missed each other. So that work was done.

Jonathan Weldy [Commissioner]: I didn't look at dates, so that's possible.

Jim Morrissey [Staff]: And then I believe there were also comment letters on the studies once they were completed. So we've passed those along. So I think what you saw was prior to and subsequent to.

Jonathan Weldy [Commissioner]: All right. Very good. Thank you.

Nan Rider [Chairwoman and Commissioner]: Commissioner Allard?

Ray Allard [Commissioner]: I have no comments of staff.

Nan Rider [Chairwoman and Commissioner]: Commissioner Mathews?

Audrey Mathews [Commissioner]: No comments at this time.

Nan Rider [Chairwoman and Commissioner]: Commissioner Smith?

Paul Smith [Commissioner]: I have one question, and that's the scope of the significant cultural resource condition. It doesn't seem to mention, unless I've missed it, cultural remains from native americans. And if that's a natural spring that's in that area, that would be a natural thing to expect up there. And it could be that it's covered elsewhere here, and I don't see it.

Jim Morrissey [Staff]: If you can tell me what condition you're referring to, are you referring to a specific numbered condition?

Paul Smith [Commissioner]: 42. Number 42.

Nan Rider [Chairwoman and Commissioner]: 42.

Ray Allard [Commissioner]: Pardon me.

Terri Rahhal [Director]: I don't see any reference specifically to native american cultural resources but we could certainly add to that condition. That the appropriate tribal consultation should occur as needed.

Paul Smith [Commissioner]: That...Because that...I think that is a natural spring, am I...

Terri Rahhal [Director]: Well the spring is not on the project site. And it's not to be disturbed.

Paul Smith [Commissioner]: But it's close by, and that's...

Terri Rahhal [Director]: Yes.

Paul Smith [Commissioner]: ... usually where you find native american sites of. . . Thank you, that would be good if that was added.

Nan Rider [Chairwoman and Commissioner]: Commissioners, are there any other questions of staff? No? Thank you. Is the applicant here to make a presentation? Please come forward and clearly state your name for the record.

Doug McAllister [Applicant]: Good morning, my name is Doug McAllister, my company is McAllister Strategic Group, and I'm here to represent Verizon Wireless today, and I do have a presentation. It isn't as long as it looks, but my purpose for the presentation is to try to bring some clarity, provide some background, how we got here, and answer as many questions as possible. For all of you. And to the process of this presentation. The. . . how do I use this thing?

As a background to how we got here, I'm not going to read all. . . through all of this, but this basically began back in June of 2011. And based on the request of the county, it's. . . Verizon Wireless did escalate this project. They weren't going to do it, it was on the low priority at that point. But because of the public safety aspect, and I understand how that wasn't working, the county went ahead. I mean, Verizon Wireless went ahead and escalated this. I have April 9th there, because that was when I thought I was doing this presentation. It is now the June 18th, and so, if you can just change that date. But we've been through several iterations and continuances as we've moved through, to get to this point. And as such, I want to kind of bring you up to speed on that.

The first part here, I want to just kind of go over, is what it takes to build a cell site. And I'm not going to read all this, once again, this is not as long as it looks. I just want to point out number 12 there. Typically, once you get to step number 12, and there are all kinds of sub-steps in between each one of these. Once you get to step number 12, that's where we have our no-go-no decision and such. But as you see here, we go all the way to 32 steps. And since then, once again, this was what was done as of April the 9th. We have added several steps to get to today as well.

My point there is is that the. . . it isn't that easy to just change sites. It isn't that easy or inexpensive to just. . . to just go and spend all this time and money and treasure on a site, and then just switch it to something else. That

is extremely arduous, extremely expensive, and because of all the process it goes through, to even to get to this point, the sites that are chosen by the industry are not just willy-nilly. They have to have their reasons. Because this takes a lot of time, as you know, and it costs a lot of money.

The overall realities, once again, there's at least 32 steps, the costs of those 32 steps are prohibitive in this case, because it's taken about four years. Compared to a normal cell site application, from start to finish, literally, it's been ten times the cost. It's been extremely expensive to get it to this point for the...for Verizon. To construct a tower, once you've gone through all of this process, and then you build a tower, and all this equipment, and everything else that goes into it, you're looking at around a million dollars.

So once again, I say that to try to point out that this has to be strategically justified. They're not going to just say 'well we'll go over here, if it doesn't work over here they're...'. The RF folks have to say whether it works or not, and such. And so, when they land on a site, you...sometimes you wonder why are...why is the industry, and why is Verizon in this case so tenacious, to stay there? It's because of what it took to get there, and what it took to find that site.

I am going to go through some of the objections that we've heard from these folks, and I think it's only fair that we try to answer those objections for them. I'm trying to read this.

The lack of opportunity in the process for their voices to be heard. The response we have to that is everyone's, over the course of four years had an ample opportunity, and you've seen volumes of letters and things that you have come across your desks as well. And all these objections have been heard, they've been mitigated, as...or resolved. Within the framework of law.

Once again, the second objection, Verizon needs to look at another site. And I've already kind of touched on that. And why that's a problem. But we have already looked. This is our third site. To get to this point.

The first one was the fire station, and that went through an HOA vote, and for those who didn't vote were counted as nos, and so that went down in flames, and so the fire station site didn't happen. But because of the HOA we had to move outside the HOA boundaries, which further limited our options about what sites we can go to.

They looked at the possibility of the RV site, and the combination of it not working with the RF study, and also, on top of that, there was some confusion with regard to ownership at the time, and it just... it wasn't going to work. And so they looked at it, and probably got through just to step 12, and said no.

The third site is this site we're looking at today. And it turned out to be fortuitous from the standpoint of some of the things I'm going to point out as we go through the presentation, as to why this site is so essential going forward.

You see there are several sites that... and I'm going to talk about and the idea of how we got here. There's several sites there that we've come across, but I don't want to mislead you. We looked at the three. We just are aware of some potential other ones for the future.

Once again, that objection continues, and it gets down. I'm just going to take you down to the last one. Given the 32 steps that were taken, we're at the point where just changing to another site is extremely difficult and if not impossible for Verizon to do. Given the cost that has already been expended, and the fact now, that with the studies that we've done, showing that this site is by far, by far, the primary site that we have to have, and I'll explain that in a minute, as to why we say that.

Oh. Impact on the views. Gotta read this here. These are photo simulations. And as you see here, from this direction, you see... you can see, because the arrow's pointing to it, where the tree is. I find it interesting that what glares out to me isn't the tree. It's the... It's the poles in the way of your view there. The tree is much more... much less noticeable than those poles are.

And as I go through this, I do want to say, we don't have any problems with any of the discussions of the conditions that you all had before I stood up here. I would though add... Well, I'd recommend you add a couple of things.

And one of those is, you can add a condition if it will help, that Verizon must build this tower with as... the maximum amount of limbs as possible. You've... We've all seen some of these towers where it was fairly thin. And it's a joke. We all knew it looked a lot more like a piece of coral than a pine tree. And if that is not already reflected in your conditions, feel free. We'll support that. Because that's the plan anyways, to make this as dense as possible, for the stealthing point of view.

And already the issue of the annual inspection of these... of this is already in play. It's part of your code, it's something that has to happen. And you mention the aspect that you need teeth. And you've got, you've got two versions of that. One is the permit itself. If Verizon is in violation of that condition of approval, it's a *condition* of approval, it's a CUP. And if they're in violation, and they don't step up to the plate when inspection comes forward and says it's inadequate, you pull the permit. That's a lot of teeth.

But what I would also say is, prior to getting that far along, call me. My role is to be the one in between. To see to it that everybody plays nice, and if you find out that you're not getting anywhere with Verizon, you just call me. And I'll make those connections as well. But the permit is your teeth. And they do not want to lose this permit. If you can imagine, as much money as it had cost to get to this point, as important as this site is to the network they want to put there, and as much money as it costs to build a tower to begin with, they're going to do everything they can to protect that permit. So there's plenty of teeth there.

But going on with the photo sims, this is from a different direction. Once again, I just think it's odd that the thing that... that if anything ugly is [inaudible] it's not our tree, it is the... it's the power lines in the foreground there.

And then finally another one. And I just show these to show that it's... you've got to... the issue of the visual impacts, that's why when you see in your reports that it's a less than significant... that's what they're talking about, it's a very insignificant impact to your visuals, when it comes to that.

One more thing, about the tree. With regard to the red light on top. The FAA requirements do not require that a light go up there, it's not tall enough, and where the location is, and we're very glad, because once you throw a red light on top, absolutely, you know, everything in the world changes when it comes to this discussion.

It violates the scenic corridor and ridgeline standards. Our response to that is the initial study showed that there would be a less than significant impact. I think some of the sims, photo sims I've already shown kind of support what the study was saying. I'm going to just... I'm just going to skip to this part where... this is the report itself. It starts off with less than significant impact.

And I can't read the rest. The project would not introduce any significant structures that would deteriorate this... natural or visual qualities of the area, and would not have an adverse impact on this... on the vista. This is what we have to work with.

And I understand there are opinions and there are... there's emotion involved, and there's... I understand that. I've spent 12 years sitting on your side of the deis, and having to listen to these, and try to figure things out, through all of the muck. I... and I get that. And so, I'm not trying to downplay that. But when it comes to these processes... and for approvals and everything else, you know, everyone, all the players involved on the approval process, they... we have certain things we gotta do. And certain studies we gotta do.

And to that end, I would like to interject just ... with regard to the staff, I just want to commend them to you, and such. This has been a difficult process. And it's been a lot of plate spinning to get to where we are at this point. And they've had to manage that. And I deal with a lot of governments around the world. Or rather, around the state. And once again, I've dealt with them from both sides of the deis. I have rarely, if ever come across a staff that has taken such a complicated project and handled it with such professionalism. And I'm not really trying to stroke you Dave, and your folks, but it... at the end of the day, that allows folks like you to be able to make a more clarified decision because your staff did a good job.

The negative impact on birds and other wildlife. That's already been spoken to. It was part of the initial ... the project review, it is found to have less than significant impact as well.

6409 allows for an increase in height. That is true. It is in this case a... would be , a total of four and a half feet increase in height. But having said that, with regard to the calendar of approval, review and approval, if it's... the county can decide if they want a public hearing or not. It's not just something that's just... it's just going to happen. And in this case, I'll be surprised if it ever does. It's based on what the plans are for the future of this thing. But my last point on this slide is that, I find it counter-intuitive to take a point of law and try to use it for denial. It is... This is the process and this is what's in place. The short version of this, is I don't believe this is going to become an issue to begin with.

The rest of your . . . the reduction of property values. And this one is one of those very subjective debates. Subjective debates. You can find a lot of realtors who will write letters who will say yes it does do that, and you'll find a lot of others who will say no it doesn't. And once again, it's very subjective. I just know for me, if I'm walking into a property I'm looking to purchase, and I pull out my cell phone, and I have no bars, I'm not buying that property. But that's me. And I get that. That's not everybody in this room. But it's a very subjective debate. As to whether or not this actually will reduce the property values. And I will harken you back, once again, to the photo sims, and I'm . . . it is my opinion, it's, once again, my opinion, and I think these . . . the studies bear this out, that if anything's going to do something about those property values, it's going to be the power lines, not the tree.

The road may be on adjacent property, that was brought up at the last hearing, and the fact is, it's not, and this is . . . this is . . . I've got the site map that shows the road is completely on the subject property.

And the water source, the streams are at risk due to the concentration of maintenance, of vehicles on the road. There's no response. Due to the nature of the location and the site's access, there'll be no heavy equipment on the road whatsoever. The tower's either going to be craned in from below, or helicoptered in. After the . . . after it's constructed, the only vehicles that are going to go up there, up that road, are vehicles that are much smaller in nature, pick-up trucks and the like, just for the maintenance and such, and much . . . and similar to the kinds of vehicles that the county itself will send up on a yearly inspection to look and see what it looks like and how it's doing.

Having said that, I do believe in your conditions of approval should at any point heavy machinery be on that road. The conditions of approval should bind Verizon to use best practices see to that's not an issue. But let me clear one thing up about that road. Is . . . There will be no grading on the road. The top portion of the road does not need to be graded for the kind of equipment we need to get up that road. They'll scrape it off, you know, all the loose stuff, to clean it up, but there's not going to be any grading of it, at that point.

The county geologist had questions, and I was going to go through all of them, but I think your staff has already done that, and I just leave it at

this, that all the questions, and all of the concerns, were resolved, and the county geologist has signed off. And the short version is, is what... what was... that came up with at the end of the day. It does not impact that stream whatsoever. And the foundation for the tower and such that, it's going to be very low impact, if any, on the site itself.

This is one that is important that we really get. It's that, the objection was, is that this site is inadequate for public safety coverage. My first response is I agree. One site is not going to do the job at all. To achieve the kind of coverage we need up there, with regard to public safety as well as [inaudible] Verizon's goals and outcomes, is you're going to have to put at least two more sites up there. But they have to be done in a network, and such. And Verizon is already working in that direction.

Now, with that in mind, you know, we have this discussion, and it was in the Press Enterprise a few days ago, talking about dead zones. And if you'll notice the circle there, is one of the larger areas, and that's us. That's this site. You got the dead zone here, and the whole story was about relying on your cell phone when you're in a situation where you need help. And it's... And you can't always do that, because of the dead zones. And that becomes sometimes unfortunately a literal name for the area for folks who lost their lives because they couldn't get out, and couldn't get any contact there. This is what we're trying to resolve.

And to resolve this, once again, this site by itself is a big piece of the puzzle, but is not... it can not be the only piece. This is the tentative plan. At this point. Pointing out two things here. There's two other sites up there, that we're looking at, to complete the network to cover that dead zone around the Mt. Baldy area. But the point I want to make about this, is that for those other two to work, and make any difference whatsoever, the site we're talking about today has to go in. It's the center. It's the lynchpin, it's the keystone of this whole concept to make it happen. You can't just put one in, but if you don't put this one in, these other two won't work. It won't... They won't cover what you need to do. You put all three in, over time, and you're going to be able to deal, very, very effectively with this dead zone, this discussion.

In summary, and I'm going to have to turn around and read all of these, because I cannot read this. The process was initiated by a county request in support of public safety about four years ago. Verizon agreed to county's request and based on public safety, accelerated this site's priority.

The current site has been methodically chosen from among several options and vetted using normal processes. Sufficient noticing was used, as repeatedly, to give residents and stakeholders opportunity to weigh in. Which is part of the reason we're continuing continuances we've had for these hearings. Invitation to meet with those in opposition since the last PC hearing was extended in writing, but not responded to.

Verizon responded to county's request in good faith and incurred significant time and expense. This site satisfies all the requirements of the county and state and federal regulations, and when I say satisfies them, I mean that quite literally. This site is an integral piece of the coverage puzzle in order to provide robust service for both public and private needs. All objections have been heard, and either mitigated, answered, or shown to be satisfied by law.

Verizon will disagree with any findings for denial, Verizon agrees with Staff's findings for and conditions of approval. Our request is for the Planning Commission to make findings for approval and support staff's recommendation. So we can get this site built.

One of the issues that has been driven home to us as we have been working on this is that you have quite a few very very largely attended events in that area. Over the course...summer, winter, fall. All the way through that. And that only exacerbates the...the public aid...safety argument and why that...this is necessary. And we can't move on to complete that whole concept until we get this site built. So our request is that we are able to move forward, and get this thing built before, ideally, if we get moving on it quick enough, it will be...hopefully be ready for the fall events, and for sure the winter events. And not miss another year of that.

So with all that being said, my team is here, as well, they're the folks that...the engineers, so they're the smart ones, I'll probably defer to them quite often if you have any questions, and to that end I'm at your disposal.

Nan Rider [Chairwoman and Commissioner]: Okay, commissioners, questions of the applicant? We'll start with Commissioner Smith.

Paul Smith [Commissioner]: Yes, if I understand things correctly and if...this is in the form of a question, tell me if I don't. The public safety objections that we've got from the opponents to this say that there's a whole stretch of road up there that this won't cover, and your response is we know

that, we can't do it with this, we need two additional towers, which are apparently on the planning board. But that this is a keystone to the two additional towers and I don't understand how it's a keystone and I can't... don't they operate independently? Or are they electronically connected?

Doug McAllister [Applicant]: Many times, they ping off each other. And in this case, and I'll... if we need to, I'll bring down the experts, explain it in more detail, but there's a two-fold answer to this point. One is, it covers the largest portion at this point. But to fill in where the gaps are, we may need to add... And at the end of the day, we... I say may, because they gotta get the tower built, and see what the real world looks like. All we're doing, we're basing on propagation maps [inaudible] at this point. We may need to add others to fill in where it misses. But with the one on the right, and the one on the left, need to talk to each other, and they can't do it, without the one in the middle. It's just the way they ping off of each other, and that's a very very uneducated way of putting it. If you want the educated version, I'd need to call them down.

Paul Smith [Commissioner]: Since that seems to be very important thing to the people objecting to this, maybe that would be a good idea.

Doug McAllister [Applicant]: Okay. Randi, you want to handle this, or Todd?

Nan Rider [Chairwoman and Commissioner]: I have a question about time frame. When are the other two cell towers going in? If this one is approved, when are the other two going to go in?

Doug McAllister [Applicant]: Those will be [inaudible]...

Nan Rider [Chairwoman and Commissioner]: How long is it going to be before we have coverage on all of Mt. Baldy Road?

Doug McAllister [Applicant]: Umm.

Nan Rider [Chairwoman and Commissioner]: Is my ultimate question.

Doug McAllister [Applicant]: That would probably... Randi might be able to [inaudible]... I will say, it will be subject to the process through on through, because they have to be approved as well, and we can't even start that until we get this one built. So I don't know the other answer. I can't even guarantee we'll get the approvals on the other ones. We just know that

this site covers the biggest chunk of the area. And then also, it has to go in, so that if any other sites ever do go in, they all work better together.

Randi Newton [Applicant]: Most sites like down here, in the city, will run independently, that's correct. The sites need fiber to run, their telephone service, it used to be telephone service, now it has to be fiber. In order to get fiber to the current Bescoby property, it has to have line of sight to a site that has a microwave. So it shoots via microwave dish from one site to the other. So Sunset Ridge, which is up there in the hills, which is one of the sites that we're looking at, will shoot a microwave path to Mt. Baldy, the site that we're working on now, and then, if there's another site in the future, near the ski lifts, that would have to shoot from Mt. Baldy to whatever the site may be called, that could go in at the ski lifts eventually.

Paul Smith [Commissioner]: So then it's necessary that there be microwave connections and that's a line of sight requirement. . .

Randi Newton [Applicant]: Correct.

Paul Smith [Commissioner]: and that's your primary specifications for your two additional sites?

Randi Newton [Applicant]: Correct.

Jonathan Weldy [Commissioner]: Which is why the middle one is so important.

Paul Smith [Commissioner]: Thank you.

Randi Newton [Applicant]: Right. Because they'll both have to. . . you know, they have to be in a line there.

Paul Smith [Commissioner]: This doesn't make me an engineer, but I appreciate it.

Randi Newton [Applicant]: Me neither. And then as for your question on the time frame, I honestly can't answer that question. Like Doug said, until we get this site in and know exactly what it covers, and what else will be needed, they can't really do a design to know exactly where another site would need to go.

Ray Allard [Commissioner]: But this site on its own does do something?

Randi Newton [Applicant]: This site on its own will, because we're already putting a microwave dish on the Sunset Ridge site, to get this site, its connectivity. So that will connect this site. They'll... They also have plans in the future to put panel antennas that will provide coverage on that Sunset Ridge site.

Jonathan Weldy [Commissioner]: Sunset Ridge exists today?

Randi Newton [Applicant]: That's an existing tower. It's on BLM land. It's owned by another tower company. And we're in the process now of getting approval to put the microwave dish, and then future panel antennas on that tower.

Jonathan Weldy [Commissioner]: That will be the next one. Got it.

Nan Rider [Chairwoman and Commissioner]: Commissioner Mathews, do you have any questions?

Audrey Mathews [Commissioner]: No I don't.

Nan Rider [Chairwoman and Commissioner]: Commissioner Weldy?

Jonathan Weldy [Commissioner]: None, thank you.

Nan Rider [Chairwoman and Commissioner]: Commissioner Allard, any more questions?

Ray Allard [Commissioner]: No.

Nan Rider [Chairwoman and Commissioner]: Commissioner Smith?

Paul Smith [Commissioner]: Thank you very much.

Randi Newton [Applicant]: Thank you.

Doug McAllister [Applicant]: Thank you for your time.

Unknown Speaker: Thanks.

Nan Rider [Chairwoman and Commissioner]: Okay. I'm going to open public hearing now. And I'm not... Normally we take these in order, but I'm going to... Since we have representatives from the Sheriff's department and the fire department here, I'm going to call on them first because I know we're a lot of fun, but I'm assuming they're... got better things to do than sit here with us. Particularly the fire department. And then at 10:15, if they are

finished with their presentation, we're going to take a short break. Just so you all know, you can go out, stretch your legs, go to the potty, whatever.

Okay. So I will now open public hearing, and call on Don Trapp from San Bernardino County Fire.

Don Trapp: Good morning Madam Chair and Commissioners.

Nan Rider [Chairwoman and Commissioner]: You need to state your name and address for the record.

Don Trapp: Don Trapp, Assistant Chief, San Bernardino County Fire. 157 West Fifth Street, San Bernardino.

And thank you, we do have about a hundred folks in the Mt. . . . in the Barton Flats area this morning on that wildfire. We all know that there is poor cell communication in Mt. Baldy area. There's also very poor communications in our emergency systems in that area also. We also know that it's a high volume recreation area, pretty much year round, and for us it'd basically improve communications, and improve public safety. Whether it's a lost hiker, trying to make communications with somebody, whether it's our units trying to talk to each other, whether it's our folks trying to talk back to our dispatch center that might have some communications with somebody up there, so in that case we support the project, we support improved communications for the area. Thank you very much.

Nan Rider [Chairwoman and Commissioner]: Thank you. Okay, next we'll hear from Captain Horace Boatwright from San Bernardino County Sheriff's Department. Captain, you need to give us your name and address for the record.

Horace Boatwright: Okay. Good morning Madam Chair and Commissioner. My name is Horace Boatwright, and I'm the commander of the Fontana Sheriff Station, at 17880 Arrow Route, Fontana.

I'm here today to echo part of what Mr. Trapp has said as well. The Mt. Baldy area is within my responsibility, jurisdiction, as far as search and rescue, as far as calls for service, police services up there. Just to give you a few numbers, on average, in the last three years, we handle probably 345 calls for service in that area. And of those 335 to 340 calls, about 50 of them are search and rescue calls. And quite often we have issues with communications between calling back to our command station, we have to

walk[inaudible]...go down to the fire station[inaudible]...getting a landline to make communications. So with that, anything that might enhance that communication, will be a benefit for public safety as well as a benefit for the people serving that area. Thank you for your time, if you have any questions.

Nan Rider [Chairwoman and Commissioner]: Thank you. Okay. And next we have Melissa Lewsadder. And after Melissa we'll have Ron Ellingson.

Melissa Lewsadder: Good morning. My name is Melissa Lewsadder. I own the Mt. Baldy Lodge. We're open 365...

Nan Rider [Chairwoman and Commissioner]: ...hang on a second, what? Are we what?

(Audrey Mathews whispers to Nan Rider)

Nan Rider [Chairwoman and Commissioner]: I don't understand what you're asking me.

Audrey Mathews [Commissioner]: All right, let me do it out loud. You said first of all let's do public safety. Is she public safety?

Nan Rider [Chairwoman and Commissioner]: No, she's not.

Audrey Mathews [Commissioner]: Okay.

Nan Rider [Chairwoman and Commissioner]: But I was going to tell her...

Nan Rider [Chairwoman and Commissioner]: I'm getting there. Okay. State your name and address for the record. And then you're from Mt...

Melissa Lewsadder: Mt. Baldy Lodge.

Nan Rider [Chairwoman and Commissioner]: Mt. Baldy Lodge.

Melissa Lewsadder: My name is Melissa Lewsadder, I'm at [ADDRESS REDACTED]. We've owned the lodge for 35 years, and I quite literally work 365 days a year. And I easily come into contact with more hikers, skiers, etcetera, than any other single person in Mt. Baldy. We have...we even have a map that we've done at our own expense so that people don't get lost as often.

I also am an avid hiker, and easily three days a week, I pick up people and/or help people who are...have gotten lost. And it's people's wives, husbands,

children, I spend a huge amount of time driving people, and helping people. There are certain places in Mt. Baldy, and I can tell you most of them, one in particular is half way down Good Canyon which people get lost at all the time, they can get a cell service momentarily, and more often than not, they call the lodge, because they don't know anyone else to call. I call my friend Pavel, we go up. I have a cabin at the top of the switchbacks, he goes 'Missy, turn the light off and on.' So we turn the light off and on to see where the person is, so we can tell. Then we call the fire department, and have them go rescue.

I am sorry, but in this day and age, it's ludicrous. People get killed, they get hurt, they have to get rescued, and it's asinine that we don't have cell service in Mt. Baldy. This close, 45 miles east of downtown Los Angeles. So it's very much a safety issue for all of us. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you, appreciate it. Okay, we have another fireman. Fire person from Mt. Baldy Fire Department, turn in a slip. So is there Graham. . .

Graham Hendrickson: Hendrickson.

Nan Rider [Chairwoman and Commissioner]: Hendrickson?

Graham Hendrickson: [inaudible].

Nan Rider [Chairwoman and Commissioner]: Graham, have you been a doctor?

Graham Hendrickson: Yeah?

Nan Rider [Chairwoman and Commissioner]: Yeah.

Graham Hendrickson: Did I write that wrong? Sorry.

(laughter)

Graham Hendrickson: I'm going to wear my fire department hat but I think it's important to note that I've also been a resident of Mt. Baldy for 39 years. I've been on the Mt. Baldy Fire Department for 32 years, and am currently the fire chief.

Thousands of hours are spent every year by emergency personnel in responses to the community of Mt. Baldy. Our response times have been consistently hampered by the fact that those in need are often unable to call 9-1-1 for

help. It's not uncommon for us to take an hour or longer for someone to hike out of a trail to call for help. For a serious injury, that amount of time can mean the difference between life and death.

Approximately eight years ago, the fire department began a quest to bring cell coverage to Mt. Baldy to enhance public safety communications for our community. And the thousands of visitors we get every year. For many years we were unable to get a cellular provider to even consider the idea. And with the help of our supervisor's office, we finally convinced Verizon Wireless to take on the project.

Today the FCC estimates that 70 percent of all 9-1-1 calls are made from a cell phone. The public has an expectation that in an emergency their cell phone will deliver them the service that they need. In Mt. Baldy this is not the case, and countless people suffer from a lack of basic services that most people now expect.

In my paid profession I supervise a police communications center. I have experienced first hand countless times of the benefits of cellular 9-1-1. In fact I've taken many 9-1-1 calls for emergencies in Mt. Baldy, where the caller was fortunate enough to get a signal from the valley. Several times I've directed a helicopter straight to the victim based on the x-y coordinates we've automatically received from the caller's phone. What could have been a lengthy search and rescue operation was successfully handled in minutes, versus hours, thanks to a cell phone.

In conclusion, there is no doubt in my mind that cellular coverage in Mt. Baldy will save lives, improve emergency response times, and save thousands of taxpayer dollars. All you need to do, is look towards Big Bear today, to understand how important emergency communications are. Quick reporting of medical emergencies, or fire, can mean the difference to saving a life or an entire community. I urge you to approve this project so that Mt. Baldy can become a safer community to live in and visit. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you. And now we have Jon Schuler. Please state your name and address for the record.

Jon Schuler: Jon Schuler, and I'm a captain with our IT department at 655 East Third Street, San Bernardino, California.

And obviously I work for the Sheriff department, and I'm assigned to our IT

department. When I heard this project was going on, and had an opportunity to come here and talk, I jumped at it, because I'm responsible for the computers that are in our patrol cars. And I'll talk. I'll be real brief, because a lot of this has already been covered.

But in addition to your public safety, your 9-1-1 calls that go on, we have our MDCs in the car. The mobile data computers. And loaded into those, is CAD, computer-aided dispatch. So when a deputy gets dispatched up to the mountain area right there, on his computer, is the map, you guys might know this, but the map is on there, important phone numbers, your reporting party, a lot of information. There's also protocol. There's also, just a number of things. You guys know. You're at home when your computer goes out, and your internet's out, and you can't get to... you can't get what you want. That's... It's just as important to them, when they're going up the mountain, and coverage up there is spotty at best for the computer.

So that is one thing, that that really prompted me to come here and talk about that, because, I mean, personally, I've been on the mountain to experience the snow, but I get the complaints coming in to my department, in to my division saying 'why isn't my computer working up here? I lost someone's phone number, I couldn't get an address.' You know, we can go back to old school and at times use the radio, our 800 radio communication system, that too is very spotty up there, and that's going to be another project that we really need to work on.

Part two of this is... I know the hikers and the injured people that are up on the mountain have been mentioned. We send search and rescue folks up there all the time. And because they can't use the radio system as well as they should be able to use it, they use their cell phones. And if there is no cell phone coverage up there for them to use, if they get lost or injured, which has happened, it happens a lot, we hear it all the time, we've run into that problem as well.

The last thing I want to mention with improved cell service up there is our ability to lat-long when somebody calls in. And when you have one tower, two towers, or three towers, as was mentioned, we don't even need to call that person. If it's your loved one, your son, your child, husband, or wife, we'll lat-long that area, we'll send somebody over to go get them, because you do have the coverage. So, again, that's also very important to know. And that's all I have. Any questions?

Nan Rider [Chairwoman and Commissioner]: Okay. Jon, thank you so much. Okay. We're going to take a short 15 minute break. We'll reconvene at 10:30.

(break)

Nan Rider [Chairwoman and Commissioner]: ... meeting back to order. And the next speaker is Stephen Sacks, followed by Kyle Gatlin.

And just so you all know, this is like a traffic signal. When you come up to the podium, you state your name and address, the green light will come on. When you're about out of time, the yellow light comes on. And when you're done, the red light comes on, and I tell you to sit down. Okay?

Stephen Sacks: Okay. Can we have a go?

Nan Rider [Chairwoman and Commissioner]: It's ready to go.

Stephen Sacks: Honorable commissioners, on what grounds might the Planning Commission...

Nan Rider [Chairwoman and Commissioner]: Wait, you have to state your name and address.

Stephen Sacks: My name is Stephen Sacks, [ADDRESS REDACTED].

On what grounds might the planning commission accept the application to locate a tower at the Mt. Baldy Trout Pools? On the grounds of safety? Is that what this tower will accomplish?

In the binder you received, is data documenting that for the year 2013, Angeles National Forest reported 25 emergency responses to Glendora Ridge Road, one of two main roads leading into Mt. Baldy. When we add responses to Glendora Ridge Road reported by California Highway Patrol, the number jumps to 35. This total does not include responses by Cal Fire or the County Sheriff. Thirty five plus emergency responses in one year on one road, and will this high-risk dangerously winding road be covered by the proposed tower? No.

Well, you might be thinking that if the proposed tower won't provide cell coverage to Glendora Ridge Road, surely it must provide coverage to the hiking regions, another high-risk area. But the proposed tower won't provide cell coverage to the hiking areas. This tower is being sold on the basis of

safety, and it provides no coverage to high-risk areas, where most accidents, rescues, and emergencies occur.

Any reasonable mind can recognize that properly placing a single tower to maximize coverage will increase safety. For example, a tower at a higher elevation such as Sunset Peak area could potentially provide coverage to Mt. Baldy Road, hiking areas, and Baldy Village. A tower at the higher elevation of the RV park could provide coverage to Glendora Ridge Road, hiking areas and Baldy Village. A tower at the higher elevation of ski lifts would provide great coverage for hikers, skiers, snow players, and motorists. But a tower at a lower elevation of the trout pools, according to the Spectrum's map, mainly covers the village.

So again, I ask, on what grounds might you accept this application? Safety? If public safety is honestly a high priority, the suggested tower location does not achieve that aim. On grounds that any tower, even if improperly placed, is better than no tower? This reason burdens the community and demonstrates poor planning. It's Verizon's job to find a proper location for the tower and Verizon has yet to fulfill the responsibility. Any tower should stand on its own as a properly-placed tower. Last time, Randi Newton said 'no new towers are planned at this time.' Thank you.

Nan Rider [Chairwoman and Commissioner]: Mr. Sacks, did you do this? Did you make these books for us?

Stephen Sacks: Yeah.

Nan Rider [Chairwoman and Commissioner]: They are very nice. But the next time we do this for the two future towers, you need to get this to us ahead of time.

Stephen Sacks: Oh.

Nan Rider [Chairwoman and Commissioner]: Because none of us are speed readers up here.

Stephen Sacks: Okay. Well the inside cover basically just shows the statistics on the road.

Nan Rider [Chairwoman and Commissioner]: Yeah, you did a lot of work, and there is a lot of good information, but we need time to read...

Stephen Sacks: Yeah. Okay. The next speaker will be referring to pictures that are in the back of that book, you can flip to that now.

Nan Rider [Chairwoman and Commissioner]: Okay, thank you.

Stephen Sacks: Yeah. Thank you.

Nan Rider [Chairwoman and Commissioner]: Next, we have Kyle Gatlin, and after Kyle, Ron Ellingson. You're back on deck, sorry about all of that.

Kyle Gatlin: Good morning honorable Commissioners. All right, so this is kind of a picture is a thousand words, [inaudible]. . .

Nan Rider [Chairwoman and Commissioner]: Can you just state your name and address for the record.

Kyle Gatlin: Yeah, sorry.

Nan Rider [Chairwoman and Commissioner]: Everybody, when you come up, state your name and address for the record.

Kyle Gatlin: The name is Kyle Gatlin, [ADDRESS REDACTED].

Okay. There's a couple to. . . thing, frames to flip through, and then, until we get to the first picture. I think, that's it. Yeah, so go back to the ones that say Glendora Ridge.

Okay. So, one of these pictures, I'll just try to flip through them. At the RV park, we erected a pole, 40 foot, camera in the air, and did 360 degree views. To basically prove that a cell tower reaches all these different locations, that Stephen just referenced. So that if safety is our goal here, we want to reach the maximum area.

There are a ton of accidents down Glendora Ridge Road. There is no cell service there. We have one site that would cover what the existing site would cover. Plus a whole bunch of additional coverage. So this is Glendora Ridge. This is looking down the area right now. There is a big mountain that would shield this. There would be no coverage offered by the proposed existing location. There's a big huge mountain that's like right in the way of that. You can go to the next one. This is looking down towards Mt. Baldy. This is I believe lower. Actually this is towards another area where we have a lot of residents. Again, the proposed cell tower would not beam here.

This is called the Barrett Stoddard Road. It's south, and the cell tower is way north, and there's a lot of mountains that would block the range.

You can go to the next slide. Tungsten Mine Road. This is looking kind of down the ridge area, so this is all area that there is another mountain that would block, that you'll have no [inaudible]cell coverage by the proposed existing cell tower. And everywhere I'm showing pictures, the proposed site at the RV park would offer cell coverage in these areas.

Okay, next one. Now this is looking toward Mt. Baldy Village. Tibbetts is one of the houses on the far left side of the village. Slater residence is on the far right of the village. And right in the middle there is Bescoby's site. So, would you achieve coverage over all this area. This is taken from that 40 foot pole, looking down, one tower. I realize, you know, what we're asking in terms of moving it, but you would achieve all that...Bescoby coverage now could be achieved at this picture right here.

Okay. Next picture. Yeah, this is the water tower, basically we're, you know, the cell tower would be close to this point. This is a...At this time this water tower is not in use.

You can go to the next one. And then, number seven, I think is another viewpoint so that...as a reference point where that water tower sits at the RV park area, again, 40 foot tower, and this is kind of a pullback view all the Tibbetts, the Chapman water tower, and the Slater area. One 40 foot, you know, camera mounted up, simulating your cell tower, and you achieve coverage of all that area. So basically, we are trying to prove the point that one cell tower, you cover the whole village, you can turn around, you get a whole bunch of access for safety and security of LA county. And, you know, that's...so we're just trying to demonstrate that I [inaudible]think we've done enough research to show that the RV area would be good.

Nan Rider [Chairwoman and Commissioner]: Well thank you, time's up. Okay, next is Ron Ellingson, and Ron is from Mt. Baldy Ski Lifts, and after Ron, we have Robert Strickland. Ron, please state your name and address for the record.

Ron Ellingson: Yeah, Ron Ellingson, [ADDRESS REDACTED].

I represent and I operate the Mt. Baldy Ski Lifts in Mt. Baldy. And we're definitely a hundred percent behind the establishment of a cell tower in Mt.

Baldy. Obviously this one, according to all the information I've heard so far today, seems to me like it's pivotal to having a good system in Mt. Baldy where everybody can have accessible service. The biggest issue obviously on this whole thing is the safety and we have a thousand people a day coming to Mt. Baldy Ski Lifts on the weekends. And people get lost, and it's just a... it's really a big benefit to everyone who lives in LA, comes to Mt. Baldy to have cell service. So we're a hundred percent behind it.

Nan Rider [Chairwoman and Commissioner]: Thank you. Okay, and next we have Robert Strickland. And after Robert, David Mix.

Robert Strickland: Commissioners, ladies and gentlemen. My name is Bob Strickland, I live on [ADDRESS REDACTED]. I'm a resident of the community where the cell tower will be placed. I'm a former member of the Mt. Baldy Fire Department, a former member of the Mt. Baldy Town Hall, a former member of the municipal water district that would be affected by this tower. And when you say all those formers, the reason they are formers, is because I'm now mentoring and teaching children on being a good person, doing the right thing, and many other areas.

I'm also a volunteer with the U.S. Forest Service in the Mt. Baldy area. My primary area of concern is Mt. Baldy Road, and the Glendora Ridge Road. I can tell... I pull the statistics. Whenever there is an accident, I document fatalities, injuries, and I'm also called upon at numerous times to be the first responder on the Glendora Ridge Road. There are approximately 10 to 15 fatalities on that road over the last two to three years, and normally during the summer time, it's almost one per month. Usually it's racers, other things.

So by my responding to that, one of the biggest problems I have with the proposed location is that it will not cover that area. I carry a radio with me, and I also have my cell phone on the Glendora Ridge Road. There may be two or three spots. And normally they are a mile or two away from the accident scenes, where I have to leave a person there, get to a place where I can get a hold of a dispatcher to respond and get helicopter or some other means to respond to this fatality or the accident on the road.

So I'm highly concerned about the location. And what it will do for me as a first responder and a person that is concerned. I spent many hours responding to accidents on the Baldy road. The rescue community up in the Mt. Baldy area. And I'm also previously from the helicopter community. So

I know the helicopter rescue guys really well.

I think the current tower location, to me, still has way too many questions. And like I said, I'm trying to teach children. My son, my daughter, my grandchildren, to do the right thing. And my view of going through this from the beginning, and I've been involved since about 2006, 2007, in the initial proposals. And what I have seen about this it's tending to steer in the wrong direction. So my view is this needs to go on, the discussion needs to come to a point where the tower is put in the appropriate place when it comes to safety, when it comes to supporting the community, and doing the right thing for everyone. Thank you very much.

Nan Rider [Chairwoman and Commissioner]: Thank you Mr. Strickland. Okay, next we have David Mix, and after David, Victoria Jones.

David Mix: Hello, my name is David Mix. I live at [ADDRESS REDACTED]. If anybody is taking job applications, I'm sure I'm going to be fired. I've been working at Mt Baldy Ski Lifts for 26 years. I've been the ski patrol director there. Professionally for 12 years. I don't think it's a great stretch to say that I have more rescues in Mt. Baldy than anyone else. I do about 200 to 250 calls a year at Mt. Baldy Ski Lifts.

Imagine yourself up in Mt. Baldy right now. Canyons, crags, peaks. Can you hear me now? (*holds up cell phone to ear*) Can you hear me now? You can't get coverage. You're down in another crag. How many cell towers is it going to take in Mt. Baldy before we realize that the system that we're trying to implement is not going to take, is not going to rescue that lost hiker? It's going to take cell towers on every peak and in every crag. It doesn't work. What we're dealing with, fundamentally, is an ideological divide between a society that is pursuing a cure and a pill for every ill, and those of us, many of us in Mt. Baldy that think prevention and exercising the precautionary principle, active engagement with the public is the best way to address safety concerns in Mt. Baldy.

So, with all due respect to my colleagues that also work in our public safety system, I think that we should take a step back, we should look at the process of building consensus in our community, where our own homeowners' association voted overwhelmingly, in a consensus, over 60 percent, that the current locations in Mt. Baldy Village were inappropriate. If we can take a step back, if we can take the urgency out of the discussion, if we can build

consensus in our community and find a location that will serve the needs of our rescue personnel but will also address the concerns of the public, then we're doing as I think Mr. Strickland said, serving our children, serving coming generations by showing that we care enough to take our time to try and serve the greatest good. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you Mr. Mix. Okay, Victoria Jones, and then after that we have Dr. Edwin Stickel.

Nan Rider [Chairwoman and Commissioner]: Victoria, what tribe... what is the tribe?

Victoria Jones: Gabrieleno Kizh.

Nan Rider [Chairwoman and Commissioner]: The what?

Victoria Jones: Gabrieleno Kizh.

Nan Rider [Chairwoman and Commissioner]: Okay.

Victoria Jones: Good morning, madam chair, and planning commission. I'm sorry, did I?

Nan Rider [Chairwoman and Commissioner]: You need to state your address.

Victoria Jones: [ADDRESS REDACTED].

Good morning madam chair and commissioners. Planning commissioner. I am ninth generation native american. I respectfully come here today to remind the Planning Commission and Verizon there is always more than one solution. So many of our sacred sites have already been desecrated in the name of progress. We are here today to preserve and protect this particular sacred site. There is no compelling reason not to accept the recommended alternative site for this project. That was offered by the current owner of the RV site.

I respectfully disagree with Mr. Morrissey's summary at the end of the report dated January 5th...22nd, 19...2015, saying that technical studies have been prepared to evaluate the potential biological and cultural impacts and no significant impacts were denied...or identified. I disagree with this. And the reason I do, is because since the EIR was prepared in 2011, the...oh, shoot...indigenous tribe to this area, the cultural tribe to this area, is the

Gabrieleno Kizh, was not notified. And I would like to at this time...I wrote something down, hang on. The Gabrieleno Kizh were notified about this particular project only from the residents in Mt. Baldy. That's how we were notified. Not by the county, not by Verizon, not by the company that's pulling their permit for this project. This is how we found out about it, and that's why we're here today.

So what at this time I want to read a short letter from the Chairman of the Gabrieleno Kizh tribe which is the territorial tribe of this entire arena. This letter is dated June 21st, 2014.

Dear Mr. Morrissey,

I have to pull this back because my eyes are bad, I apologize.

On Sunday June 22nd, 2014, my father Ernest Salas attended a ceremony at Buckhorn Lodge at Mt. Baldy. We were there to accept the sacred site big horn sheep skull from Mr. Jeff. . .

I'm going to jump to this.

I would like to submit this letter in writing so that you can read it because it was not included in any of the documentation that was submitted in a timely manner. So thank you very much for the time.

Nan Rider [Chairwoman and Commissioner]: Thank you. Just give it to our executive assistants.

Victoria Jones: Okay.

Nan Rider [Chairwoman and Commissioner]: Thank you. Understand that arm's getting too short. Dr. Edwin Stickel. And after Dr. Stickel we have Robin Riggle.

Dr. Gary Stickel: Good morning commissioners, my name is Dr. Edwin Gary Stickel, I'm the tribal archaeologist for the Gabrieleno Band of Mission Indians Kizh Nation.

Nan Rider [Chairwoman and Commissioner]: Dr. Stickel you need to state your address.

Dr. Gary Stickel: And I'm getting to that, but thank you.

Nan Rider [Chairwoman and Commissioner]: I'm sorry. I apologize for interrupting you.

Dr. Gary Stickel: And my address is [ADDRESS REDACTED]. I've been asked by the tribe to help represent, which Victoria Jones just did. There are concerns about this project. The tribe is not opposed to building a cell tower, they just don't want it at that precise location.

The San Gabriel Mountains were called *Hidakupa* by them. They were sacred. Mt. San Antonio, better known as Mt. Baldy, was called *Joat*, which means snow mountain, very appropriately named. Sacred to them. Vernal springs and springs were very sacred to them. They had a goddess by the name of *Paavavut* that occupied these springs. So what we're talking about something that is very important to the tribe.

Unfortunately the tribe was never notified. The representative of Verizon said that...he only mentioned cultural resources in terms of one word in his presentation: 'archaeological report'. I've reviewed that archaeological report and it's grossly inadequate. The person who did it, didn't even know what the proper tribe was. The tribal chairman was not notified, Andrew Salas, I was not notified.

I have 50 years experience in this area, I'm the senior archaeologist of the area in Los Angeles, PhD from UCLA where I also taught, I know the area very well, I could have helped them with this, but never notified. And so, Victoria Jones has pointed out, we were only notified by the citizens who were concerned about this development.

Now, to Verizon, I'll bring up an example. There is a boulder in the world, and that boulder, maybe to Verizon, may be a good site to build a cell tower. But they wouldn't put, apparently, any significance to it. But there are millions of people who do. Because that stone is associated with Abraham and is associated with Muhammad. That's in Jerusalem. I've been there, and saw that boulder. But it's just a boulder, and yet it's extremely important, it needs to be preserved.

This vernal pool area, you know, is your dome of the rock. You have responsibility to preserve it. The local tribe has preserved it for thousands of years. They respect the land. I am asking you to do the same. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you Dr. Stickel.

Okay. Robin Riggle, and after that, Dr. Sally Thomas. Robin is from Santa Ana Water Shed Association Resource Conservation. Is that right?

Robin Riggle: No I'm not. I'm reading a letter from... by this person. My name is Robin Riggle, I live at [ADDRESS REDACTED], I have been a homeowner and a resident of Mt. Baldy Village for 26 years.

I'm reading a critique by Jill Coumoutso, who is a field biologist for Santa Ana Water Shed Association. Ms. Coumoutso is a former resident of Mt. Baldy, who lived on Wingate Ranch and is uniquely qualified to respond to the general biological resources assessment Mt. Baldy resort project prepared by First Carbon Solutions of March 2013.

Ms. Coumoutso expresses concern about a number of omissions and inaccuracies in the report. She says, firstly: time of survey: survey was done in March of 2013, during the winter season when birds would not have been nesting and migrants would not yet have arrived, making it difficult to know which birds are actually using this area, and which are nesting in it. The report states that there was no evidence of nesting or migratory birds because it was the wrong time of year. But also states that no evidence of previous nesting activity existed. An old nest would confirm nesting in this area previously, but an absence of nest does not mean birds don't use this area to nest in. Most nests do not last long and it would be unlikely that spring nests would still be in existence in the winter. Also, it would be virtually impossible to find an old nest of ground nesting birds during this time of year. So this statement really is not evidence of anything.

The report also states no reptiles or amphibians were observed during the survey. Reptiles and amphibians would still have been in estivation underground during this time. An additional survey should be done, since two years have passed since the last one, and the site could have different wildlife and plant species now present. Also a survey should be done during the spring breeding nesting season to give a more accurate record of what species are found here.

Ms. Coumoutso's second point is: other sensitive species in the area. The forestry layers for sensitive species show a spotted owl, which is a California Species of Concern, nest tree present, 0.6 miles from the work site, with a buffer for that nest tree of only 400 meters from the work site. There is no mention of spotted owl in the report. Also, golden eagles, protected under

the bald and golden eagle protection act, are known to nest in the area, and nearby cliffs surrounding the work site could potentially be nesting sites for the golden eagle. There is no mention of the golden eagle in the report.

Her third point is: potential to occur. As a previous Mt. Baldy resident, I had both hoary bat, and mountain kingsnake present in my yard, which is only 1.5 miles from the work site. This could mean these species could be considered high potential to occur rather than moderate potential to occur. Hoary bat sighting has reported to California Natural Diversity Database. But does not appear on current database. Also according to two separate sightings reported to eBird... There is just the rest of this sentence may I finish it?

Nan Rider [Chairwoman and Commissioner]: Okay.

Robin Riggle: Okay. . . . rufous-crowned sparrows were observed both at the trout ponds and Ice House Canyon, meaning this species should be considered high potential to occur rather than moderate. Presented by Jill Coumoutso, Field Biologist, Santa Ana Water Shed Association. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you. Okay. Next we have Dr. Sally Thomas. And after Sally we have Catherine Hertel.

Dr. Sally Thomas: Good morning commissioners. My name is Dr. Sally Thomas, and I live at [ADDRESS REDACTED]. Not only has Verizon failed to choose a least intrusive location for the cell tower, it has also failed to look for or name possible alternative sites. Although I might amend that part, given what I've heard this morning.

At the January 22nd hearing, Commissioner Allard questioned Spectrum representative Randi Newton on this point. 'Did you take a look at other potential sites after you decided not to put it at the fire station?' A direct answer would have been 'No we did not.' But Ms. Newton side-stepped the question, saying 'The trout pond site was the one that worked the best.' The fire station was mentioned as a possible alternative site, but as you can see from the cover of the packet that you just received, this picture of the fire station.

Tamara Hanson: Could we have the photo projected please?

Dr. Sally Thomas: Is that possible to project that?

Nan Rider [Chairwoman and Commissioner]: Keep talking.

Dr. Sally Thomas: You do have the picture, and I'm going to continue. Having homes within one to two hundred feet on three sides, it was wholly unsuitable. Also, as you can see in the image, had a tower been installed there, the 40 foot high antenna would have been at window height to a nearby home. Pretending that this location was suitable and counts as an alternative site stretches credibility.

In 2012, AT&T vs Fairfax County Board of Supervisors was a case before the United States Court of Appeals. You have a detailed... more detailed summary and description of that case highlighted in your packet which you can refer to later. In this case the court concluded that AT&T had neglected to properly research alternative locations, and in so doing, had failed to prove a lack of reasonable alternative sites.

AT&T argued that it examined other locations, but had determined that they were unusable because they were on national park service land. The court denounced this argument, concluding, and I quote, 'we thus agree with the district court's conclusion that because AT&T has yet to even submit an application to the national park authorities, the argument that there are no other feasible alternatives to the proposed site is unpersuasive.' End quote.

As for the application you are considering today, it is unconvincing to claim that no other feasible sites exist for this tower. In the last hearing, four possible alternative locations were suggested. Those locations *are* away from residences and water sources. There is both a private parcel available, and the whole surrounding forest.

Nan Rider [Chairwoman and Commissioner]: Dr. Thomas, I have to give you the hook, your time is up, okay?

Dr. Sally Thomas: We believe that Verizon hasn't done its job. Can I just do a last sentence? Or it's totally up?

Nan Rider [Chairwoman and Commissioner]: It's up.

Dr. Sally Thomas: Okay, thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you very much. Catherine Hertel, and after Catherine, Patricia Grill Flaherty.

Catherine Hertel: Hi. My name is Catherine Hertel, I live at [ADDRESS REDACTED]. And I live also about 500 feet from the proposed site.

Nan Rider [Chairwoman and Commissioner]: Could you speak up please?

Catherine Hertel: Oh yeah. Could you hear me?

Nan Rider [Chairwoman and Commissioner]: Thank you. Yup.

Catherine Hertel: Mathematician Michael Horbatsch, PhD astrophysicist has provided an alternate photo simulation here for the 45 foot tower. And as you can see the telephone pole and... is a 40 foot pole, and it's six feet in the ground, and so that's a 30 foot mark right there. You can see the telephone pole. So the simulated versions show a 45 foot monopine, and a 65 monopine.

And this goes back to Commissioner Weldy's earlier question about colocation. And I don't know if you remember the last hearing in January, I brought up a law called the Middle Class Tax Relief and Job Creation Act of 2012, and it had this sort of unlikely provision that didn't have to do with the subject of the bill but had to do with the telecom industry. And basically, you have in your packet the text of the law as well as the explanation of how the simulation was... the equation for the simulation. Of these photos. Anyway, the basic... just to remind you about this law, that once a tower is built, the telecom provider is allowed to increase the height of the cell tower in order to add another set of panels, i.e. colocate, and the height could be increased 10 percent or a minimum of 20 feet, whichever number is greater. I think there's something around 20 feet to add another set of panels.

So, at the last hearing, county counsel explained how this federal law imposes on the local government the obligation that it 'shall approve any eligible request to modify an existing tower that does not substantially change the tower or base station.' County counsel explained that the magical word is 'substantial change.' The term 'substantial change' was clarified when the FCC issued a new rule of interpretation that went into effect January 19th of this year, and it's also included in your handouts. What this means is that as long as Verizon doesn't increase the overall size of the facility they can increase the height of the tower and are exempt from local zoning laws. No permit, no approval, they just build it, you will have no recourse after the fact.

So, what if they add 20 feet? As you can see from the photo simulations on the screen and in your handouts, even at a height of 45 feet, this tower on a ridgeline would be highly visible from a county designated scenic highway, in violation of county general plan.

I know I'm out of time, but I just want to add one last thing. Mountain conditions are more often than not very different from urban conditions, as many of you know, or all of you know. Living in the mountains, it's always important to have a plan B. And to say that there's one keystone, you know, I think there is a plan B. And several people have demonstrated that today. Thank you for your time, I really appreciate it.

Nan Rider [Chairwoman and Commissioner]: Thank you Kathy. Patricia is next, and after Patricia, Christie Catalano.

Patricia Grill Flaherty: Good morning, my name is Patty Grill Flaherty. I live at [ADDRESS REDACTED]. In the village of Mt. Baldy. And I'm an educator, I teach kindergarden, and I'm very concerned about our children's future. I'll be sharing a letter from Margaret Glick, my neighbour who could not be here today.

Dear Board Members,

First, I want to thank you for the opportunity to share information, concerns, and perspectives with you today. I'm grateful. My name is Margaret Glick. I've lived in Mt. Baldy for the past 33 years. My husband and I have raised our two children here, and those children are now raising their children in Mt. Baldy.

During the past 33 years, I have enjoyed many roles as a community member in Mt. Baldy. One, as a parent to two children who attended the small K through 8 elementary school in Mt. Baldy. Another role was that of a teacher at the same school. Later, I became the principal superintendent of the school, and years later, I now enjoy the role of board member at Mt. Baldy elementary school.

You recognize the pattern here. I have a deep and varied connection to the small village school that serves both our children of our canyon, and children from surrounding areas. As board members, I know you share my great desire to be thoughtful stewards of future generations. This is the reason I am compelled to write this letter to you, and have it read by my fellow

community member.

It is my understanding that during this meeting, you will be making decisions about the placement of a cell tower in the village of Mt. Baldy. A spring is located near the access road to the proposed tower. At risk is potential damage or contamination to the spring during construction, and/or maintenance of the cell tower facility. This spring feeds not only the village, but provides a water source to Mt. Baldy School as well. Water, is the new California gold. The current drought increases the need to avoid any risk in all matters regarding water sources in our canyon. I am not confident that mitigations will ensure zero risk.

It is also my understanding that there are other options regarding placement of the proposed cell tower. I greatly favour those alternative locations. I implore you to please consider this when voting on this agenda item. I have great trust in your judgement, especially when considering the impact such decisions could have on future generations. Thank you for your time and consideration on this topic. Sincerely, Margaret Glick.

Nan Rider [Chairwoman and Commissioner]: Thank you. Next we have Christy Catalano, and after Christy, we have Dr. Fred Capolosa?

Christy Catalano: Capossela.

Unknown Speaker: Capossela.

Nan Rider [Chairwoman and Commissioner]: What is it?

Christy Catalano: Capossela.

Nan Rider [Chairwoman and Commissioner]: Okay. Okay, go ahead Christie.

Christy Catalano: Good morning commissioners, thank you for your time. My name is Christie Catalano, and I live at [ADDRESS REDACTED].

Ms. Newton and Todd Fisher denied the presence of a spring on the proposed property at a Mt. Baldy Town Hall meeting in July of 2012. Yet here we are, nearly three years later, and a topic of great concern and attention is the spring that does indeed exist on the property. I see desperate efforts in the recent revised geology report to mitigate around yet another community concern. Our spring. No amount of mitigation is going to guarantee the safety of this priceless spring.

At the January 22nd hearing, testimony was given about the possible threat to a spring on the trout pond property. The next hearing was scheduled for April 9th, to allow time for the vacancy on the Planning Commission to be filled. So there was almost three months to evaluate the public concerns with regard to the spring.

On April 3rd, in an inter-office memo, Terri Rahhal recommended continuance in order for the geotechnical engineering and geology update report to be reviewed by the county geologist. I don't understand why this had not been done in the intervening months. The next hearing was scheduled for May 7th. A continuance was again recommended until today, June 18th.

In an inter-office memo, Jim Morrissey stated that: 'The applicant's representative indicated both the county's and applicant's geologists have attempted to arrange an on-site meeting time, but have been unable to do so until Monday May 4th.' However, reading emails, it is clear that the county geologist was not informed of this meeting. So what was the real reason for the continuance? After reviewing the geology reports, and email records from a current public records request, I doubt that the applicant and county geologist physically met at the project site.

Evidence in email correspondences also suggest the geology analysis was rushed. It appears that the only ways the site was analyzed were through available geotechnical maps, aerial photos, and by referencing a 2002 geology report by Dr. Nourse, a report not done specifically for this project.

This is a failure to the public, and to the commissioners. How can a site be reasonably assessed, when you don't even physically visit it? If the site of the spring was evaluated, where is that report? On what date was the spring and relationship to the access road evaluated? It appears that either the property owner, or the applicant, or both, were hiding the fact of the spring. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you. Dr. Fred, you're next. And after Dr. Fred, we have Roberto de la Cruz.

Dr. Fred Capossela: Fred Capossela, [ADDRESS REDACTED]. My family owns a cabin, [ADDRESS REDACTED], in Mt. Baldy.

When we attended the January 22nd meeting, Commissioner Mathews urged Verizon and Mt. Baldy community to get together to discuss alternative

tower locations. Community efforts to facilitate such a meeting were made, but unfortunately Verizon chose not to meet. Seven earlier attempts to meet with Verizon also yielded the same result. No meeting. Earlier today, it was stated that written communications, invitations were sent to the Mt. Baldy community. And during the break, I checked, and nobody in the Mt. Baldy community seems to have received this written communication, or communications.

Mt. Baldy is a major stakeholder in this project. Had a meeting with Verizon occurred, perhaps Verizon would have been in a better position to evaluate where and how to proceed with this project. Mt. Baldy wants to be a model for exercising personal responsibility to ensure health, safety, and the heritage of its community. We want thoughtful community planning, that is smart and friendly for our complex ecosystem. Allowing a permit for a tower at this proposed location does not achieve that aim. Thank you very much.

Nan Rider [Chairwoman and Commissioner]: Thank you. Next we have Roberto de la Cruz, and after Roberto we have Tamara Hanson.

Roberto de la Cruz: Thank you for having me here. My name is Roberto de la Cruz, and I live at [ADDRESS REDACTED]. I am a frequent visitor to Mt. Baldy, and hope to move there soon. I'm looking at rentals, one of the properties I actually visited was on the Chapman Ranch, adjacent to the proposed cell tower.

On January 22nd hearing, Ms. Catalano submitted to each commissioner a document, and that document also included a list of 100 residents in support of an alternative location for the proposed cell tower in Mt. Baldy Village. Today, I'm submitting an updated list of 125 names. These residents are not asking for the moon. They are petitioning the commissioners for a tower location that better serves the need for safety, with a minimal adverse impact on their treasured community.

In the submitted document they didn't whine, making their request. Rather, they presented a well thought-out reason based on the 2007 general plan, citing specific violations of the county code. This document supports a denial of their current proposed tower location. So the work has already been done for you.

Ms. Catalano requested that each of you, in the last hearing, read that document before voting. That didn't happen. It has now been five months

since the last hearing, 125 residents want to be assured that you have given their document the focus it deserves. So I'm just curious, Commissioner Allard, have you read this document?

It's just a question.

For that matter, Commissioner Mathews, have you read it?

Nan Rider [Chairwoman and Commissioner]: We all read the staff report.

Roberto de la Cruz: Not the document that was sent by the residents?

Nan Rider [Chairwoman and Commissioner]: It was included in the staff report, wasn't it?

Ray Allard [Commissioner]: Well I don't know which document he's talking about.

Nan Rider [Chairwoman and Commissioner]: Yeah, we don't know specifically what document you're referring to, Mr. de la Cruz.

Roberto de la Cruz: Well that's why I brought the 125 names, plus the document again. So that before you actually vote, you should look at it. Because they already made the case for you for that denial. And again, just again, I want to make sure that the 125 residents, again, want to be reassured that you give their document the focus it deserves. Thank you very much.

Nan Rider [Chairwoman and Commissioner]: Thank you Mr. de la Cruz. Next we have Tamara Hanson. After Tamara we have Robert how do you say his last name?

Audrey Mathews [Commissioner]: Urfer.

Nan Rider [Chairwoman and Commissioner]: Urfer, is after Tamara.

Tamara Hanson: Tamara Hanson, [ADDRESS REDACTED]. Thank you for your time. In the January 22nd hearing, Commissioner Mathews concisely distilled the issues presented down to 'location, location, location'. Has Verizon chosen the least-intrusive location for a cell tower in Mt. Baldy? One that has minimal adverse impacts on the area as required by county code?

Is it least-intrusive to locate a tower in a culturally-sensitive area? In a rich habitat? Near three water sources — San Antonio Creek, a pond, and a

spring?

Is it least-intrusive to locate a tower where it will only provide coverage to close one gap? When in another location, at a higher elevation, it would close two, possibly three gaps, thereby maximizing coverage? This prevents the redundancy of erecting more towers to handle gaps that should have been closed by the placement of the first tower. Is it least-intrusive to locate a tower where it fails to reach any of the high-risk areas where cell service is most needed? Again, forcing the placement of more and more towers.

Is it least-intrusive to locate a tower close to homes, impacting residents' views, health, and property values, when thousands of non-residential acres are available? Is it least-intrusive to locate a tower in a scenic viewshed less than 300 feet from a county scenic road? On top of a ridgeline, all in violation of county code?

Is it least-intrusive to locate a tower near a spring, risking contamination to pure water, and jeopardizing a primary water source for residents, Mt Baldy School, and future generations? Is it least-intrusive to locate a tower when there is intense public concern and opposition, when in another location, there wouldn't be? Is it least-intrusive to locate a tower where it requires the county to mitigate, mitigate, mitigate, to the point that the county is practically forced to mitigate away the very codes they have adopted for protection, when in another location, mitigations would not be needed?

On behalf of over 125 Baldy residents supporting an alternative location, I am turning to you, my local government, asking that you enforce our county codes and protect the community of Mt. Baldy by ensuring that this tower is placed in a safer, less-intrusive location, one that truly has minimal adverse impacts. Money should not stand in the way of a properly placed tower. Thank you very much.

Nan Rider [Chairwoman and Commissioner]: Thank you. Okay, next we have Robert Urfer. And after Robert, we have Karen Sked. And Mr. de la Cruz, just so you know, we saw this last time, and we got it in our packets this time.

Roberto de la Cruz: Great.

Nan Rider [Chairwoman and Commissioner]: So we did see it. We didn't get the hard copy, we got it on the computer.

Roberto de la Cruz: Got it.

Nan Rider [Chairwoman and Commissioner]: Okay.

Roberto de la Cruz: Did you read it?

Unknown Speaker: I did.

Unknown Speaker: Yes.

Nan Rider [Chairwoman and Commissioner]: Well, I didn't read everybody's name and address, but I read the other part.

Roberto de la Cruz: Thank you.

Unknown Speaker: Just for the record, I read it too. Thank you very much.

Audrey Mathews [Commissioner]: So did I.

Ray Allard [Commissioner]: I read the complete staff report.

Nan Rider [Chairwoman and Commissioner]: Robert Urfer. We think it's U-r-f-e-r. [ADDRESS REDACTED]. . .

Unknown Speaker: Is he for or against?

Nan Rider [Chairwoman and Commissioner]: It doesn't say. Okay. You had your chance. Sorry. Karen Sked. And after Karen, [NAME REDACTED].

Karen Sked: Hello there, good afternoon, thank you very much. My name is Karen Sked, I live at [ADDRESS REDACTED]. I am the President of San Antonio Canyon Mutual Service Company. We are the ones that have the spring that is in question.

On January 21st, the service company contacted Land Services Department, Mr. Jim Morrissey, via email to express the board's concern regarding the cell tower and potential harm to one of our water sources. We are appreciative of the subsequent additional geological analysis and the recommended revisions to the project design and the conditions of approval. I feel confident that with the modifications to these conditions, with the acknowledgement of the spring, with the assistance of planning throughout the various stages, that there will be no impact on the spring whatsoever. I know exactly where the spring is, I know exactly where the cell tower is going to be.

I've also contacted the State Water Regional Control Board, Division of Drinking Water, in regards to would the cell tower would have any impact upon our vulnerability rating. This is very important. I have been advised that use of the access road to access the cell tower would have no impact on our vulnerability rating. The only thing that could potentially, is if there were any chemicals stored at the cell tower site. It is my understanding there will be no chemicals stored there.

However, one thing we want to keep in mind is when we start talking about co-use, someone else coming in and using the cell tower site, the service company needs to be informed and kept up to date on any modifications along those lines. Anything that could affect our vulnerability rating is very significant.

One other thing. If state and/or federal laws change, such that the cell tower has a direct effect on our vulnerability rating, then Verizon needs to work with the service company to . . . what happens is we get increased monitoring requirements. So, Verizon, we'd have to work together and take care of that.

Couple of things. I see my time is running out. But in general, something that . . . this project has taken so long, there might be an inclination to have the sub-contractors work quickly, get it done, we can have some very violent weather in Mt. Baldy in the upcoming months, I think now that we have acknowledged the spring, that we will use all the care but I want to know that there's someone I can contact. I don't want any sub-contractors hot-dogging it up that road, I want to be able to contact someone and let them know if there's any problems whatsoever.

Nan Rider [Chairwoman and Commissioner]: Okay, thank you Karen.

Karen Sked: Thank you.

Nan Rider [Chairwoman and Commissioner]: Next we have [NAME REDACTED]. After Charlie, Violet Luxton.

[NAME REDACTED]: [REDACTED]

Nan Rider [Chairwoman and Commissioner]: Okay, next we have Violet Luxton. And after Violet we have Greg. And we think it's Gardner.

Greg Gardner: That's right.

Violet Luxton: Hello, good afternoon. My name is Violet Luxton, and I live at [ADDRESS REDACTED].

At the January 22nd hearing, Randi Newton said no additional towers are planned for Baldy beyond the proposed tower. And yet today, Mr. McAllister said a network of towers is planned. Is this new tower a plan... a way to obscure the fact that the current proposed location is not a properly placed tower?

Also, Mr. McAllister stated he wouldn't buy a home that didn't have three bars, at least, of service. I can firmly say that I wouldn't buy a home next to a cell tower.

Finally, Ms. Newton denied the presence of the spring at a town hall meeting July 2012. The first question a concerned resident had was about the spring on the trout pond property. Asking if there was a spring on the property, Randi Newton responded saying 'No. No there's not.' Todd Fisher said at the same time 'not that we're aware of'. This appears to be a deliberate omission from the very beginning of the project. Furthermore the spring was not disclosed in the initial study or geology report. And we had a clip of this conversation provided for you, so you can review that, and there's also a transcript of this conversation.

So, I would like to publicly oppose the application, and say that as public servants, if you are really concerned with leading a good example for our future generations, and making sure that our communities are safe, that you would deny this tower, and it's a lot easier to do something right the first time, than to have to fix it the second time. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you. Greg Gardner. And last but not least, Isabella Leeman after Greg.

Greg Gardner: Howdy. Greg Gardner, [ADDRESS REDACTED]. I'm in opposition to the tower, I think common sense should prevail. There's been a lot of great arguments about a tower in a different spot. This tower not so much. So I'm in opposition. Thank you.

Nan Rider [Chairwoman and Commissioner]: Thank you Greg. And Isabella. Isabella, you can bend that mike down so... There you go.

Isabella Leeman: My name is Isabella Suzanna Fried Leeman. I live in [ADDRESS REDACTED]. Mt. Baldy is one of the few places that I can

go and retreat into nature. I have so many wonderful memories up there. The entire reason that I ever go up there is because of my relative and good friend Alison Denning. And the only reason she moved up to Mt. Baldy was because of all the nature.

Now why would somebody try to ruin this by putting a cell phone tower. . . One second. And now, why would somebody try to ruin this by putting a cell phone tower in a place where most hikers can't get any cellular reception? It is also lowering lots of house value by ruining its view of nature. Verizon is claiming that this is the only and best location. But it is well known that there are plenty of other locations that don't cause environmental problems such as water contamination, violation of native american land, and other disasters.

Verizon is also claiming that changing cell phone tower site would be extremely expensive. And I'm sure that that's all true, but what do you think is more important in the world — money, or the great outdoors? I'm not saying that putting up a cell phone tower for people in distress to contact someone is a bad thing. But this particular location isn't going to help anyone. As I've said before, I have many wonderful memories up in Mt. Baldy. So please don't ruin my chances of making more great memories in my favorite nature retreat in Mt. Baldy.

Nan Rider [Chairwoman and Commissioner]: Thank you. Okay, that concludes the public speaker comments that. . . slips that I have.

Paul Smith [Commissioner]: Madame chairman, I have a question of one of the people that gave testimony. And I was wondering if I could recall. . . I think it's Victoria Jones who represented the Gabrieleno Band of Mission Indians.

Nan Rider [Chairwoman and Commissioner]: Okay.

Paul Smith [Commissioner]: I have your name right, Victoria Jones?

Victoria Jones: Victoria Jones.

Paul Smith [Commissioner]: I pat myself on the shoulder.

Paul Smith [Commissioner]: Do you represent the Kizh Nation?

Victoria Jones: I am an advisor to this tribe, yes.

Paul Smith [Commissioner]: And am I correct that on June 23rd, 2014, a letter was sent to the county, and all that, requesting consultation on this matter. Was that consultation, did it occur?

Victoria Jones: No.

Paul Smith [Commissioner]: Thank you.

Victoria Jones: You're welcome.

Nan Rider [Chairwoman and Commissioner]: Okay. I'm going to now close public comment. Commissioners, do you wish to... have any questions of staff or of the applicant? Commissioner Weldy?

Jonathan Weldy [Commissioner]: I have none.

Nan Rider [Chairwoman and Commissioner]: Commissioner Allard?

Ray Allard [Commissioner]: No, I don't have any.

Nan Rider [Chairwoman and Commissioner]: Commissioner Smith?

Paul Smith [Commissioner]: I have no further questions.

Nan Rider [Chairwoman and Commissioner]: Commissioner Mathews?

Audrey Mathews [Commissioner]: No.

Violet Luxton: I'd like to submit one letter [inaudible]for public comment.

Nan Rider [Chairwoman and Commissioner]: You can turn it into the executive assistants. I have a question for Karen Sked, about your spring water.

Karen Sked: Yes m'am.

Nan Rider [Chairwoman and Commissioner]: Who checks your spring water to make sure it's not contaminated?

Karen Sked: Every month we perform... we have biological tests performed by West Laboratory.

Nan Rider [Chairwoman and Commissioner]: Okay, and so I'm not following how the cell tower would affect your spring water.

Karen Sked: It's a long shot.

Nan Rider [Chairwoman and Commissioner]: Okay.

Karen Sked: Let's say for example...yeah, you've got the access road that they will be using, so for example, let's use port-a-potties. There's got to be port-a-potties up there, right? You know, we don't think about this sort of thing. So you've got to have what, maybe a septic truck servicing. So that's why I'm so concerned about the access road, and care going up the access road. If a diesel truck was to spill over, boom. I mean, it somehow...the...what...it would have to leech down through the ground, or?...It's a long shot, m'am.

Nan Rider [Chairwoman and Commissioner]: So these are what if's?

Karen Sked: These are absolutely what if's.

Nan Rider [Chairwoman and Commissioner]: Okay. All right. I just kind of didn't understand. Okay, thank you.

Karen Sked: Thank you.

Nan Rider [Chairwoman and Commissioner]: Okay.

Ray Allard [Commissioner]: I have two questions of staff.

Nan Rider [Chairwoman and Commissioner]: Okay. Go for it.

Ray Allard [Commissioner]: The 10 percent or 20 foot rule. Is there a...are you aware that that's something that these towers are allowed to do? Like if we're approving a tower now. This tower falls below the 54 foot, which is our maximum. But 20 foot can take it above the 54.

Terri Rahhal [Director]: We have different permitting procedures for minor changes, or co-locations, that are within...if they're within that range, it would be something that could be approved administratively, it would not come before you as a revision to the CUP.

Ray Allard [Commissioner]: We were given some information that said they can just run out tomorrow and add 20 feet to it.

Terri Rahhal [Director]: No, we still do have a permitting process, but it's not a conditional use permit.

Ray Allard [Commissioner]: Okay. And we're bound by the...apparently there's a 54 foot max, and the 45 fell under the 54, according to the staff

report.

Jim Morrissey [Staff]: 55 feet max.

Terri Rahhal [Director]: 55 feet is the maximum.

Unknown Speaker: Audrey wants to ask a question, you better let her.

Nan Rider [Chairwoman and Commissioner]: Go ahead Audrey.

Audrey Mathews [Commissioner]: Does that apply to colocations or does it apply to both colocation and the current person who is there who may want to rise. . . raise the tower?

Terri Rahhal [Director]: It would be for minor alterations to the tower, whether by the current occupant or for. . . to accomodate a colocation.

Nan Rider [Chairwoman and Commissioner]: And you had another question, Commissioner Allard?

Ray Allard [Commissioner]: The other question was the request of the municipal services district to be notified if there is anything going on there that might affect them if they were to be going to repair something. Do. . . I. . . Would they typically call USA, or as a matter of policy, would these companies talk to local service providers in the area, or municipal services in the area that says we're going to be up here and we're going to do something that might affect you, or is that. . . I know the county has a policy that you would. . . actually, it's kind of a mandate, that you would notify all the utility companies that may be in the area, so I would hope that that company is on the list of county. . . otherwise you should make note of them, their address and phone number, and maybe add it to your drawings or something, as someone that would need to be notified of any work on the cell tower

Terri Rahhal [Director]: We. . . on plans, we note service providers. I'm not sure if that mutual services company is a service provider to this site. Might not be. One thing that we can do is put a notice in our permit system that applies to this parcel indicating that there's a nearby spring, and that the presence of the spring and the service company should be notified if there's any permitting action through the county.

Ray Allard [Commissioner]: That would be good. I know a lot of small mutuals in the foothills, we've done it with them. Nobody knows they're

there. But they're there, operating springs, and if we could add that to our database.

Nan Rider [Chairwoman and Commissioner]: Commissioners, do you have any other questions of staff?

Audrey Mathews [Commissioner]: I have a question, but I don't know whether it's staff, or...

Nan Rider [Chairwoman and Commissioner]: Well, let's just ask and see who comes up with an answer.

Unknown Speaker: I'll answer it.

Audrey Mathews [Commissioner]: It's my understanding from what I've heard, or what I thought I heard, is that, in order to make a determination as to whether you can get complete coverage in the Mt. Baldy area that stretches out toward Los Angeles and back this way and so forth, you have to have this tower in order to build the other towers. My question is, if you get this tower built, and then make the determination that it doesn't do what you think it's going to do, in order for you to do the other two towers, what happens?

Terri Rahhal [Director]: That... the engineering question about feasibility or coverage issues, I would ask you to pose that to the applicant. From the planning staff perspective, you have in front of you a permit application for a cell tower that has to meet findings for approval of a cell tower. Part of that is that the site is appropriate and we rely on the technical justification or reasoning of the applicant in making their investment in this site that they found this to be the best site that served their purpose.

Audrey Mathews [Commissioner]: For this particular application.

Terri Rahhal [Director]: Right.

Ray Allard [Commissioner]: If... this is a silly question. If cell towers...

Audrey Mathews [Commissioner]: [inaudible].

Ray Allard [Commissioner]: Are you still talking?

Audrey Mathews [Commissioner]: Yes.

Ray Allard [Commissioner]: I was warned about that. All right.

Nan Rider [Chairwoman and Commissioner]: I told you. I told you.

Audrey Mathews [Commissioner]: Can you answer the other part of my question [inaudible].

Doug McAllister [Applicant]: The process, to even to get to the point where the site is selected, is arduous. The RF studies and everything else. They do all of that. But that's all...in theory. It's based on science, and...but it's...that only goes so far compared to real life. And so that's why. But based on that modeling, is the discussion, to cover. I could show you on one of my slides, that show the three sites, how it does cover the entire area for the...you know, that's when those are done. Having said that, to answer your...

Audrey Mathews [Commissioner]: [inaudible]slides still up here?

Doug McAllister [Applicant]: It's...well it's in there somewhere.

While he's doing that, the answer to your question, though. I get the first site up, and now you have real life, and you see exactly what's being covered, and the topography, how's it affecting, that kind of thing. That is what determines the final decision about where the other sites will actually go.

We believe based on the studies to this point, once again, the RF studies, and all the scientific work that's gone into it, that we're looking at the Sunset Ridge. A tower there already exists, and can go up really quickly. And then...then there somewhere in the vicinity of the ski lifts on the other side. That's what the science is showing us as we stand here right now.

If for some reason we get to that point and it says no, we only need two? Because we're getting really good coverage, more than we expected? Then we're not going to build three. I mean, if we could just build one, trust me, at a million dollars a pop, they'll just build one. But that was not found to be feasible based on line of sight.

Putting something in the air, and doing the heights, that does not...that is not dedicated...I mean I wish it was that simple. We'd quit paying these RF engineers. But it doesn't mean you're going to have full coverage from from the line of sight discussion. It's just the way the science works, and so, based on what we've got going here, this site, once built, will determine how many other sites need to be built to fill the gaps because Verizon is only going to work with the minimum they need. If they only need two, we're

going to do two. If they need three, they'll do three. But that won't happen until we see it in real life.

Audrey Mathews [Commissioner]: Okay, that answers my question. Now, Allard, before you jump in, let me finish the rest of it.

Nan Rider [Chairwoman and Commissioner]: Well you're having a rough day, right? You know. You feel right at home?

Ray Allard [Commissioner]: I feel right at home.

Audrey Mathews [Commissioner]: That's all right.

Audrey Mathews [Commissioner]: This application is for this cell tower. In this place. It is our responsibility to do, and make a determination about this particular project. And although my heart bleeds for all of the objections that I have heard, it is my responsibility to do what the application says do. Which is what I'm going to do.

However, what I believe we need to think about, and talk about, is how fast and how quick working with this community as I said back in January, and have been quoted twice about. And so forth. Is to find out what else we can do to speed up what is needed by public safety and what is needed by the community.

The other thing that needs to happen, is if this is Indian territory, then it's their right to decide, because they're a sovereign nation, so you need to really involve them. if you have not. What else? Have I missed anything? Culturally. Have I missed anything?

Paul Smith [Commissioner]: I think... it depends on how broadly you speak of culture. I think that the failure to deal with requests by the Gabrieleno tribe, to consult with them about obviously a sensitive matter, that this is sacred, a sacred site, is a very serious failure. Because I think your obligation is to deal with people that are affected by this site. And we have here three pages, single-spaced, of owners in Mt. Baldy who were, you know, notified you, and they gave you information as possible alternative sites, and culturally, there seems to have been no connection since our last meeting in January.

Doug McAllister [Applicant]: I can speak to that.

Paul Smith [Commissioner]: Well then I think you should.

Doug McAllister [Applicant]: I can speak to that. I was...I can't remember the young lady's name. I almost remember. I think it was a Kay. This was some time ago, I've had thousands of these since, and she represented to me that she was a government affairs type person, who called me, and we had a long discussion. They initially wanted to meet with the Verizon big-wigs, just skip the process and go to...at which I reached out to the Verizon big-wigs and they said no, you know, they just...that's not part of their process. And they...that's why they hired me. So, I put in writing to an email this Kay, if that's her name, and I CCed Mr. Morrissey and Mr. Prusch as well on that. To invite that discussion. At any time they want. And I never heard...got a response back to that email. So, that...the attempt, based on your request, I did make that, and I can dig that email up at some point, but...so that attempt was made.

With regard to the tribe, my understanding is they're part of the original...and I'm...this is my understanding. So I'm willing to be corrected. Part of the original reason that didn't happen from day one was that it didn't come up on any of the federal recognized tribe lists, and so...but through the process, remember this has taken four years, and through this process, it's been...the back and forth, the last Planning Commission hearing, and things like that to deal with, and no, and they were considered, I believe, in all the cultural resources reports and such going after, after we became aware of them.

But to represent that there has been no effort to work with them, is not entirely accurate. It is that...it's just that we found out about them after the fact, because they are not currently, as we understand, recognized, so they were not on any of the lists that we were looking for through to talk to.

Audrey Mathews [Commissioner]: So, I think in order to mitigate this entire chaotic confusion that we have going here between residents, a potential entrepreneur, public safety, and the public in general, that use Mt. Baldy, and really need cell tower, need a cell tower, I wouldn't think about going up there without having my phone with me, so...it's too far up in the air for me. I'm... But anyway, that's neither here nor there.

Maybe we need to step back to January the 27th and start the communication process as we now continue to rule on what is in front of us, which can always, as a matter of communication, before we sign off on the whole thing, be amended and ordered to accommodate the needs of everybody here. Because

this is a failure to communicate as far as I am concerned.

Nan Rider [Chairwoman and Commissioner]: Anything else?

Audrey Mathews [Commissioner]: No.

Nan Rider [Chairwoman and Commissioner]: Okay.

Terri Rahhal [Director]: Madame Chair, While we're on the topic of attempts to reach people regarding this project, I would also want to put on the record that the project planner attempted to reach the tribe that was mentioned in the letter, we got in touch with a law firm, left a message, and did not... we were not able to establish that contact.

Nan Rider [Chairwoman and Commissioner]: Commissioner Allard?

Ray Allard [Commissioner]: First, a real stupid question. Does internet come over these cell towers...

Doug McAllister [Applicant]: Yes.

Ray Allard [Commissioner]: ...or is it just cellular?

Doug McAllister [Applicant]: Yes. It'll be the full [inaudible]. It's the wireless system, so you'll be able to have both. And it should be LTE, so it should be rather fast.

Ray Allard [Commissioner]: You know, in addition to safety, there's... I mean, there's also the convenience of the people in the village who are sitting there...

Audrey Mathews [Commissioner]: Right.

Ray Allard [Commissioner]: and want phone service.

Nan Rider [Chairwoman and Commissioner]: Internet service.

Ray Allard [Commissioner]: Or just talk amongst themselves in the village. I hike Baldy 12 times a year, I go up there quite a bit. I think the project has been around a lot of time in the county, and the county has protocols on noticing, and I know that there's been meetings up there, and there's noticing requirements, and people come in and provide various inputs, throughout, several years sometimes on some projects. A lot of the information unfortunately gets drawn at the last minute because that's when people

really start focusing on what's going on, and bring all the data forward, so, I don't feel there's been a complete breakdown in communication.

Audrey Mathews [Commissioner]: That's not what I said, Ray.

Ray Allard [Commissioner]: No, I didn't say that's what you said, I just... I don't feel there has been...

Audrey Mathews [Commissioner]: Oh.

Paul Smith [Commissioner]: So I look at page 19 of this brief that was filed, which I read, I guess, last January, and it refers to specific recommended other sites to look at, namely, Cow Canyon Saddle, the old RV park, Johnston Peak, Sunset Peak, Stoddard Flats, or the Mt. Baldy Ski Lift Water Storage. You've given no testimony that you approached anybody that... from this group of 3 pages, how many... that's gotta be over 300... there's gotta be a large number of people that live up in Mt. Baldy, a large percentage of the population, to deal with their request for an adequate explanation of alternative places.

Doug McAllister [Applicant]: That's part of the... as a symptom of the process as it works, and also the stage we were at at that point. Once again, there's 32 steps, all of which are very expensive to get to. Verizon, and any carrier, at this point, will look at sites [inaudible]sequentially. And they'll look at one. And if it works, great, they'll stop. But if it doesn't work, they're going to do another one. And if that doesn't work, they'll go to another one.

We did that for three steps. When they got to this site, not only did they find out it worked, but it turned out to be the lynchpin for a longer range plan to do away with that dead zone. And so when they got to that, that's the one they processed. That even with so, that's why this site went beyond step 12, which was the go/no-go decision.

At the time these discussions came up, it's... We're three years into it, we're into our fourth year... well, finishing our fourth year now, and the idea of going back... nobody's talking about writing Verizon a check for lost funds. They just want to throw that money away, and just start all over again. And Verizon would not authorize that since they had a site that fit all the rules, and they had a site that worked, and more to the point, it works so well, that based on the modeling, it was actually going to solve a bigger problem than

they originally thought, which is... getting rid of all that dead zone between those three sites.

So that's why they have kind of stuck with this one over time. Now, having said that, once again, I did offer to have that discussion, and actually, it's in writing, and I never heard back from them, and my assumption was, since it wasn't Verizon...

Nan Rider [Chairwoman and Commissioner]: Excuse me. Okay folks, stop waving your hands.

Tamara Hanson: I...I...

Nan Rider [Chairwoman and Commissioner]: Public comment is over. Okay, continue.

Doug McAllister [Applicant]: I did offer to have...

Tamara Hanson: I'm sorry, I'm sorry, I'm sorry. He gets to stand there and have dialog.

Nan Rider [Chairwoman and Commissioner]: I'm sorry...

Tamara Hanson: And we don't.

Nan Rider [Chairwoman and Commissioner]: I'm sorry, I will have the sheriffs remove you. Please sit down.

Unknown Speaker: Oh, come on. Wow. Geez.

Tamara Hanson: Things are being misrepresented.

Nan Rider [Chairwoman and Commissioner]: Go ahead, I'm sorry to have interrupted you.

Doug McAllister [Applicant]: That's fine. The...I believe the rea... I had to assume is because they wasn't be able talking to the heavy hitters at Verizon, and so, they didn't want to talk to me. And I don't fault that, it's just that was...that's how this went down. So the attempt's been made to have that discussion, and try to explain these things, but it hasn't been returned.

Paul Smith [Commissioner]: I know it was a...if my memory doesn't play tricks on me, we had one consensus, I think, in our meeting in January,

is that there was really an encouragement for you, for Verizon, to work closely with the residents to ameliorate their fears.

I don't recall a difficulty with the Gabrieleno Band of Mission Indians, who wrote you, or wrote a letter that should have been delivered to you with addresses and everything else, with no apparent response. . .

Doug McAllister [Applicant]: I . . .

Paul Smith [Commissioner]: If I had been aware of in January, I would have requested that that communication definitely go on, and that that tribe be communicated with. Whether they're federally recognized or not, the Gabrieleno tribe is very famous in southern California. It's not. . . They're not a mystery.

Doug McAllister [Applicant]: I . . .

Randi Newton [Applicant]: That letter wouldn't have come to us, that would've come to the county.

Doug McAllister [Applicant]: We didn't see that letter.

Nan Rider [Chairwoman and Commissioner]: Where did it go to?

Terri Rahhal [Director]: I believe that that letter was addressed to the county.

Nan Rider [Chairwoman and Commissioner]: Okay.

Audrey Mathews [Commissioner]: To the county.

Nan Rider [Chairwoman and Commissioner]: Do we have any more questions of the applicant?

Doug McAllister [Applicant]: I do have some clarifications for some of the questions I heard earlier. If you would like, or I can shut up and sit down.

Nan Rider [Chairwoman and Commissioner]: Can you be brief?

Doug McAllister [Applicant]: I can. With regard. . .

Nan Rider [Chairwoman and Commissioner]: [inaudible]succint.

Doug McAllister [Applicant]: Okay, I will do my best on that part. My wife reminds me that often.

With regard to the added height situation, once again, that 20 foot discussion. It's above your 55 max, and so that isn't something that you can just do arbitrarily. For the colocation process, if it's the county we co-locate with, which is our hope, on that, we don't need any extra height. At all. On this situation. Because their system is different, and they can go actually above us on the tree if necessary. We don't really need to add the height. But if it is any height, it comes back to the county, regardless. So this is not a willy nilly thing that we can do.

I'm trying to be quick, trying to be quick.

With regard to the person who is this... who wants to know who to contact, during construction, if there's any questions, whether we have... whether it be a construction monitor, we can make that person's name available, the contact information. As well as the county. Once again, remember, this is all a permit, and there are conditions of approval, and if at any kind of a time [inaudible]Verizon has, or the contract there is not supporting the conditions of approval, that permit is your teeth at that point. But those two. Those are the two entities there.

And finally I'll just leave it from the standpoint of economic development for the region itself. Which has already been mentioned, won't go up without your cell phone. My belief is that... I think this is the only ski area that is known in the state. I may be wrong. But I think that there's no [inaudible]you can't have cell coverage. And once that is rectified, I can't imagine how that can do anything but help businesses up in that area, as far as attracting more folks. So there is a benefit to the region as well. And I can be quiet now if you'd like me to sit down.

Nan Rider [Chairwoman and Commissioner]: Okay. Can you be sure to give her the name of who to contact.

Doug McAllister [Applicant]: Yeah, I will get that through these folks here.

Nan Rider [Chairwoman and Commissioner]: I appreciate that. Thank you very much. Okay, commissioners. Any more questions?

Ray Allard [Commissioner]: To follow up on a comment Commissioner Mathews made is, I mean, there's thousands of people up there, and we have to look at this site, is it suitable. And if we decide maybe another

site's more suitable, the room can be full of three hundred people that say, you know, 'Save the ski lodge. Put it down on... Put it down on the trout farm.' So, it's... I'm attempting to just kind of look at it on the merits of this site. Communication is an amazing thing, but, you know, I would hope the county staff... And I... I've been through all 292 pages of the staff report myself, looked at all the various issues that have been thrown out over the years.

Nan Rider [Chairwoman and Commissioner]: Mr. Weldy, do you want to talk? Okay.

Jonathan Weldy [Commissioner]: Not at the moment.

Nan Rider [Chairwoman and Commissioner]: Anyone else?

Paul Smith [Commissioner]: I just want to say that I strongly agree with Commissioner Mathews about... and the testimony from law enforcement, and fire department, to how important adequate communication facilities are.

I am not persuaded that Verizon has put together a project that meets local problems, which I think it's required... required to do, and it has not done. I'm not a native American lawyer or anything like that, but I'm not... But it seems to me, whenever there's been a request for consultation with the tribe, that that needs to be done.

So, my encouragement is... my thought is to deny this. That doesn't preclude them from coming back or finding better sites, but I don't think that they've done their homework to really look at alternative sites. Their description of why they need this one to tie in the two possible future ones is so general without any engineering support that, you know, it's not persuasive to me.

Ray Allard [Commissioner]: I think if you look at those maps we have, with the... they put the topography on the computer, they have the height of certain objects, and then it draws lines around it, and that was buried in their aerial analysis or whatever it was called. Seems like that that analysis was done. Now probably it may or may not have been done to... you know, they got their 32 steps or whatever, but I mean, there was a mathematical model constructed, and they're going to put a million dollar gamble on this site, so, I don't think they're just approximating it.

Audrey Mathews [Commissioner]: No, I saw that, and I have no prob-

lems with that, I think they modeled it the way it was supposed to be done. At least they've put. . . At least I was able to understand what they were doing and so forth. My concern is that. . . they'd be a good neighbour. . . . That is a major concern because Mt. Baldy provides the county with a lot of revenue. Never mind what they're talking about, their million dollars, I'm talking about the county and the future of the county.

So, my intent is, if you're going to be up there, and if you're going to build this tower, and if you're going to build two more towers, and if you're going to do full coverage, that there be input from the community, so that it is a fair project and we all understand what's going down with it, rather than them being angry, and them feeling like we are not taking the effort to understand what they're trying to do. That's where I'm trying to go with this.

So, if there is a way to do this, and put every kind of mitigation measure in here so that there are checks and balances then let's do that. Let's proceed, but put the mitigation measures in there, that insist that they do what is necessary in order to make this a project that is not only acceptable to the community, but to the county, continues the revenue stream, does not make them spend money that's unnecessary to spend, but rather provides the community with a need that they too have.

Nan Rider [Chairwoman and Commissioner]: Commissioner Mathews, are you prepared to make a motion with those added provisions?

Unknown Speaker: [inaudible].

Audrey Mathews [Commissioner]: So moved.

Nan Rider [Chairwoman and Commissioner]: Okay. Do we need to itemize these added provisions? I need direction from county counsel and staff.

Unknown Speaker: I think. . .

Ray Allard [Commissioner]: I would like just add that. . . that the municipal services. The local municipal services provider in the area be prominently displayed on any database that. . .

Jonathan Weldy [Commissioner]: So is the motion approval?

Terri Rahhal [Director]: We have a few conditions to talk about modifications to, if and when you are ready with the motion.

Nan Rider [Chairwoman and Commissioner]: Well, I think, doesn't it have to be specific?

Terri Rahhal [Director]: Yes. Are you ready now to talk about all the specifics?

Ray Allard [Commissioner]: And I would second the motion.

Nan Rider [Chairwoman and Commissioner]: But.

Audrey Mathews [Commissioner]: [inaudible].

Nan Rider [Chairwoman and Commissioner]: The motion has to be specific, doesn't it?

Terri Rahhal [Director]: When... Unless... If I understand you correctly, we would add a... I'm sorry... a requirement prior to issuance of building permits that we verify that on all plans the contact information for the mutual services company, I believe it is, be displayed as the contact in ... the point of contact and that the county separately, not as a condition of approval, but we would note that the county will also place this notice in our permit system.

Ray Allard [Commissioner]: Correct.

Terri Rahhal [Director]: Is that... does that reach what you're looking for in your additional condition?

Ray Allard [Commissioner]: Yes.

Terri Rahhal [Director]: Okay. We also have... In condition of approval number 59 relative to the telecommunication tower removal surety in part A, where it talks about to guarantee complete removal of the telecommunication tower, we would add the language, 'and restore the site to pre-development condition'.

Jonathan Weldy [Commissioner]: Yes.

Paul Smith [Commissioner]: I have some additional comments to make. I guess they can be made after the motion is made and seconded, or I could just make one additional comment that I notice in this letter from the tribe to the county, that it says that a letter was sent to Mr. Kari Wann, the Verizon specialist regulatory for the southern California network regarding

this project, its close proximity to sheep, and emphasizing its importance as sacred springs to their, to their tribe. As a sacred site.

Ray Allard [Commissioner]: The spring being a sacred site?

Paul Smith [Commissioner]: Yeah, and the fact that they, at least this...according to this letter, that tribe sent a...and this is in fairness to the county. This...That Verizon was informed by the Gabrieleno Band about their concerns.

Ray Allard [Commissioner]: And I know we struggle with the word 'cultural'. And how we talked about modifying the condition of... archaeological, I guess, what you were talking about earlier, that the community holds the site, holds this spring, in very very high regard also. And she spoke to the fact that the, although there is a chance, it's rather remote, the spring could be impacted, but we talked about taking the word 'archaeological' in...or 'cultural', whatever, and maybe add specifically...When the...because an archaeologist will be on site, it's a condition.

Unknown Speaker: [inaudible].

Ray Allard [Commissioner]: And that archaeologist needs to be someone who understands appropriate archaeology, not just dinosaurs or whatever, but you know.

Paul Smith [Commissioner]: Yeah.

Terri Rahhal [Director]: Sorry, we missed that condition also, and we do have some wording proposed to insert in condition 42. Jim, could you read that?

Jim Morrissey [Staff]: Yeah.

Audrey Mathews [Commissioner]: While we're waiting on Jim, in all fairness to Verizon, he said that he finally figured out that they have talked... that the tribe had contacted them, but that was after the process was on its way.

Unknown Speaker: Got it.

Paul Smith [Commissioner]: You're right.

Jim Morrissey [Staff]: Okay, condition 42. It starts off 'if a potentially significant cultural resource', and we're going to insert 'if a potentially significant cultural or native american resource is encountered'. And then at... near

the end of that condition, following page, last sentence, ‘the archaeologist shall also conduct the appropriate technical analysis, consult with native american representative if necessary, prepare a’, and then continuation, the condition, ‘prepare a comprehensive report and file it with the appropriate information center’.

Paul Smith [Commissioner]: I like that.

Ray Allard [Commissioner]: The, that, the one sentence, and I’ve . . . I’ve been to these on several construction sites and all kind of artifacts are laid out to everybody who works on a shovel or whatever. So, potentially, the significant cultural resources consist but are not limited to building material, glass, runics, wood, railroad features, structural remains, historical or native american sites, or something like that. If you get it right in there, then it’s part of their meeting agenda. So.

Jim Morrissey [Staff]: Okay.

Ray Allard [Commissioner]: Yeah, I think they did a good job of spotlighting that.

Paul Smith [Commissioner]: I’m just, you know, the fact that there may be some specific native american artifacts at the site which are located during the process of constructing this, doesn’t deal with the Gabrieleno tribe’s concerns that it’s a sacred site due to the existence of the springs there, the rarity of that, and how that becomes part of their network of trails, and everything else that’s important to the history of the tribe.

I don’t know how to deal with that unless there was in fact a real consultation that occurred between, not just the county, but between Verizon. I think the county did its job, they were informed here, I’m looking at this letter, they were informed, that the tribe had been informed. So it’s really . . . Was there adequate consultation by Verizon with the tribe. And the fact that artifacts may or may not be found doesn’t necessarily cover the whole issue of the sacred site to the native americans.

Nan Rider [Chairwoman and Commissioner]: Could we have the slide back up with the recommendation from staff please?

Ray Allard [Commissioner]: Do we have a distance between the spring and the site?

Paul Smith [Commissioner]: I think it's three hundred feet or something like that.

Unknown Speaker: Yeah.

Nan Rider [Chairwoman and Commissioner]: Okay, Commissioner Mathews, do you want to re-state your motion for this item?

Audrey Mathews [Commissioner]: I just said, so moved.

Ray Allard [Commissioner]: Move staff recommendation?

Nan Rider [Chairwoman and Commissioner]: [inaudible]staff recommendation.

Ray Allard [Commissioner]: As modified.

Audrey Mathews [Commissioner]: Yeah.

Nan Rider [Chairwoman and Commissioner]: As modified.

Audrey Mathews [Commissioner]: Yeah.

Nan Rider [Chairwoman and Commissioner]: That's why I had him put it back up. Okay. And I had a second from...I had a second from Commissioner Allard?

Ray Allard [Commissioner]: Yes.

Nan Rider [Chairwoman and Commissioner]: Any more discussion? All right. Before we vote, because once we vote, you all always make lots of noise, getting out. The action of the...I'm going to read the little official sentence here.

The action of the planning commission is final on this application unless an appeal is filed within ten days. And you file your appeal with Land Use Services, correct?

Terri Rahhal [Director]: That's correct.

Nan Rider [Chairwoman and Commissioner]: Okay. All right. All those in favour of the motion?

Ray Allard [Commissioner]: Aye.

Nan Rider [Chairwoman and Commissioner]: Aye.

Jonathan Weldy [Commissioner]: Aye.

Audrey Mathews [Commissioner]: Aye.

Nan Rider [Chairwoman and Commissioner]: Opposed?

Paul Smith [Commissioner]: Nay.

Nan Rider [Chairwoman and Commissioner]: Okay, there's one opposition to the vote, the motion passes, thank you all very much, I appreciate you taking your time to come, and participate in the process. We'll now open public comment for any items that were not on the agenda that someone would like to speak about.

I do not have any speaker slips for public comment. Are there any... is there anyone who wants to address the commission for public comment?

Hearing none, I will close public comment. Okay. I'm assuming we're dispensing with Bart's presentation?

Terri Rahhal [Director]: Bart will not be here to make his presentation. But we do have the other special item that I spoke to you about.

Nan Rider [Chairwoman and Commissioner]: Yes. Would county counsel come forward please.