



ROUND  
8/20 Patrick Boland

August 26, 2010

Commissioner Jeff Smith, Chair  
Humboldt County Planning Commission  
3015 H Street  
Eureka, CA 95501-4484

***RE: Comments on Draft of Chapter 6 Telecommunications Element,  
Section 6.5 Standards of the Humboldt County General Plan Update***

Dear Chairman Smith and Commissioners,

Thank you for the opportunity to participate in the process of updating the Humboldt County General Plan. With this letter Green Diamond Resource Company is submitting written comments on section 6.5 Telecommunications Element - Standard of the draft General Plan Update.

We have been working with Tina Nerat and Connie Stewart on issues we have on the currently worded Alternatives A&B for 6.5 T-S1, that would have an adverse impact on, or preclude, future improvements of our business systems.

1. I understood from Martha Spencer this morning that she believes the standards of 6.5 T-S1 would not apply to TPZ property, since Telecomm facilities are Principally Permitted Uses on TPZ property. That such facilities would use Non-Discretionary permits. That the 6.5 T-S1 Standards would only apply to Discretionary permits. After investigation this afternoon, Martha said that "*state law sees transmission facilities as compatible uses in TPZ, and that we have them in our TPZ ordinance as permitted uses (I don't see that changing as part of the GPU); however, the siting requirements of S1 could apply to towers in TPZ areas even if they are principally permitted, it would depend on how the ordinance is written.*"
2. Furthermore, if TPZ is an exception to the S-1 Standards, should it not be stated in the Element? Otherwise it leaves open, future conflicts of which takes precedent.

3. Along with others of the Broadband Working Group, we requested and prefer that the detailed standards of 6.5 T-S1 be moved from the General Plan which is difficult to change, to Ordinances which are easier to modify and thereby more responsive to Communications Technology changes in the future. More general "standards" wording could remain in S-1.

If you decide that the wording of 6.5 T-S1 will largely stand, we much prefer Alternative B, over A.

Regarding Alternative B:

4. We have problems with enforcing detailed measures in T-S1 F1 and F2, designed to protect the public's view, in locations where the public will never see, e.g. deep in private TPZ property. As well as incurring costs for measures the public will never see. Some wording for exclusions or allowance for judgment of applicability, could address that. E.g. "where appropriate".
5. We have concerns on what the definition or interpretation of "timely" will be in T-S1 G, regarding removal of towers and equipment. In our experience, the negotiations of finding co-location parties can take years.

We believe that other owners of large TPZ properties and communication towers could feel similarly.

Thank you for your consideration of our comments.

Sincerely,

Patrick Boland,  
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