



## Westport Municipal Advisory Council

P. O. Box 307, Westport, CA 95488  
www.westportmac.org

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October 3, 2008

Planning Team  
Planning and Building Services Department  
County of Mendocino  
501 Low Gap Road, Room  
Ukiah, CA 95482

Re: Comments on draft General Plan Update and draft EIR

Dear Planning Team:

The Westport Municipal Advisory Council has conducted public hearings on the proposed General Plan update at its July 28, August 27, and September 22 meetings and would like to offer the following suggestions. In previous correspondence, we sent you the minutes of our July 28, 2008 meeting with some preliminary comments on the Notice of Preparation. After reviewing the full text of the draft GPU, we now offer more detailed input that reflects the perspectives offered by people residing in our sphere of influence.

### **Chapter 1: Introduction**

Timber and Agriculture: Mention initiative banning genetically-modified organisms. Promote sustainable, organic small farms and farmer's markets.

Water Supply and Quality: Limit development to sustainable levels of water use that do not adversely impact natural resources.

Energy Supply and Sustainability: Promote sustainable local sources of energy such as photovoltaic, wind, and biofuels, favoring those that are the most environmentally benign and not subject to control by out of county corporations. Require energy efficient housing designs that utilize passive solar and heavily insulated elements to minimize energy demand. Promote bikeways along existing transportation corridors.

### **Chapter 2: Planning Principles**

2-1a—WMAC strongly supports this principle.

2-1b—Include historical and archaeological resources and place a definition of them in the glossary that references California Public Resources Code Section 5024.1. Mention their connection to heritage tourism.

2-2a—WMAC strongly supports this principle.

2-2b—The second goal should mention equitable provision of high bandwidth internet services at reasonable cost to both rural and urbanized areas. This is a key factor for the economic viability of rural areas where it may be possible to promote jobs that do not require travel to urban centers.

2-2c—Promote heritage tourism, which will have the added benefit of valuing the county's historical resources as assets that are worth conserving.

### **Chapter 3: Development Management**

Goal DE-1—Community Character policies and Policy DE-10 are strongly supported by the WMAC.

Goal 3-3—Mention Westport as a community where growth is expected to occur.

Goal 3-7—a) The first non-indigenous occupation took place in the 1840s, not the 1600s.

Visitation began in the early 1800s. Early sea exploration in the 1600s (Vizcaino) did not apparently involve any landfalls within the County. b) Mention consultation with tribes under Senate Bill 18; c) It may be worth mentioning here that conservation of historical and archaeological resources may help promote heritage tourism. d) Adoption of a Historic Review Code is strongly encouraged as mentioned in Action Items DE-112.3 and 112.4. It would be desirable to seek grants to evaluate the County's historical resource assets in a targeted policy objective. That evaluation effort should include rural communities like the village of Westport. Policy DE-73 is strongly supported as a way to retain historic buildings.

Goal 3-8—Water: Development should be restricted to sustainable and environmentally benign use of groundwater resources that take into account global warming projections and groundwater depletion. The proposed policies should include ones that ensure groundwater supplies are not overdrafted and a policy that encourages use of gray water recycling systems in new development.

Goal 3-9—Transportation: a) Promote work at home and disseminated business growth opportunities with high bandwidth internet infrastructure to rural areas like Westport. b) Promote bike lanes along State Route 1 to encourage non-motorized transport and make that travel a safe and viable option. c) Mention the Coastal Trail and link that to the provision of non-motorized transportation, including the priority for a bicycle/pedestrian route along or west of State Route 1. The WMAC strongly supports Policies DE-144 through -150 and DE-172 through -174, as well as Action Item DE-169.1 as a means to create a continuous route for non-motorized travel from Westport to Fort Bragg and acquire easements for west of State Route 1 as a condition of any new development.

Goal 3-10—a) Figure 3-10 does not show Westport-Union Landing State Park. b) Land trusts now own an increasing amount of property held for public recreation and general conservation purposes. Those lands should be discussed.

Goal 3-12—The WMAC strongly urges the adoption of a high bandwidth element in the County General Plan similar to that proposed for the Humboldt County General Plan (see attached). Equitable access to this service in rural areas like the Westport region will require measures that overcome the widely dispersed demand and cost of installing infrastructure. Policy DE-198 should give priority to wired telecommunications without precluding other methods of delivery. Infrastructure Policies DE-113 through -120 do not address high bandwidth infrastructure development. The County should consider applying for State grants that may become available to establish wired high bandwidth infrastructure in cooperation with local internet providers such as the Mendocino Community Network.

Goal 3-14—It is crucial to establish a Westport Fire Protection District that will provide for more stable funding for this volunteer fire department. This is the only department that is not a District. Proposed draft policies will help facilitate creation of a district and Policy DE-213 is crucial until a District is formed to cover the Westport region.

Goal 3-16—Table 3-H does not include the Westport School, operated under the auspices of the Fort Bragg School District. This school was established as a "small necessary school" and is an important focus for community identity.

Goal 3-17—Recommend depicting in Figure 3-12 the offshore alignment of the San Andreas Fault, which is located a short distance away from the northern Mendocino County coast.

Development Goals:

The WMAC supports the development goals outlined in this General Plan update, but would also recommends these enhancements:

Goal D-7—Include broadband infrastructure development.

Goal D-10—The WMAC strongly supports this goal.

**Chapter 4: Resources Management**

Goal RM-2—Limit development in areas subject to critical groundwater shortage to ensure groundwater basins are not overdrafted. Promote use of gray water systems to reduce demand.

Goal RM-8—a) Mention that there are many concerns with wave energy including, but not limited to impacts to biological communities, aesthetics/visual, pollution, and interference with fishing and boating. Goal RM-14 (dark sky) must be considered in relation to any wave energy development. b) Incorporate into Policy RM-47 encouragement for passive solar design to reduce use of nonrenewable space heating modes.

The WMAC strongly supports all listed Open Space policies (RM-123 through –129).

There is no resource management goal in Chapter 4 for historical and archaeological resources, nor are there any policies related to implementing such a goal. Both are necessary to address the potential impacts of development.

**Chapter7: Community-Specific Policies**

It would be desirable to develop a community-specific policy for the Westport area that recognizes the special needs of this rural village. A University of California planning and architecture research team studied the Westport community under the direction of Professor Randolph T. Hester and produced a report entitled *Crafting Westport* in 2003. That document may serve as a starting place for a community plan the WMAC can play a role in developing.

We appreciate your serious consideration of the comments offered by the WMAC and the local residents our council represents. If you have any questions about our input, please contact me at (707) 961-6096 or ThadVanBueren@directv.net.

Sincerely,



Thad M. Van Bueren, Chair  
Westport MAC

attachment: Draft Humboldt County broadband element

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## Chapter 7.1 Telecommunications

### 7.1.1 Introduction

#### **Purpose**

The purpose of this chapter is to present telecommunications policies and programs to meet the needs of Humboldt County in the 21<sup>st</sup> century. Telecommunications infrastructure and services include basic telephone, wireless telephone, and broadband Internet. These services are critical to businesses for economic prosperity, and to residents of the county to provide improved quality of life, education, research, electronic communications, and access to health care and government services. Telecommunications issues have been an important consideration in other sections of the plan and are reflected in the Community Infrastructure and Services, Economic Development and Circulation Elements. This chapter provides goals, policies, standards and implementation measures that strive to achieve ubiquitous telecommunications access, reliability, and capacity in Humboldt County.

### 7.1.2 Background

#### **Understanding Telecommunications**

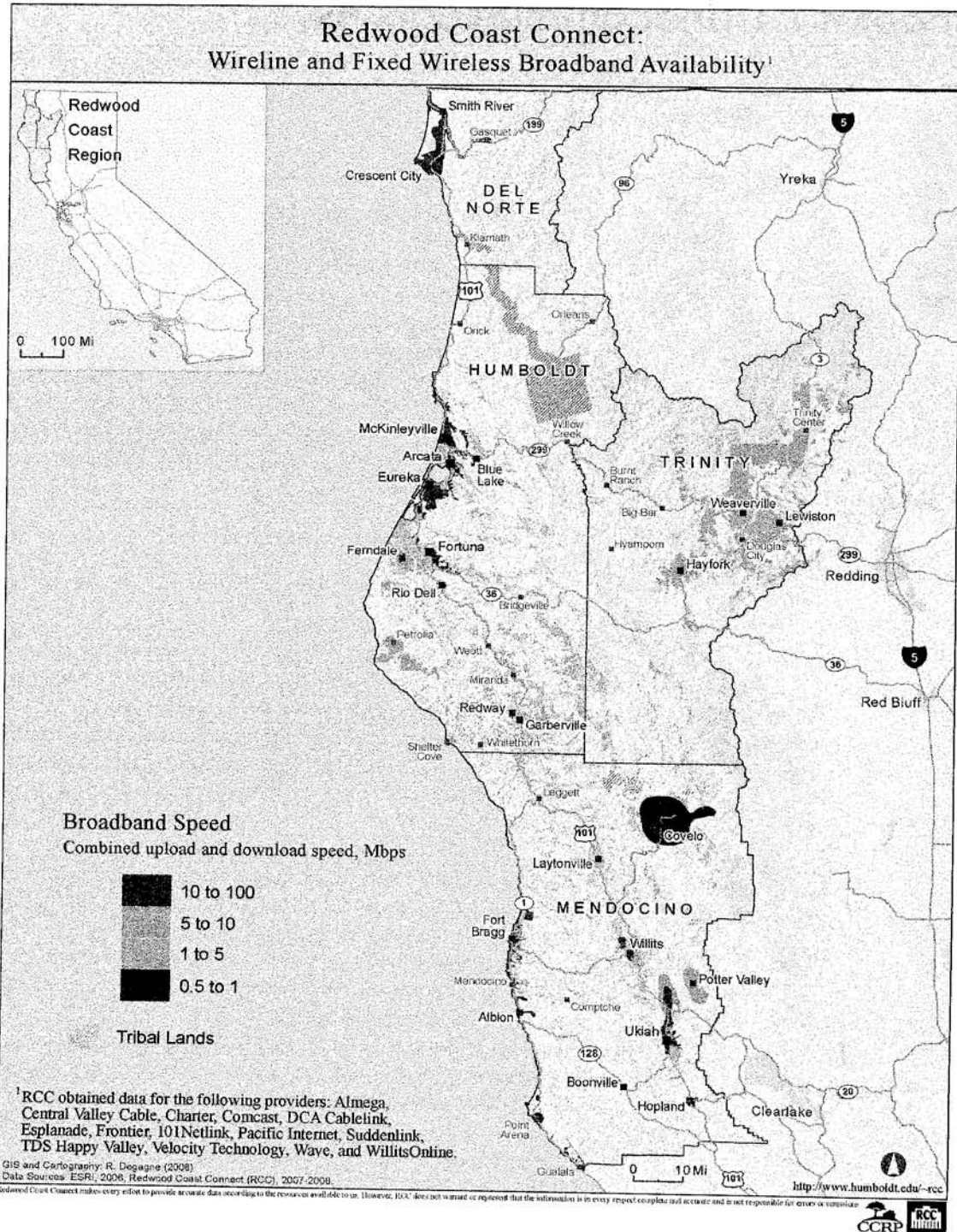
Telecommunications infrastructure and services, including basic telephone service, wireless telephone, and broadband Internet, are now essential to everyday activities for both businesses and residents. As a rural area with a dispersed population base, Humboldt County lags in access to reliable telecommunications services compared to urban areas such as the San Francisco Bay Area. In fact, several communities on the Yurok Reservation, including the Jack Norton Elementary School, are still without basic telephone service.

Humboldt County has a long history of telecommunications awareness and advocacy, starting with the formation of the Redwood Technology Consortium in 1997. Local groups worked closely with Assembly Member Virginia Strom-Martin to establish the Rural Telecommunications Infrastructure Grant Program in 2001, the first of its kind in the nation, which provides grants for construction of telecommunications infrastructure to low-income, rural communities currently without telephone service. In 2002, NERATECH prepared an in-depth analysis of Humboldt's telecommunications infrastructure and services. NERATECH, under contract to Humboldt County in 2004, prepared a supply and demand analysis called Living in a Networked World. 2006 saw development of a wireless broadband business plan for Orick. In 2007, the counties of Del Norte, Humboldt, Mendocino, and Trinity began a broadband demand aggregation study, Redwood Coast Connect.

#### **Broadband Communications Benefits and Availability**

High-speed Internet access, or broadband, is a fundamental aspect of the infrastructure required to educate our youth, create jobs, promote public safety, improve our standard of living, and to deliver essential services like health care. According to the California Public Utilities Commission, reasonable broadband service in 2008 is 1 mb upload/ 3 mb download (about 20 to 60 times the capacity of a telephone connection). Only one

**Figure 1, Wireline & Fixed Wireless Broadband Availability**



provider in the County is providing that level of service. While some Humboldt County residents have access to broadband, many residents and businesses are underserved in terms of provider choice or speeds. Humboldt County is seriously lagging behind the rest of the state in the quality and availability of broadband.

Figure 1, Wireline & Fixed Wireless Broadband Availability, shows the geographic availability of broadband telecommunications in Humboldt County. These figures show that broadband services are widely available in the greater Humboldt Bay Area. For many other areas of the County, broadband service is not available. Unserved areas include: Briceland, Bridgeville, Crannell, Ft Seward, Holmes, Korbel, Myers Flat, Orick, Orleans, Phillipsville, Redcrest, Richardson Grove, Weott, and the Yurok Reservation communities of Wautec/Johnsons, and Pecwan (which do not have basic telephone service). Underserved areas, which are defined as having a combination of one or more of the following: slow speeds, less than three providers, backhaul issues (availability and/or cost), no wireline coverage, small provider coverage area, include: Bayside, Carlotta, Fieldbrook, Honeydew, Hoopa, Hydesville, Kneeland, Petrolia, Weitchpec, and Willow Creek.

Ubiquitous broadband service availability will help the County accomplish many of its economic development objectives. Broadband will help strengthen and retain existing businesses and organizations. Broadband availability is also essential to create and recruit new jobs within identified targeted industry clusters who need reasonably priced advanced telecommunications services in order to compete from a rural location in a world economy. New residential and commercial development projects should include the infrastructure components necessary to support modern communication technologies such as conduit space within joint utility trenches for future high speed data equipment and flexibility in conduit placement to allow for easy retrofit for high speed data systems.

Medical services in Humboldt County are limited by our remote location. Telemedicine, which is the use of communication technology to provide and support health care when distance separates the participants, could help improve healthcare in Humboldt County. Telemedicine can allow specialist to augment their practices by providing services to smaller surrounding communities. Also, telemedicine can allow resident's access to specialists without the burden of traveling hundreds of miles to other more populated areas of the state. With the help of telemedicine, Humboldt County residents can have equal access to the best specialists in the medical profession.

Expanding broadband and wireless services to smaller and remote communities will have several additional benefits. Improved telecommunications infrastructure will support public safety and emergency services by improving communications and access to information. Economic development objectives such as improved tourism, industry diversification, job creation, and promoting local businesses will benefit from a stronger on-line presence. Additionally, broadband technology will enable online education opportunities, telecommuting, and reduce the need for other vehicle trips.

### **Broadband Telecommunications Planning**

**Redwood Coast Connect Project.** In 2007, the counties of Del Norte, Humboldt, Mendocino, and Trinity began a broadband demand aggregation study. The intent was to begin to understand and build a robust broadband market by increasing the supply of services (especially to underserved areas and constituencies) while, at the same time, growing business and home consumer demand in the region. In addition, the project

investigated local, regional and state-wide policies that create a favorable environment for building new broadband services and fostering their use. The project was managed by Humboldt State University under a grant provided by the California Emerging Technology Fund, the Humboldt Area Foundation and the McLean Foundation.

**California Broadband Task Force.** In 2007, Governor Arnold Schwarzenegger created California Broadband Task Force (CBTF) composed of industry leaders, public officials, and community representatives. Humboldt County was also fortunate enough to have two Task Force members including Humboldt State University President Rolling Richmond and Humboldt Area Foundation Executive Director Peter Pennekamp. In its final report to the Governor, the Task Force made five determinations: 1) 96% of California residences have access to broadband; 2) 1.4 million mostly rural Californians lack broadband access at any speed; 3) barely more than half of Californians have adopted broadband at home; 4) only half of Californians have access to broadband at speeds greater than 10 Mbps (including upstream and downstream speeds); and 5) broadband infrastructure is deployed unevenly throughout the state, from state-of-the-art to nonexistent.

The CBTF set three statewide goals:

- California must ensure ubiquitous and affordable broadband infrastructure, made available through a variety of technologies to all Californians.
- California must drive the creation and use of applications that produce the greatest economic, educational, and social benefits for California's economy and communities.
- California must construct next-generation broadband infrastructure, positioning California as the global economic leader in a knowledge-based economy.

The Legislature is currently considering a measure that would allow Community Service District's to construct, own, improve, maintain, and operate broadband facilities and provide broadband services, if a private person or entity is unable or unwilling to deploy broadband service. If the measure becomes law, many of Humboldt County's unserved smaller communities could benefit.

## 7.1.3 Goals and Policies

### Telecommunications Goals

- T-G1**      **Ubiquitous Availability.** A regional economy and quality of life strengthened by maximizing the use of telecommunications technology by ensuring availability to every resident, business and institution in Humboldt County.
- T-G2**      **Broadband Availability.** A reliable broadband Internet infrastructure that distributes a choice of economically accessible broadband services into our most rural communities, and is not vulnerable to disruption, with broadband service capability integrated into new buildings and developments and broadband access in remote or rural communities and available to low-income and disadvantaged residents.

### Telecommunications Policies

- T-P1**      **Development of Telecommunications Infrastructure and Services.**

Encourage development of telecommunications infrastructure and services to facilitate the use of the best available technology for business, households, and government. **(IS-P61)**

**T-P2 Service Continuity.** Encourage continuity of service by broadband telecommunications providers and to protect the network from becoming obsolete over time.

**T-P3 Telecommunications Facility Siting.** Establish and utilize wireless and wireline telecommunications siting standards, in coordination with other jurisdictions, to identify areas where future commercial or public telecommunications facilities can be located, while minimizing potential impacts, and establish telecommunications performance standards. **(IS-P62)**

**T-P4 e-Government Infrastructure.** Continue to expand the County's website and telecommunications capabilities and as a source of public information, including the use of geographic information system resources, and as an aid in the delivery of public services.

**T-P5 Telecommunications Facilities Within County Rights of Way.** Encourage telecommunications service providers to size underground and overhead facilities to accommodate future expansion, changes in technology, and where possible the facilities of other telecommunications providers.

**T-P6 Telecommuting.** Encourage telecommuting and home-based businesses that use the Internet, to the extent that such activity does not change the residential character of neighborhoods.

**T-P7 Broadband Internet.** Promote the provision of broadband infrastructure in all communities. **(ED-P3)**

**T-P8 Broadband Internet.** Support the development and management of an alternative fiber optic line that connects to the fiber backbone running along the U.S. 5 corridor. The County shall support the expansion and delivery of broadband Internet in the rural or remote communities in the county through all appropriate technologies. **(ED-P13)**

**T-P9 Workforce Development.** Continue to work with local businesses to identify special telecommunications needs, and to ensure that there are a variety of service providers available to address those needs.

**T-P10 Subdivision improvement requirements.** New residential and commercial development projects should include the infrastructure components necessary to support modern communication technologies such as conduit space within joint utility trenches for future high speed data equipment and flexible telephone conduit to allow for easy retrofit for high speed data systems.

**T-P11 Joint Telecom Planning.** Work with local governments, utilities, schools, medical service providers, and neighboring counties integrate telecommunication infrastructure planning on a regional basis.



- T-P12**      **E-911.** Ensure that the County's radio, telecommunications, and Internet services are capable of providing timely emergency information and facilitating rapid and reliable emergency response.
- T-P12**      **Cable Franchise Ordinance.** Ensure that the County's cable franchise ordinance is kept up-to-date to deal with the changing nature of federal and state law, as well as the changing nature of telecommunications technology so that the best possible services are available to residents.
- T-P13**      **Wireless "Hot Spots".** Encourage the installation of public-use wireless broadband antennas at every county building.
- T-P14**      **Trip Reduction.** Encourage telecommunications infrastructure improvements as a means to reduce transportation impacts and improve air quality.
- T-P14**      **Public Broadband Telecommunications Service Providers.** Support the provision of broadband telecommunications services by public agencies.
- T-P15**      **Technology Awareness.** Encourage awareness of broadband telecommunications technology by businesses and residents.

## 7.1.4 Standards

### Standards

- T-IM5**      **Telecommunications Siting Standard.** Siting of new telecommunications facilities shall comply with standards contained in a Telecommunications Facilities Ordinance that incorporate the following:
- **Site Sharing.** When feasible, telecommunications facilities shall be located adjacent to, on or incorporated into existing or proposed buildings, towers or other structures. The County should identify areas where telecommunications providers can jointly locate equipment and require providers to allow affordable co-location.
  - **Public Health and Safety.** Placement and operation of telecommunications facilities and other technological infrastructure shall be such that the public health and safety is not compromised
  - **Minimize Tower Height and Size.**
    1. Site facilities at the lowest possible point along ridge lines.
    2. Minimize the size and extent of appurtenant facilities – such as antennas, dishes, and equipment buildings, while still providing room for growth and co-location of future providers.
    3. Require, as part of a special use permit, that the top-most position of a monopole or tower be occupied with

antennas to ensure that the ultimate structure height is justified.

- **Scenic and Cultural Resources.** Placement and operation of telecommunications facilities shall be such that cultural and scenic resources are protected.
- **Landscaping.** Landscape appropriately around the perimeter of the facility.
- **Mask Structures.** Use "stealth" technology solutions for masking views of antennas. Use muted earth-tone colors or colors that match the background setting.
- **Expansion of Existing Facilities.** Allow for expansions of existing telecommunications facilities to the extent that the expansion is adequately justified through radio frequency propagation (wireless service coverage area) maps and other means, and to the extent that the expansion does not unduly impact nearby residential and historically significant areas.
- **Removal of Un-used Facilities.** Require the timely removal of telecommunications towers and equipment when they are no longer needed as a condition of approval.
- **Shared Facility Requirement.** Where appropriate, require commitments for sharing of new monopole or tower sites as a condition of approval.

## 7.1.5 Implementation Measures (preferred Plan Alternative B)

### Telecommunications Implementation Measures

- T-IM1**      **Telecommunications Facilities Ordinance.** Prepare a Telecommunications Facilities Ordinance that: ensures compatibility of telecommunications facilities with nearby land uses; is proactive in the design and siting of wireless telecommunications facilities, provides incentives for unobtrusive and compatible wireless antennas and establish clear standards for such facilities. (IS-IM32)
- T-IM2.**      **Broadband Deployment.** Revise subdivision regulations to require the provision, where feasible, of infrastructure for broadband Internet. (ED-IM3r)
- T-IM3**      **Improvement Specifications within Road Rights-of-Way.** Review the Standard Improvement Specifications for Public Improvements to determine if a location for the placement of conduit for telecommunications use can be designated and to develop safe zones for installing new telecommunications infrastructure.

- T-IM4**      **Telecommunications Infrastructure Inventory.** Create and maintain an inventory of telecommunications infrastructure located within and outside public rights-of-way and all existing and proposed telecommunications facilities and their locations in the County, including all available tall structures – that could be used for telecommunications antennas.
- T-IM5**      **Public Conduit.** Work with other local and state jurisdictions to evaluate the feasibility of installing publicly owned telecommunications conduit as part of capital construction projects such as water, wastewater, power, roads, and sidewalks.
- T- IM6**      **Ongoing Telecommunications Planning.** Prepare and periodically update a telecommunications improvement program based on existing local, Countywide, and regional telecommunications planning studies that identifies existing conditions, needed improvements, funding programs, and that establishes criteria for prioritizing projects.

DRAFT