County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8156
www.yolocounty.org

PLANNING COMMISSION STAFF REPORT **DECEMBER 8, 2011**

FILE #2011-0047: Request for a Use Permit to install one 40-foot, two 60-foot, and one 45-foot high self-supporting towers to enhance the fixed wireless broadband services in the rural areas of unincorporated Yolo County. The towers will be strategically located between the Cities of Winters, Davis, and Woodland (Attachment A).

APPLICANT: Brian Horn
Winters Broadband LLC
455 Russell Street
Winters, CA 95694

OWNERS: Frank H. & Michelle Kugler
29757 County Road 87E
Winters, CA 95694

Norman and Pearl Hansen
31482 Russell Boulevard
Winters, CA 95694

Robert Eoff, Trustee
24568 County Road 98
Davis, CA 95616

Erna Tarava
19344 Hillcrest Drive
Woodland, CA 95695

LOCATIONS: 29757 CR Road 87E (APN: 030-280-021); 31482 Russell Blvd (APN: 038-060-005); south side of CR 29, west of CR 98 (APN: 040-200-028); and 19344 Hillcrest Dr (APN: 040-032-011) (Attachment B)

GENERAL PLAN: Agriculture, Residential Rural

ZONING: Agricultural Preserve (A-P), Residential Suburban (RS)

SUPERVISORIAL DISTRICT: 2 (Supervisor Saylor) and 5 (Supervisor Chamberlain)

FLOOD ZONE: X (area outside the 100-year and 500-year floodplains)

FIRE SEVERITY ZONE: None, Moderate

SOILS: Riverwash (Rh) (Class VIII); Brentwood silty clay loam (BrA), 0 to 2% slopes (Class I); Corning gravelly loam (CtD2), 2 to 15% slopes, eroded (Class IV); Rincon silty clay loam (Rg) (Class II); Corning gravelly loam (CtE2), 15 to 30% slopes, eroded (Class VI); Yolo silt loam (Ya) (Class I); Sehorn cobbly clay (S1D), 2 to 15% slopes (Class IV)

ENVIRONMENTAL DETERMINATION: Negative Declaration

REPORT PREPARED BY:

Stephanie Cormier, Senior Planner

REVIEWED BY:

David Morrison, Assistant Director

AGENDA ITEM 6.4

RECOMMENDED ACTIONS

That the Planning Commission:

1. Hold a public hearing and receive comments;
2. Adopt the Negative Declaration prepared for the project as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (Attachment C);
3. Adopt the proposed Findings (Attachment D); and
4. Approve the Use Permit subject to the Conditions of Approval (Attachment E).

REASONS FOR RECOMMENDED ACTIONS

The proposed broadband towers will enhance the fixed wireless broadband services provided to businesses and residences in portions of the rural unincorporated area of the County. The project will be used to extend service coverage to those underserved and un-served businesses and residences, which fulfills a primary County objective of creating fixed and mobile connectivity throughout Yolo County by improving information access and technology infrastructure to support business and residential needs.

BACKGROUND

The proposed project is a Use Permit to erect four self-supporting broadband towers in various locations between the Cities of Winters, Davis, and Woodland that will extend service coverage and increase bandwidth availability at existing Winters Broadband (applicant) access points. Currently, Winters Broadband operates 29 wireless access points from 25 different sites in Yolo County to provide high speed broadband services to over 350 businesses and residences. Their Internet connectivity has also enabled the extension of some cellular phone service to remote and otherwise un-served cellular phone areas. The network has been built over the past nine years by working with rural land owners and using existing structures, such as barns, two-story housing, or masts, to provide the network coverage. However, due to hilly terrain and trees (including orchards and groves), there are many areas where service cannot be provided. Additionally, due to an enormous increase in Internet usage fueled by rich media applications and video streaming, Winters Broadband bandwidth utilization has tripled. The proposed project will allow for additional access points to accommodate the natural terrain and tall stands of trees and will increase bandwidth availability.

The towers will be unmanned, and require no additional equipment. The applicant anticipates making only one or two site visits per year for routine maintenance purposes. Most of the monitoring and updating will be done remotely.

STAFF ANALYSIS

Tower Locations

The proposed towers will be located on large agricultural parcels and one residential suburban parcel in the Monument Hills area (Attachment A). Tower Site #1, a 40-foot high tower enclosed within a 300-square foot fenced area, is proposed to be located in the northeast section of a 63-acre A-P (Agricultural Preserve) zoned parcel at 29757 CR 87E, just south of the City of Winters (APN: 030-280-021). Winters Broadband has existing facilities at the site which were initially established to provide service to the property owners living at the base of the hills. The site currently has an access point that provides service to ten customers, which also provides links to six other sites. According

to the applicant, the proposed 40-foot tower will enable Winters Broadband to:

- Reach other farm locations which are currently unreachable due to walnut orchards and hilly terrain in the vicinity;
- Provide links to the proposed Tower Sites #2 and #3; and
- Increase the bandwidth capability of links to other sites to support media rich application requirements.

The property, currently in use as rangeland, contains a rural residence and farm buildings. The nearest rural residence is located approximately 1,238 feet north of the tower site, on an adjoining parcel, which is separated by a creek and riparian foliage. The tower would be fenced for security with four-foot cyclone fencing, and will not disrupt current ranch operations. The property is surrounded by other agricultural properties.

Tower Site #2, a 60-foot high tower, is proposed to be located at the central western edge of a 32-acre A-P zoned parcel at 31482 Russell Blvd, east of the City of Winters (APN: 038-060-005). The tower will be used to replace a telescopic mast currently located on a barn on adjoining property, which has been used as an access point since August 2005. Winters Broadband is currently unable to get a direct link to the site due to trees in the area. The proposed 60-foot tower will enable Winters Broadband to reach other farm locations in the area which are currently unreachable due to walnut orchards and hilly terrain; and provide connections to other sites to improve coverage.

The property, currently in walnuts, contains a rural residence, a workshop, and other agricultural buildings. The property is in walnut production, and is surrounded by other walnut orchards and various agricultural uses. The tower, which will occupy 36 square feet, will be placed amidst the walnut orchard in an area without trees. The proposed tower site is approximately 1,036 feet north of the property's home site. Other nearby residences in the vicinity of the project are approximately 1,400 feet away from the tower site.

Tower Site #3, a 60-foot high tower within a 100-square foot fenced enclosure, is proposed to be located in the southeast corner of a 160-acre A-P zoned parcel, just east of the Yolo County Airport (APN: 040-200-028). The tower will be used to provide service to un-served and underserved areas to the west and northwest of Davis. The connection from Tower #3 to Winters Broadband data center will be relayed through the tower planned at Tower Site #2. The proposed 60-foot tower will enable Winters Broadband to:

- Reach other farm locations in the area which are currently unreachable due to orchards, groves, and hilly terrain;
- Provide connections to other sites for improved coverage; and
- Increase bandwidth capability to other sites to support medial rich application requirements.

The property is located approximately 1.5 miles east of the Yolo County Airport and lies within the Overflight Safety Zone, as identified by the Airport's Comprehensive Land Use Plan (CLUP). According to the CLUP, and verified by the Airport Land Use Commission (ALUC), the tower project is an allowed use in that safety zone as long as the tower does not cause electrical interference that would be detrimental to the operation of aircraft or aircraft instrumentation. According to information provided by the applicant, the broadband towers operate on the unlicensed ISM (Industrial, Scientific, and Medical) frequency bands, which are regulated by the Federal Communications Commission (FCC).

At the request of the County's Airport Manager, the applicant filed an application with the Federal Aviation Administration (FAA) for the proposed Tower #3 (Aeronautical Study Number (ASN) 2011-AWP-6944-OE). In turn, the FAA issued a "Determination of No Hazard to Air Navigation" on November 7, 2011.

The property is in active agricultural production and surrounded by other agricultural lands; there are currently no permanent structures on the property. The tower would be located in an area void of crops. The closest rural residence is approximately 2,470 feet southwest of the proposed tower site.

Tower Site #4, a 45-foot high tower, is proposed to locate near the southeast side property line of a R-S (Residential Suburban) zoned property at 19344 Hillcrest Drive (APN: 040-032-011). The tower will be used to provide service to un-served and underserved areas to the south and southwest of the tower site. The 45-foot tower will enable Winters Broadband to reach other farm locations in the area that are currently unreachable due to vegetation and terrain.

The property is located a little less than one mile south of the Watts-Woodland Airport. And, like Tower #3, Tower #4 is located in the Overflight Safety Zone of the Watts-Woodland Airport, which is an allowed use as long as there are no electrical interferences with aircraft or aircraft instrumentation. As has been determined by the ALUC, the proposed use at the site is consistent with the Watts-Woodland Airport CLUP.

There is currently a residence and a barn on the property, which is surrounded by other residential suburban uses to the north, south, and east, with agricultural producing lands to the west. The tower will be sited adjacent to the barn. The closest residence is approximately 140 feet to the east on the adjoining property. The 45-foot tower will occupy approximately 16 square feet and contain no lighting.

Aesthetics and Safety

Based on the photo-simulations provided by the applicant, staff has determined that although the towers will be visible from different vantage points, the aesthetic impacts are negligible due to surrounding foliage and other power lines and telecommunications infrastructure, such as high tension wires, telephone lines, or cell towers, etc., in the vicinity of each tower site. The towers may be visible from segments of State Route 128, and from various County roads. In addition, the towers would be visible from other vantage points in the nearby vicinity of each tower site, including rural residences and agricultural operations. However, the towers are no more than 60 feet in height and occupy a footprint of no more than 36 square feet. Also, because they will not have, nor do they require, safety lighting or markings, their visibility will not be enhanced.

In their review of the project, the ALUC contacted Caltrans' Department of Aeronautics to ensure the project was in compliance with FAA requirements. Through the FCC, there are instances when towers must register with the FAA. According to FCC guidelines, there are two applicable conditions which would trigger registration with the FAA: 1) If a tower penetrates an imaginary plane 200 feet above the elevation of an airport runway; or 2) If the tower's height is greater than an imaginary surface extending outward and upward at a series of determined slopes. In its advisory role, the ALUC concluded that neither of the towers (Sites # 3 and #4) comes close to penetrating the identified imaginary surfaces. Similarly, staff reviewed the FCC guidelines and concur that none of the towers meet requirements for registering with the FAA. Accordingly, the towers will not be required to be marked or lighted.

Although the project's objective is to reach above surrounding groves of trees, particularly eucalyptus, the tower heights are not significantly greater than surrounding foliage and/or existing structures within the vicinity of each tower site. The towers are similar to television antennas used in the rural, remote areas.

AGENCY COMMENTS

A Request for Comments was prepared and circulated for the proposed project from September 16, 2011 to October 11, 2011. The Initial Study/Negative Declaration was circulated for public review from November 4, 2011 to December 5, 2011. The project was also reviewed by the Development Review Committee on October 26, 2011 and November 30, 2011. Additionally, a courtesy notice was sent to property owners within 300 feet of each tower site. The project was heard at both the Aviation Advisory Committee and the West Plainfield Advisory Committee, although neither committee had a quorum; no comments were submitted.

At the time of preparation of this report, staff has not received any comments from nearby property owners or other interested parties in opposition to the proposed project. Staff received an inquiry from the adjoining property owner of the proposed Tower Site #4 in Monument Hills who expressed concern about the tower having safety lighting, but was otherwise supportive of the project. Additionally, the Yolo County Farm Bureau inquired if the towers would require safety markings; and stated they had no position on the project. As indicated above, no lighting or other safety markings will be required for any of the towers.

Comments received during each review period from interested agencies are displayed below and have been incorporated into the project as appropriate.

Date	Agency	Comment	Response
September 27, 2011	Federal Aviation Administration	Requested the applicant to electronically file FAA Form 7460-1, Notice of Proposed Construction or Alteration (Tower #3)	Applicant complied. FAA issued a Determination of No Hazard to Air Navigation on 11/7/2011
September 19, 2011	Yolo County Airport Manager	Requested that Tower #3 register with the FAA.	See above.
October 25, 2011 and November 8, 2011	Department of Conservation	Concluded that the towers are a compatible use on lands restricted by Williamson Act contracts, subject to any findings that the Board of Supervisors might otherwise make.	Comments noted.
October 27, 2011	Sacramento Area Council of Governments (SACOG), designated Airport Land Use Commission (ALUC)	Determined that Tower Site #3, which is in the Yolo County Airport overflight zone, and Tower Site #4, in the Watts-Woodland Airport overflight zone, were compatible uses with each respective Airport's Comprehensive Land Use Plan.	Comments noted.

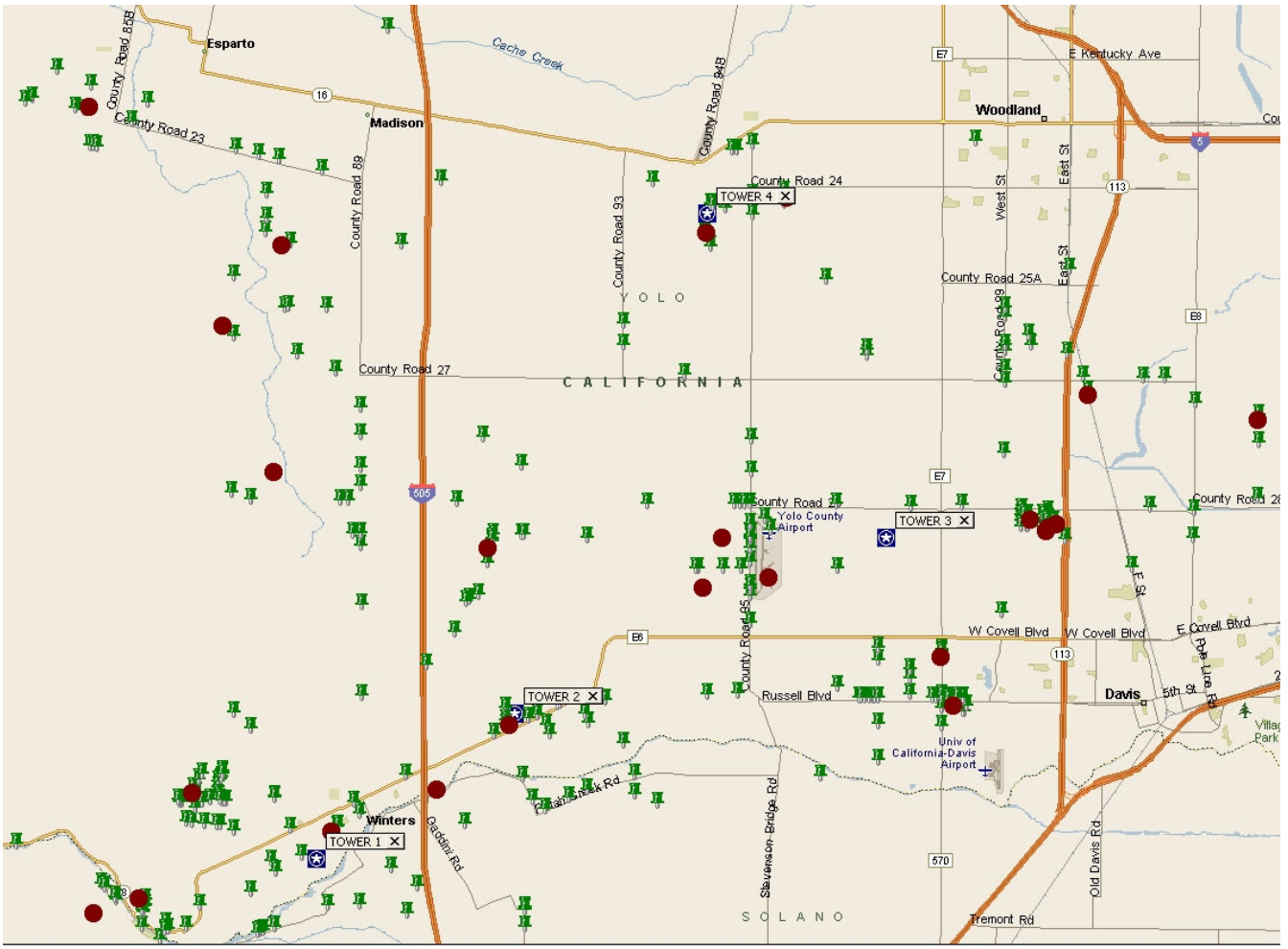
APPEALS

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of the Board of Supervisors within **fifteen (15) days** from the date of the action. A written notice of appeal specifying the grounds for appeal and an appeal fee immediately payable to the Clerk of the Board must be submitted at the time of filing. The Board of Supervisors may sustain, modify, or overrule this decision.

ATTACHMENTS

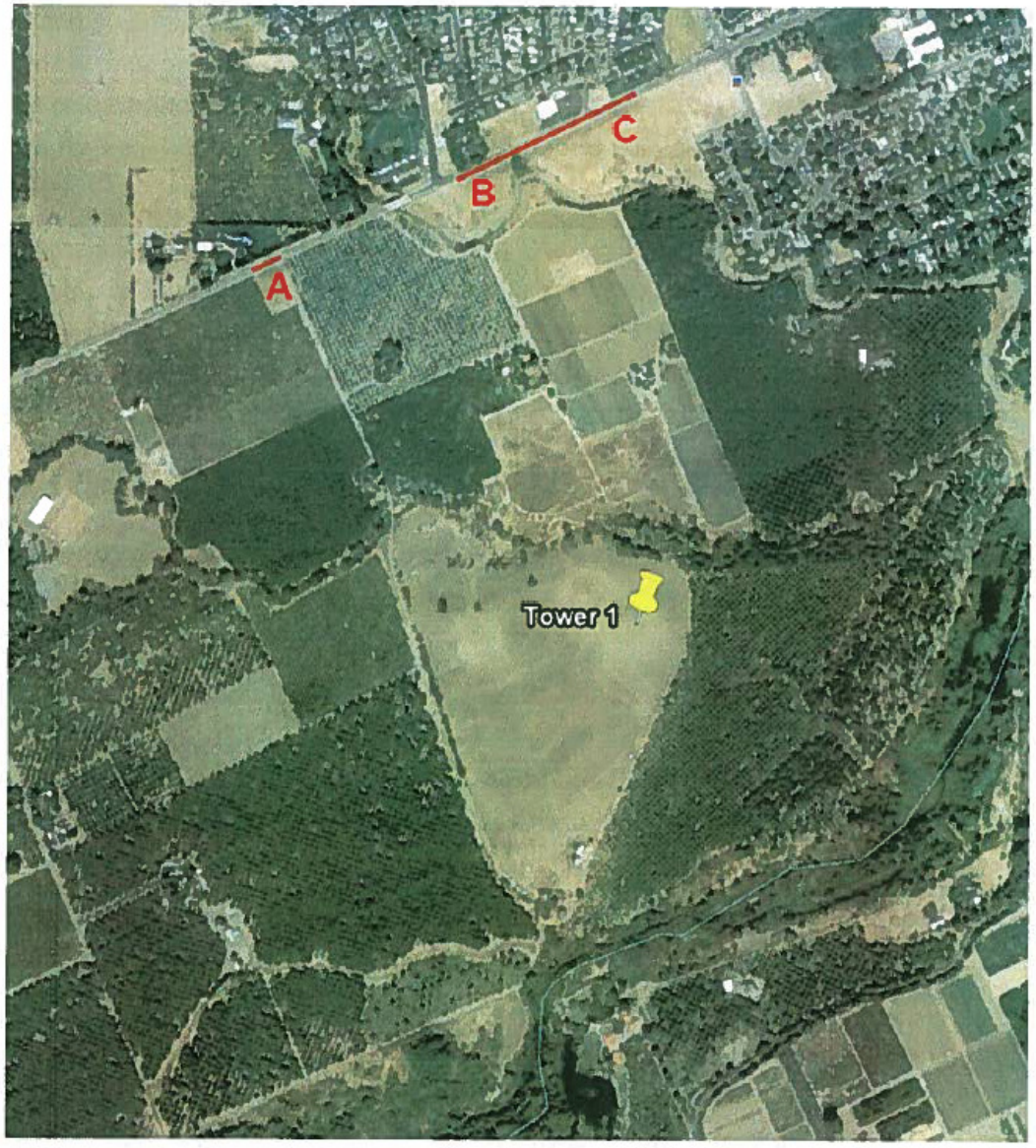
A: Site Plan (Coverage Area and Photo-Sims)
B: Location Map
C: Initial Study/Negative Declaration
D: Findings
E: Conditions of Approval
F: Correspondence

ATTACHMENT A



Green markers are customer sites
Red markers are existing access point sites
Blue markers are proposed tower sites

SITE PLAN

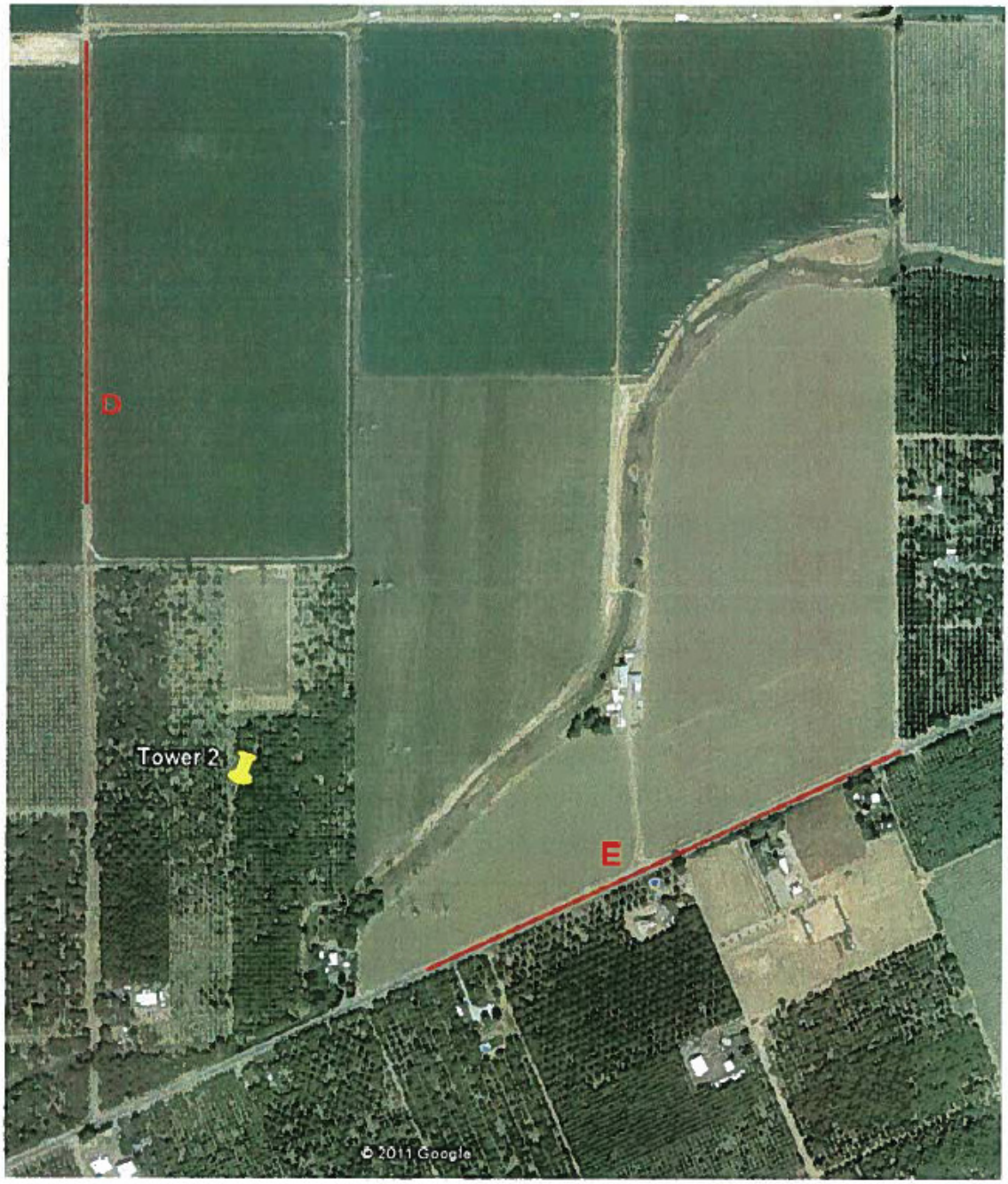


Map 3 – Satellite View of Tower Site 1

Tower Site #1, View A

Tower Site #1, View B

Tower Site #1, View C



Map 5 – Satellite View of Tower Site 2

Tower Site #2, View D

Tower Site #2, View E

Map 7 – Satellite View of Tower Site 3

Tower Site #3, View F

Tower Site #3, View G

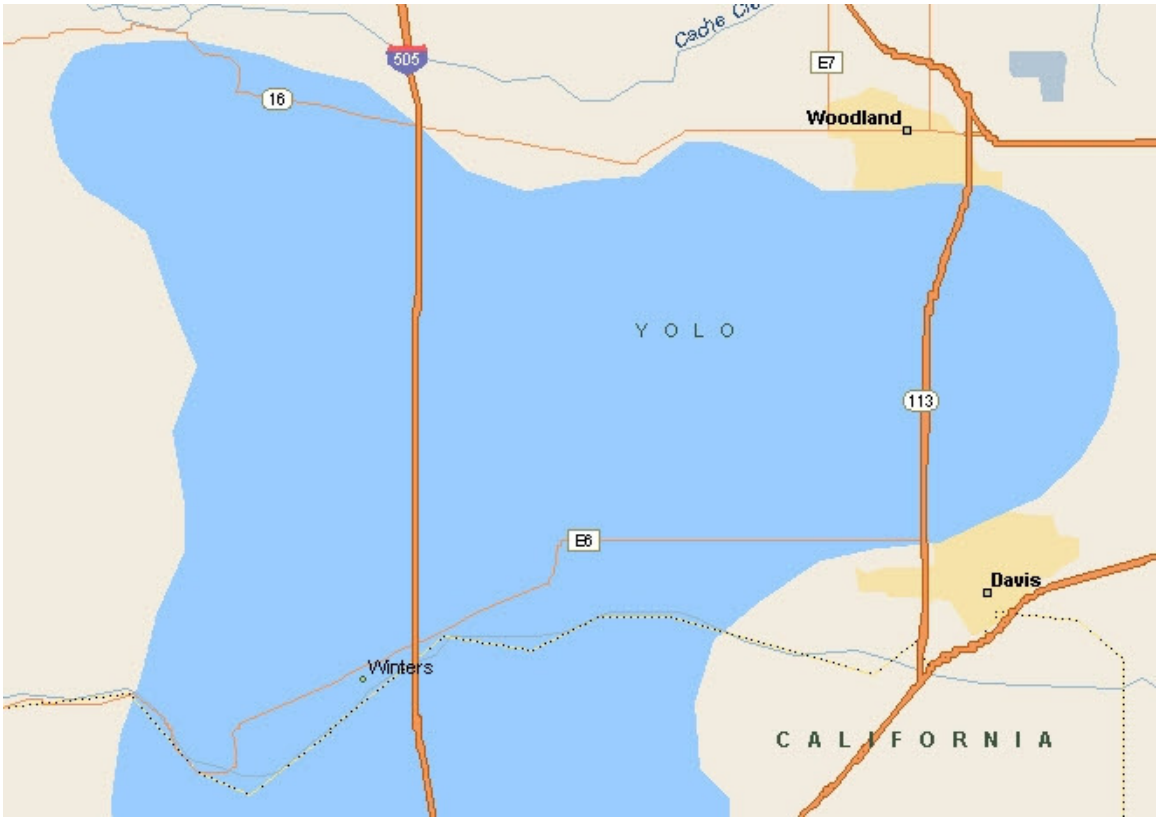
Tower Site #3, View H

Map 9 – Satellite View of Tower Site 4

Tower Site #4, View I

Tower Site #4, View J

ATTACHMENT B



VICINITY MAP AND COVERAGE AREA

ATTACHMENT C

YOLO COUNTY
PLANNING AND PUBLIC WORKS DEPARTMENT

INITIAL STUDY/NEGATIVE DECLARATION

FILE # 2011-0047

WINTERS BROADBAND TOWER PROJECT

USE PERMIT

November 2011

Initial Environmental Study

1. **Project Title:** Winters Broadband Tower Project Use Permit (ZF #2011-0047)

2. **Lead Agency Name and Address:**
   Yolo County Planning and Public Works Department
   292 West Beamer Street
   Woodland, CA 95695

3. **Contact Person, Phone Number, E-Mail:**
   Stephanie Cormier, Senior Planner
   (530) 666-8850
   stephanie.cormier@yolocounty.org

4. **Project Location:**
   The project is proposed in various locations between the Cities of Winters, Davis, and Woodland [Assessor Parcel Numbers (APNs): 030-280-021 at 29757 County Road 87E, Winters, CA; 038-060-005 at 31482 Russell Boulevard, Winters, CA; 040-200-028 on the south side of County Road 29, northwest of Davis, Woodland, CA; and, 040-032-011 at 19344 Hillcrest Drive, Woodland, CA; see Figure 1, Vicinity Maps and Figure 2, Aerial Maps]

5. **Project Sponsor's Name and Address:**
   Brian Horn
   Winters Broadband LLC
   455 Russell Street
   Winters, CA 95694

6. **Land Owner's Name and Address:**
   Frank & Michelle Kugler
   29757 County Road 87E
   Winters, CA 95694

   Norman & Pearl Hansen
   31482 Russell Boulevard
   Winters, CA 95694

   Robert Eoff, Trustee
   24568 County Road 98
   Davis, CA 95616

   Erna Tarava
   19344 Hillcrest Drive
   Woodland, CA 95695

7. **General Plan Designation(s):**
   Designated as "Agriculture" and "Residential Rural" in the 2030 Yolo Countywide General Plan

8. **Zoning:**
   Currently zoned Agricultural Preserve (A-P) and Residential Suburban (R-S)

9. **Description of the Project:**
   See attached "Project Description" on the following pages for details

10. Surrounding Land Uses and Setting:

Agricultural uses surround the project sites on APNs: 030-280-021, 038-060-005, and 040-200-028, with most of the surrounding land farmed in cultivated row crops and orchards. APN: 040-200-028 lies approximately one mile east of the Yolo County Airport. APN: 040-032-011, located in the Monument Hills area, is surrounded by rural residential uses to the north, south, and east, and agricultural uses to the west; the Watts-Woodland Airport lies to the north.

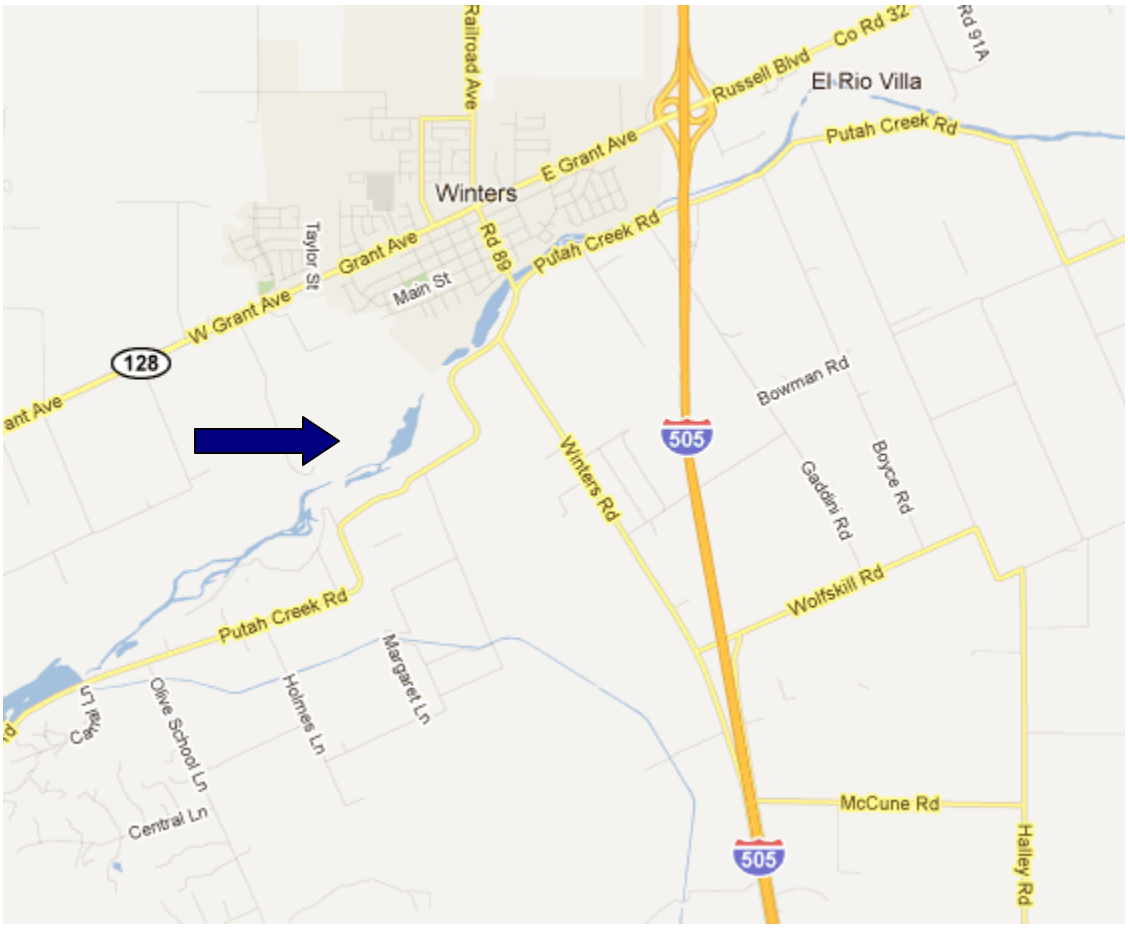


Figure 1a - Vicinity Map

Tower #1 (APN: 030-280-021)

29757 CR 87E, Winters

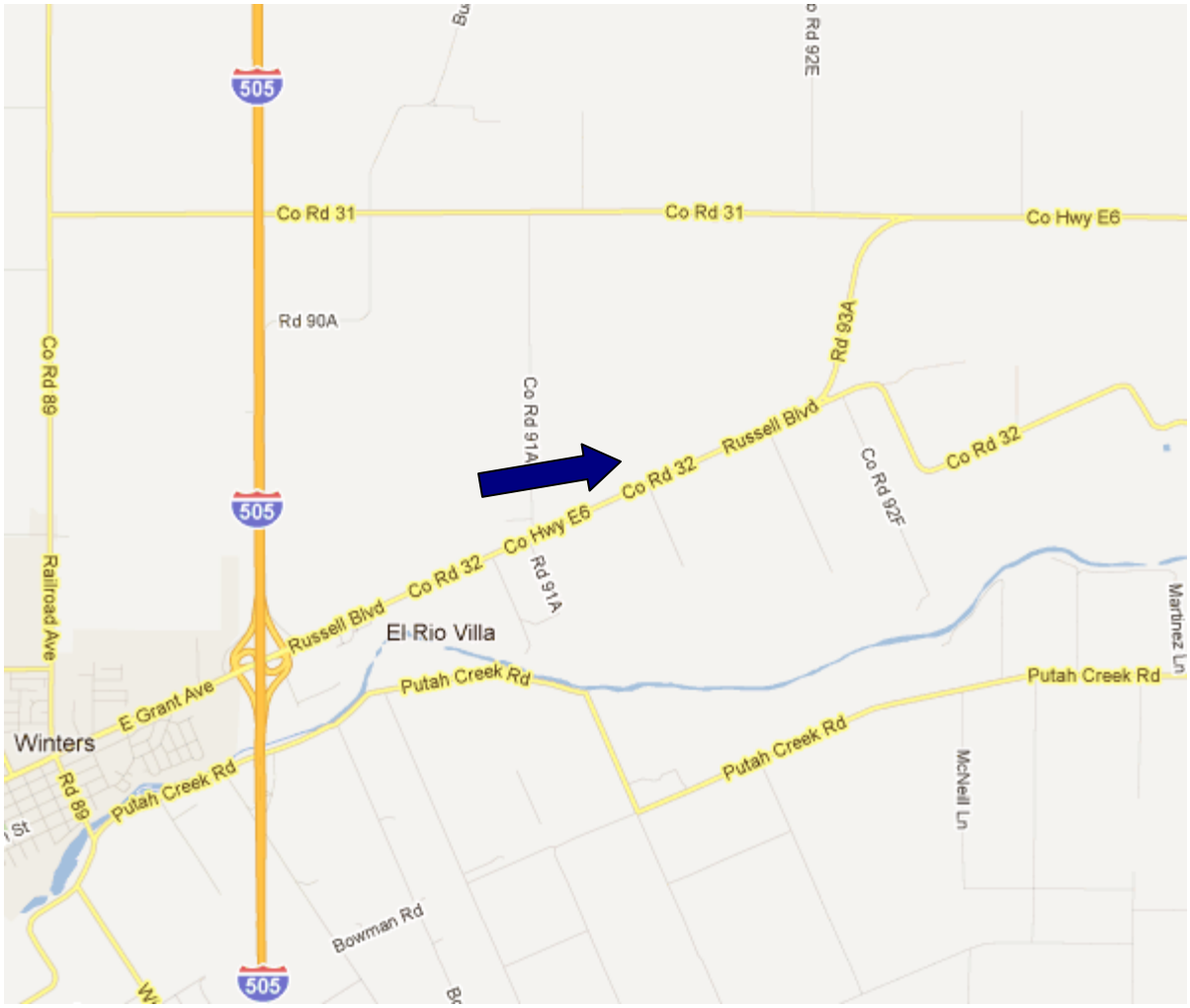


Figure 1b - Vicinity Map

Tower #2 (APN: 038-360-005)

31482 Russell Blvd, Winters

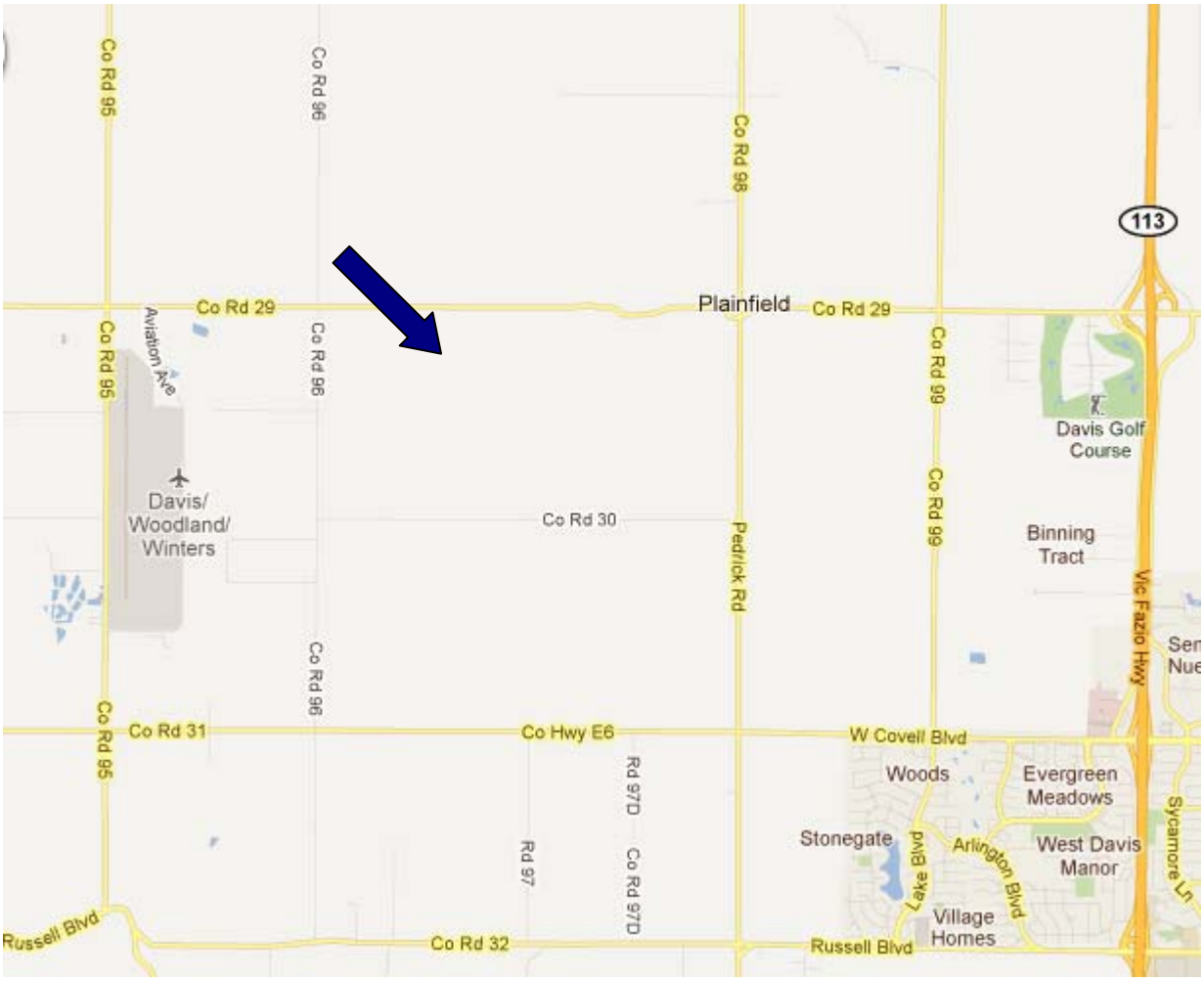


Figure 1c - Vicinity Map

Tower #3 (APN: 040-200-028)

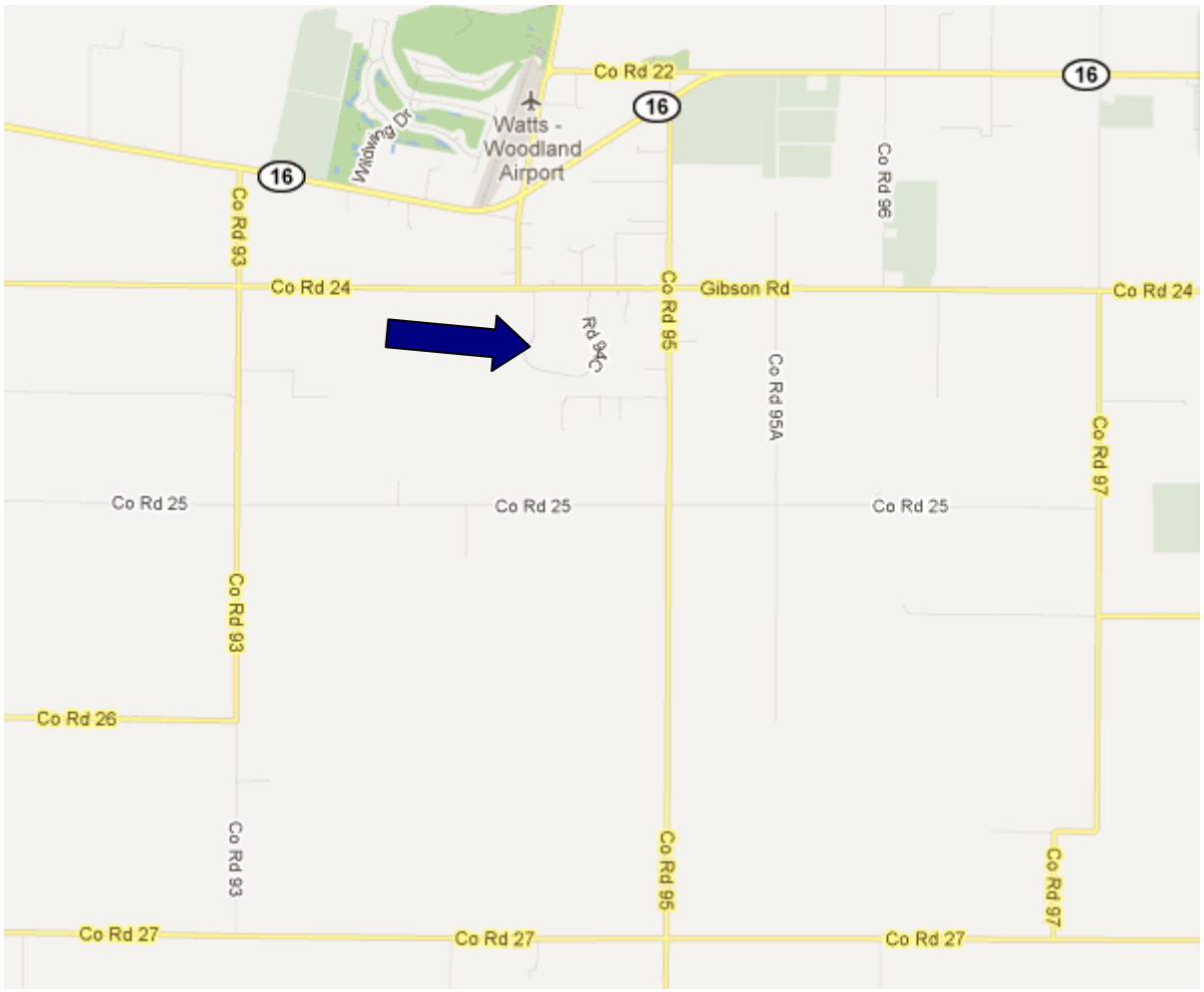


Figure 1d - Vicinity Map

Tower #4 (APN: 040-032-011)

19344 Hillcrest Drive, Woodland

Figure 2a – Aerial

Proposed Tower Site 1

Figure 2b – Aerial

Proposed Tower Site 2

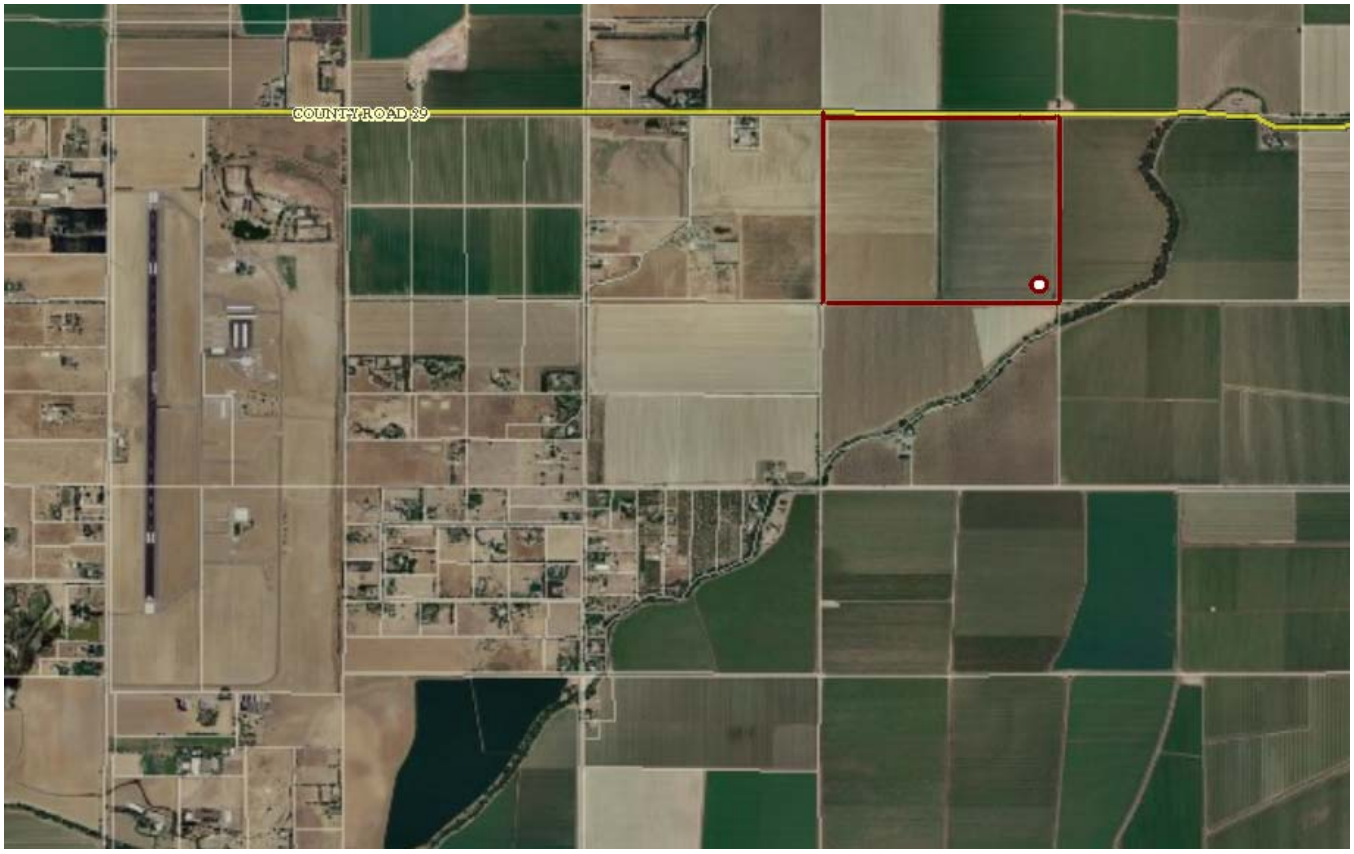


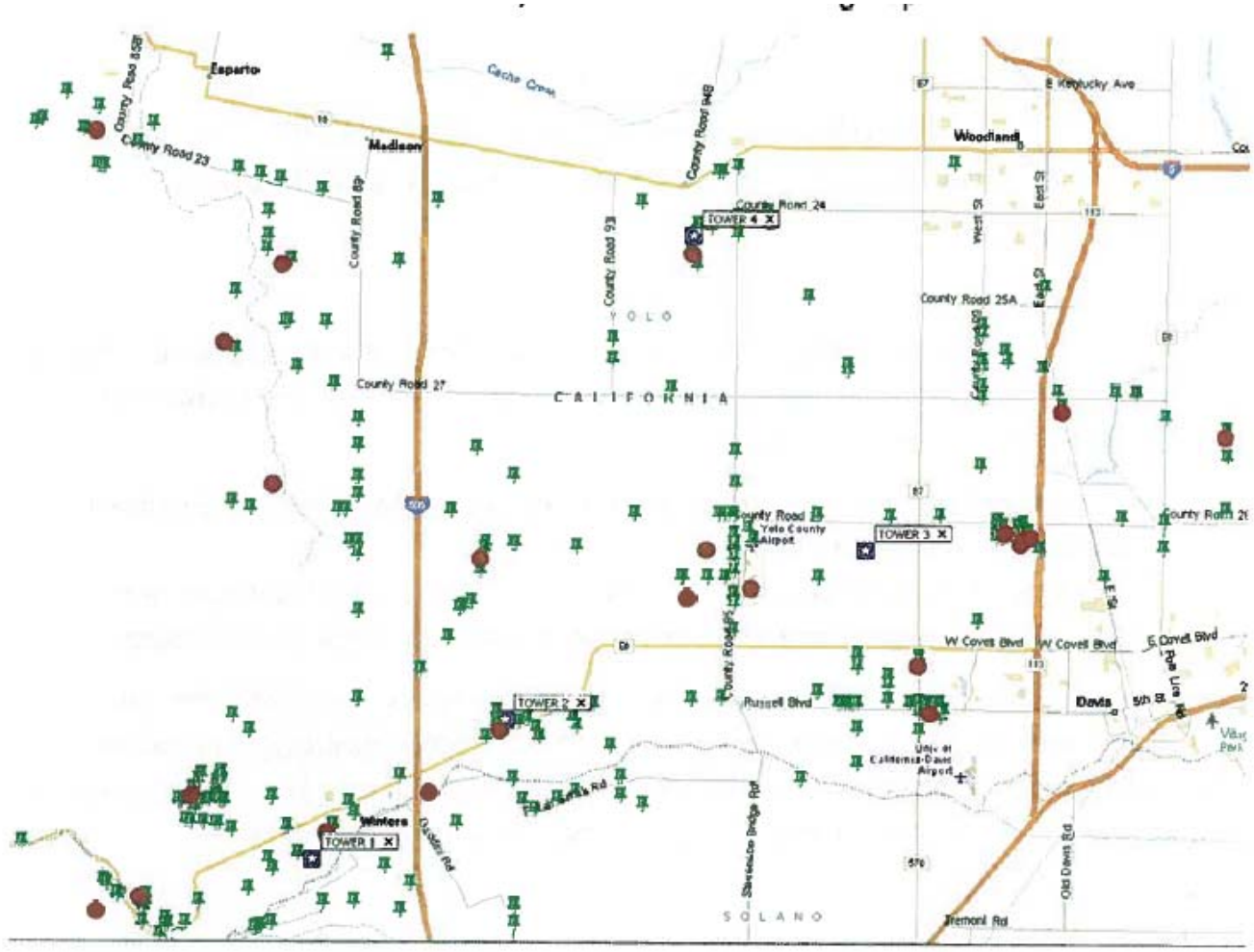
Figure 2c – Aerial

Proposed Tower Site 3

Figure 2d – Aerial

Proposed Tower Site 4

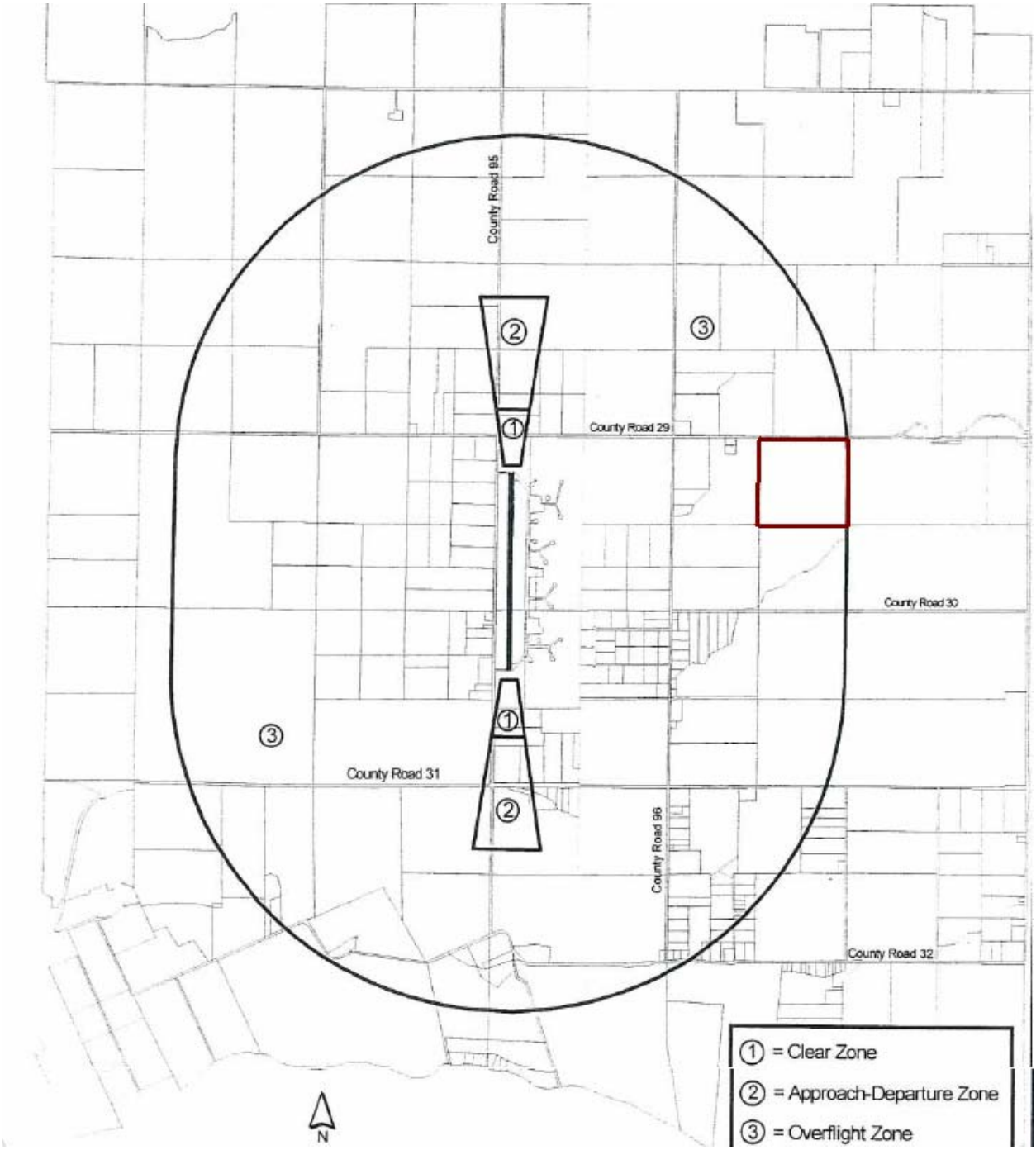
Figure 3 – Coverage



Green flags show customer sites
Red circles show existing access point sites
Blue symbols show the four proposed towers

FIGURE 4

YOLO COUNTY AIRPORT SAFETY ZONES



TOWER 3 LOCATION
APN: 040-200-028

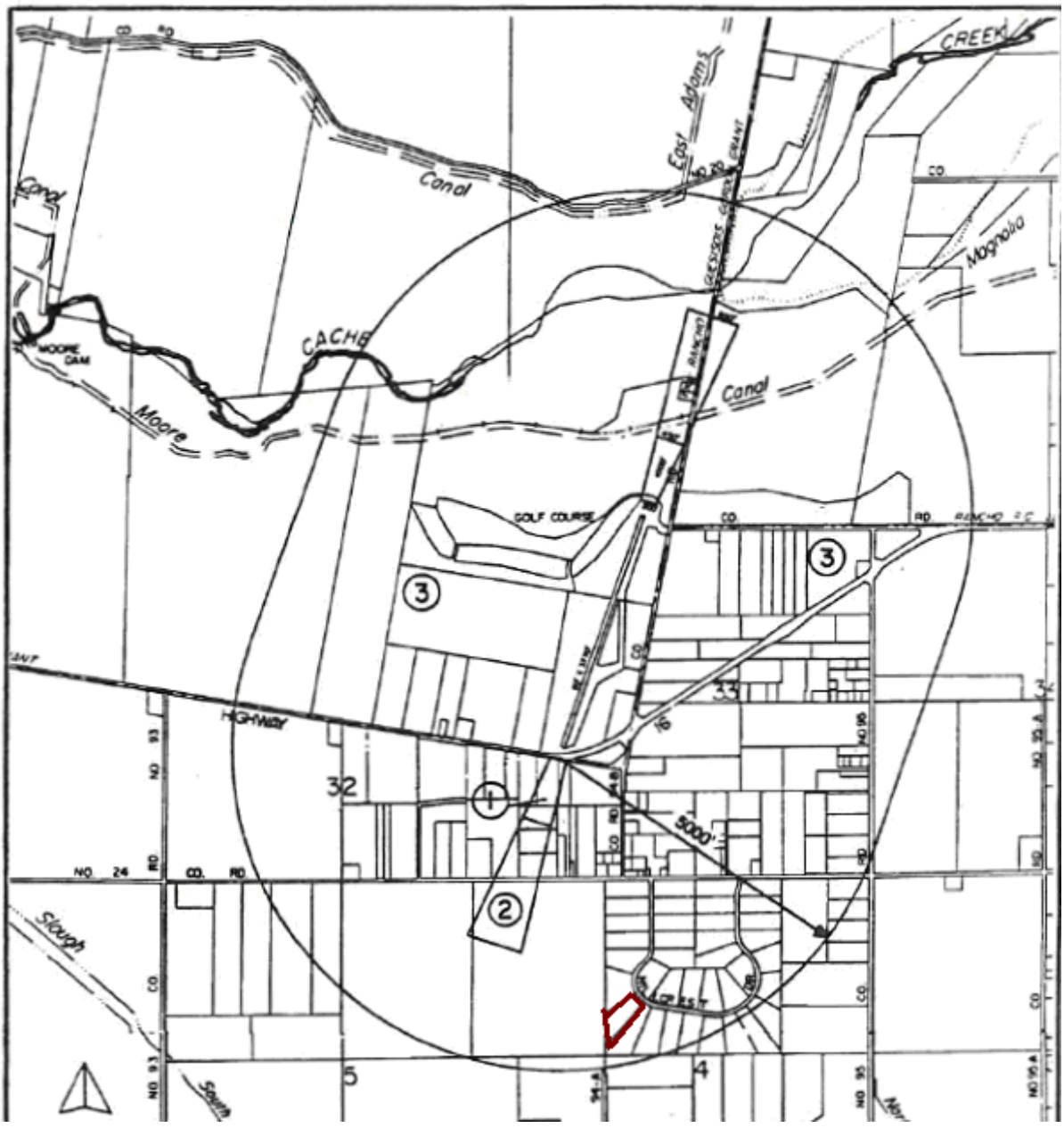
WATTS-WOODLAND AIRPORT SAFETY ZONES

LEGEND

(1) CLEAR ZONE

(2) APPROACH/DEPARTURE ZONE

(3) OVERFLIGHT ZONE



TOWER 4 LOCATION
APN: 040-032-011

11. Other public agencies whose approval is required:

- Yolo County Public Works: Approval of improvements, as per County Improvement Standards; encroachment permits

- Yolo County Environmental Health: Approval of Hazardous Materials Business Plan and Inventory, if applicable

- Federal Aviation Association: Determination of a compatible use in a Safety (Overflight) Zone, if applicable

12. Other Project Assumptions: The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the State Health and Safety Code, and the State Public Resources Code.

Project Description

The "Project" Under CEQA

This Environmental Initial Study is prepared in accordance with the California Environmental Quality Act (CEQA). The term "project" is defined by CEQA as the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment (CEQA Guidelines Section 15378). This includes all phases of a project that are reasonably foreseeable (full "build-out"), and all related projects that are directly linked to the project. The "project," which is the subject of this Environmental Initial Study, is a request for a Use Permit to erect four self supporting towers, in various locations, in order to enhance the fixed wireless broadband services provided to businesses and residences in the rural areas of the County, as described below (Figure 3).

Project Background

The project involves a Minor Use Permit for the installation of one 40-foot, two 60-foot, and one 45-foot high towers that would allow Winters Broadband (applicant) to extend their service areas to those un-served and underserved businesses and residences in the unincorporated area of the County. Winters Broadband currently operates 29 wireless access points from 25 different sites in Yolo County to provide high speed broadband services for approximately 350 businesses and residences. Due to hilly terrain, trees (including orchards and groves), and increasing bandwidth utilization, many of the rural areas of the County remain underserved or without broadband service.

Three of the towers are proposed to locate on large agricultural parcels (APNs: 030-280-021, 038-060-005, and 040-200-028); one tower is proposed to locate on a residential suburban lot in the Monument Hills area (APN: 040-032-011). Two of the tower sites are located within the Overflight Safety Zones of the Yolo County Airport (APN: 040-200-028) and the Watts-Woodland Airport (040-032-011), and have been determined to be consistent with each airport's Comprehensive Land Use Plan.

Due to the relatively short tower heights and narrow diameter of the towers (overall tower footprint is from 16 square feet for the 40- and 45-foot tall towers to 36 square feet for the 60-foot towers), minimal land disturbance is expected. Tower Sites #1 and #3 will be fenced for security with four-foot cyclone fencing. Tower #1 would be placed within a 300-square foot fenced area with minimal impact to grazing land; and Tower #3 would be placed in a 100-square foot fenced area in the southeast corner of the property where no crops are grown. Tower Sites #2 and #4 would be placed within existing secure locations. Tower #2 would be placed within a walnut orchard in an area without trees, and Tower #4 will be located next to a barn on a residential suburban property. The towers require no safety marking or lighting.

Power for the towers would be generated from solar panels, wind generators, and/or existing utility power available at the site(s). By providing alternative energy sources, most of the Winters Broadband sites are capable of operating for several days without utility power during outages. The towers are similar to those used by residences in the rural areas to receive television signals.

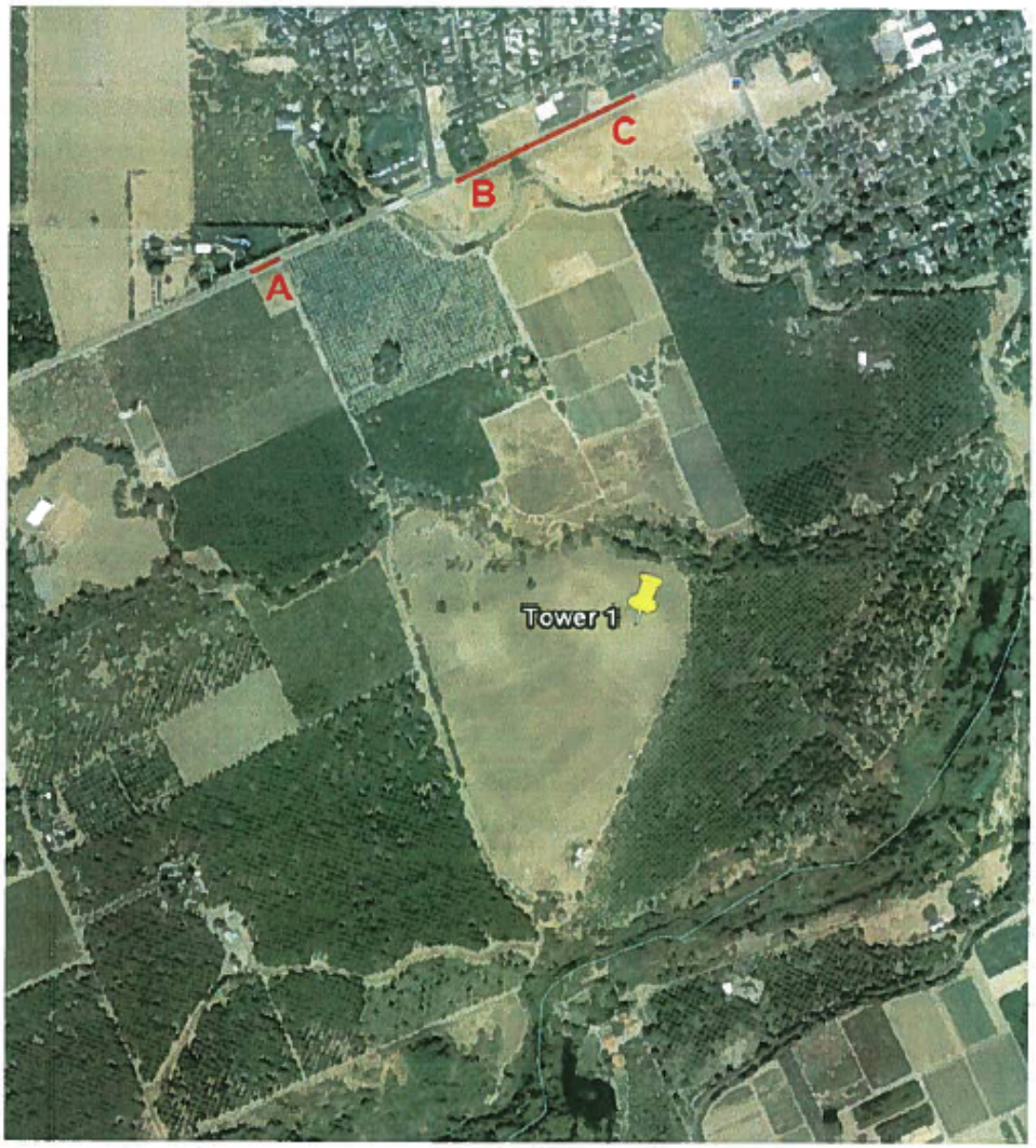
The equipment used by Winters Broadband is commonly known as "Wi-Fi," which operates in the 2.4 GHz and 5.8 GHz unlicensed ISM (Industrial, Scientific and Medical) FCC (Federal Communication Commission) frequency bands. ISM bands are regulated by FCC rules and regulations, which include electromagnetic frequency emissions. Equipment purchased and operated by Winters Broadband must have FCC certification and remain in compliance with FCC regulations. Winters Broadband is a member of the Wireless Internet Service Providers Association, which works closely with the FCC.

Tower Locations

Tower #1

Tower #1 is a 40-foot tower proposed to locate on a 63-acre parcel zoned A-P (Agricultural Preserve), at 29757 County Road 87E, just south of the City of Winters (APN: 030-280-021) (see Figure 1a and Figure 2a). Structures on the property include a rural residence and farm buildings. The property is currently in use as a ranch, and is surrounded by other lands in agricultural production. The proposed tower location would be approximately 1,436 feet north of the property's home site. The nearest rural residence is located approximately 1,238 feet north of the tower site, on an adjoining parcel, which is separated by a creek and riparian foliage.

Winters Broadband has existing facilities at this site which were initially established to provide service to property owners living in an un-served area. The site currently has an "Access Point" which provides service to ten customers. The site also provides links to six other sites. The proposed 40-foot tower at this site will enable the applicant to accomplish three goals: reach other rural locations which are unreachable due to walnut orchards and hilly terrain in the vicinity; provide links to the proposed Tower #2 and Tower #3; and, increase bandwidth capability of links to other sites.



Tower Site 1

Tower 1 View A

Tower 1 View B

Tower 1 View C

Tower #2

Tower #2 is a 60-foot tower proposed to locate on a 32-acre A-P zoned parcel, at 31482 Russell Boulevard, east of the City of Winters (APN: 038-060-005) (see Figures 1b and 2b). Structures on the property include a rural residence, a workshop, and other agricultural buildings. The property is in walnut production, and is surrounded by other walnut orchards and various agricultural uses. The proposed tower site is approximately 1,036 feet north of the property's home site. Other nearby residences in the vicinity of the project are approximately 1,400 feet away from the tower site.

Tower #2 will be used to replace a telescopic mast currently situated on a barn on the adjoining property, which has been used as an access point since August 2005. The applicant is currently unable to get a direct link to the site from a tower a few miles to the north due to trees in the area. The proposed Tower #2 will enable the applicant to reach other rural locations that are currently unreachable, and will provide connections to other sites for improved coverage.

Tower Site 2

Tower 2 View D

Tower 2 View E

Tower #3

Tower #3 is a 60-foot tower proposed to locate on a 160-acre A-P zoned parcel, on the south side of County Road 29, west of County Road 98 and approximately 1.5 miles east of the County Airport (APN: 040-200-028) (see Figures 1c and 2c). The property is in active agricultural production and surrounded by other agricultural lands; there are currently no permanent structures on the property. The closest rural residence is approximately 2,470 feet southwest of the proposed tower site. Other nearby rural residences are well over 3,000 feet away to the east and to the west.

The proposed tower location is in the overflight zone of the Yolo County Airport (Figure 4), and is an allowed use in that safety zone as long as the tower does not cause electrical interference that would be detrimental to the operation of aircraft or aircraft instrumentation. The towers operate on the unlicensed ISM frequency bands, which are regulated by the FCC. The applicant has filed an application with the FAA for the proposed Tower #3. The Aeronautical Study Number (ASN) that has been assigned is 2011-AWP-6944-OE.

Tower #3 will be used to provide service to un-served and underserved areas to the west and northwest of the City of Davis. Currently, the applicant is unable to get a direct link to the site due to trees in the area. Connection to the Winters Broadband data center will be relayed through the proposed Tower #3, which will enable service to rural locations currently unreachable. Tower #3 will also provide connections to other sites for improved coverage, and increase bandwidth capability of links to other sites.

Tower Site 3

Tower 3 View F

Tower 3 View G

Tower 3 View H

Tower #4

Tower #4 is a 45-foot tower proposed to locate on a 4.5-acre R-S (Residential Suburban) zoned parcel, at 19344 Hillcrest Drive in the Monument Hills area (APN: 040-032-011) (see Figures 1d and 2d), which is a little less than one mile south of the Watts-Woodland Airport. There is currently a rural residence and a barn on the property, which is surrounded by other rural residential uses to the north, south, and east, with agricultural producing lands to the west. The closest residence is approximately 140 feet to the east on the adjoining property.

Tower #4 is located in the Overflight Safety Zone of the Watts-Woodland Airport (Figure 4), which is an allowed use as long as there are no electrical interferences with aircraft or aircraft instrumentation. As has been determined by the Airport Land Use Commission, the proposed use at the site is consistent with the Watts-Woodland Comprehensive Airport Land Use Plan. Tower #4 will be used to provide service to un-served and underserved areas to the south and southwest of the proposed tower location, which are currently unreachable due to vegetation and terrain.

Tower Site 4

Tower 4 View I

Tower 4 View J

Access to each site is from an adjoining county road and an existing private drive. Construction activity consists of digging a foundation for each tower, installing each base section, and pouring concrete. Once the concrete has set, the tower sections and associated equipment would be erected within one day, for a total construction time of two days. Traffic generation from operation of each tower would be negligible, as the towers would be monitored remotely and maintained routinely once a year. Software upgrades are also done remotely as Winters Broadband manufactures products that enable the remote management of the power systems at each site, which eliminates the need to access each site to reboot equipment.

Relationship to the 2030 Yolo Countywide General Plan

Telecommunications facilities are consistent with, and are encouraged by, policies included in the 2030 Yolo Countywide General Plan that promote technology, information, and communications systems that advance communities by providing fixed and mobile connectivity throughout the County, and improved community access to information technology. The proposed project will provide increased technology infrastructure that supports a wide range of business and residential needs throughout the rural areas of the County.

Environmental Factors Potentially Affected

The environmental factors checked below could potentially be affected by this project, involving at least one impact that is still a "Potentially Significant Impact" (before any proposed mitigation measures have been adopted or, alternatively, have been made or agreed to by the project proponent) as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

Determination

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because the project is consistent with an adopted general plan and all potentially significant effects have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT, the project is exempt from further review under the California Environmental Quality Act under the requirements of Public Resources Code section 21083(a).

Planner's Signature	Date	Planner's Printed name
SCormier	11.4.2011	Stephanie Cormier

Purpose of this Initial Study

This Initial Study has been prepared consistent with CEQA Guideline Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. A "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from a "Potentially Significant Impact" to a "Less than significant Impact". The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level. (Mitigation measures from Section XVIII, "Earlier Analyses", may be cross-referenced.)
5. A determination that a "Less Than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVIII at the end of the checklist.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I.	AESTHETICS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	☐	☐	☒	☐
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☐	☒

Discussion of Impacts

a) *Less than Significant Impact.* The project tower sites are not located along a designated scenic roadway, but the proposed Tower Site #1 is approximately 0.5 mile south of State Route (SR) 128, which is a locally designated scenic roadway in the 2030 Countywide General Plan. Although the project sits on slightly elevated ground, views of the SR 128 corridor and Berryessa hills to the west will not be affected. Each of the tower sites sit amongst vegetation and/or other structures that are similar in height (such as power lines, trees, and orchards), or are somewhat indistinguishable from the natural landscape due to the narrow diameter of the towers (see photo simulations for each tower site in the Project Description). The towers will be placed on portions of each property so as not to hinder views of any scenic vistas from nearby residences. Impacts to scenic vistas are expected to be less than significant.

b) *Less than Significant Impact.* The proposed project is not expected to damage scenic resources. State Route 128, located approximately 0.5 mile to the north of the proposed Tower Site #1, is a locally designated scenic highway in the 2030 Countywide General Plan. Although the tower site will be visible from that section of the highway, the 40-foot tower will not obstruct or degrade views from passing motorists along the SR 128 corridor. Impacts to scenic resources will be less than significant.

c) *Less than Significant Impact.* The proposed project will allow for the installation of one 40-foot, one 45-foot, and two 60-foot high self-supporting towers, in various locations, for the purposes of enhancing the fixed wireless broadband services to businesses and residences in the rural areas of the County. Three of the tower sites (APNs: 030-280-021, 038-060-005, and 040-200-028) will be located on large agricultural parcels that are surrounded by agricultural uses, such as rangeland, walnut orchards, and row crops. One of the towers is proposed to locate on a 4.5-acre residential suburban property in the Monument Hills area (APN: 040-032-011). Although the use is compatible with the agricultural and/or residential uses of each property, some of the existing views in the vicinity of each tower site would be slightly changed with the erection of the new towers. The closest rural residences are located approximately 1,200 feet north of the proposed Tower #1; 1,400 feet away from the proposed Tower #2; 2,400 feet southwest of the proposed Tower #3; and, 140 feet east of the proposed Tower #4. Overall, the new towers would not degrade the existing rural visual character or the quality of the sites and their surroundings.

d) *No Impact.* The project does not include any lighting and the towers are not subject to FAA lighting requirements.

II.	AGRICULTURAL AND FOREST RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b.	Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	☐	☐	☐	☒
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Environmental Setting

The Yolo County General Plan designates land use on three of the project tower sites (APNs: 030-280-021, 038-060-005, and 040-200-028) as "Agricultural" and "Rural Residential" on one tower site (APN: 040-032-011) (Tower #4). An Agricultural land use designation is applied to lands best suited for agriculture, to preserve them from the encroachment of nonagricultural uses. It is intended to include lands in contracted agricultural preserves. Examples of uses which are considered appropriate under the agricultural designation include, but are not limited to: growing

and harvesting field crops, grain and hay crops; processing of agricultural crops; wildlife preserves; and other similar agricultural uses.

The California Department of Conservation Division of Land Resource Protection maintains a Farmland Mapping and Monitoring Program (FMMP) that has developed Important Farmland Maps for the state. The FMMP is a classification system that combines technical soil ratings and current land use as the basis for the Important Farmland Maps. The Important Farmland Maps identify prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, grazing land, urban and built-up land, other land and water. The designation for three of the project tower sites is Prime Farmland, and Tower #4 is designated as Urban and Built Up Land.

The Soil Survey of Yolo County, California (U. S. Soil Conservation Service, 1972) indicates that the project sites are composed of a combination of two or more of the following: Riverwash (Rh), a Class VIII soil; Brentwood silty clay loam (BrA), 0 to 2 percent slopes, a Class I soil with a Storie Index of 81; Corning gravelly loam (CtD2), 2 to 15 percent slopes, eroded, a Class IV soil with a Storie Index of 25; Rincon silty clay loam (Rg), a Class II soil with a Storie Index of 73; Corning gravelly loam (CtE2), 15 to 30 percent slopes, eroded, a Class VI soil with a Storie Index of 21; and, Yolo silt loam (Ya), a Class I soil with a Storie Index of 100. According to the Soil Survey, these soils are used mainly for irrigated orchards, row crops, forage crops, truck crops, dryfarmed small grain, pasture, wildlife habitat, and recreation.

The agriculturally-zoned project tower sites have historically been used for agricultural purposes, such as range land (Tower Site #1), orchards (Tower Site #2), and row crops (Tower Site #3). A significantly small amount of ground disturbance would be required for installation of each tower, and no productive farmland would be removed to accommodate the project.

Discussion of Impacts

a) *Less than Significant Impact.* The proposed project would not result in the conversion of any significant agricultural land. The footprint for each tower is relatively small: 300 square feet for Tower #1, which includes the fenced area and 16 square feet of tower space; 36 square feet for Tower #2; 100 square feet for Tower #3, which includes the fenced area and 36 square feet of tower space; and, 16 square feet for Tower #4. No significant amount of land will be taken out of agricultural production to accommodate the towers on any of the proposed sites. Impacts to agricultural resources, including surrounding active farmland, will be less than significant.

b) *No Impact.* As described above, three of the project sites are designated Agricultural by the Yolo County General Plan and the zoning is Agricultural Preserve (A-P); Tower #4 is designated Rural Residential and zoned Residential Suburban (R-S). The proposed use of approximately 16 square feet to 300 square feet of land for each tower site installation would not conflict with applicable zoning as no agricultural activities will be disrupted by the towers. In a letter dated October 25, 2011 (CA DOC, 2011), the Department of Conservation determined that the project would be consistent with the Williamson Act contracts currently restricting the agriculturally-zoned parcels (APNs: 030-280-021, 038-060-005, and 040-200-028). Government Code Section 51238(a)(1) states, that, unless the Board of Supervisors find otherwise, communications towers are a compatible use within agricultural preserves.

c) and d) *No Impact.* The project does not conflict with existing zoning for, or cause rezoning of, forest land and would not result in the loss of forest land or conversion of forest land to non-forest use.

e) *No Impact.* The project is consistent with the General Plan and zoning designations and does not involve any other changes that could result in the conversion of farmland to non-agricultural uses.

III.	AIR QUALITY.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e.	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Environmental Setting

The project site is within the Yolo-Solano Air Quality Management District (YSAQMD), and the Sacramento Valley Air Basin regulates air quality conditions within Yolo County. Yolo County is classified as a non-attainment area for several air pollutants, including ozone (O_3) and particulate matter 10 microns or less in diameter (PM_{10}) for both federal and state standards, the partial non-attainment of the federal particulate matter 2.5 ($PM_{2.5}$), and is classified as a moderate maintenance area for carbon monoxide (CO) by the state.

Development projects are most likely to violate an air quality plan or standard, or contribute substantially to an existing or project air quality violation, through generation of vehicle trips.

The YSAQMD sets threshold levels for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources in the Handbook for Assessing and Mitigating Air Quality Impacts (YSAQMD, 2007). The handbook identifies quantitative and qualitative long-term significance thresholds for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources. These thresholds include:

- Reactive Organic Gases (ROG): 10 tons per year (approx. 55 pounds per day)
- Oxides of Nitrogen (NOx): 10 tons per year (approx. 55 pounds per day)
- Particulate Matter (PM_{10}): 80 pounds per day
- Carbon Monoxide (CO): Violation of State ambient air quality standard

Discussion of Impacts

a) *No Impact.* A project is deemed inconsistent with air quality plans if it would result in population and/or employment growth that exceeds growth estimates included in the applicable air quality plan. The proposed project would not result in significant employment growth, as the towers would be maintained and upgraded remotely and only visited for routine maintenance and repairs on an annual basis. The project would be consistent with the adopted air district plan.

b*) Less than Significant Impact.* Potential short-term impacts may occur from equipment exhaust emissions and dust during installation of the proposed towers. Though, vehicle emissions of ozone, ozone precursors, PM_{10} and $PM_{2.5}$ will not contribute significantly to local violations of regulatory standards. The project applicant would be required to comply with all standards as applied by the YSAQMD to minimize dust and other construction related pollutants. In addition, prior to any building permit issuance, the applicant is required to obtain any permits as required by the YSAQMD to ensure the project complies with District regulations. To ensure that thresholds for project-related air pollutant emission would not exceed significance levels as set forth in the 2007 YSAQMD Handbook, the following District Rules and Regulations shall be included as conditions of project approval:

- Visible emissions from stationary diesel-powered equipment are not allowed to exceed 40 percent opacity for more than three minutes in any one hour, as regulated under District Rule 2.3, Ringelmann Chart.
- Dust emissions must be prevented from creating a nuisance to surrounding properties as regulated under District Rule 2.5, Nuisance.
- Portable diesel fueled equipment greater than 50 horsepower (HP), such as generators or pumps, must be registered with either the Air Resources Board's (ARB's) Portable Equipment Registration Program (PERP) or with the District.
- Architectural coatings and solvents used at the project shall be compliant with District Rule 2.14, Architectural Coatings.
- All stationary equipment, other than internal combustion engines less than 50 horsepower, emitting air pollutants controlled under District rules and regulations require an Authority to Construct (ATC) and Permit to Operate (PTO) from the District.

c) *Less than Significant Impact.* Development projects are considered cumulatively significant by the YSAQMD if: (1) the project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and (2) projected emissions (ROG, NOx, or PM_{10} and $PM_{2.5}$) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation. The project is the installation of four 40-foot to 60-foot high self-supporting towers in various rural locations for the purposes of enhancing the fixed wireless broadband wireless services, which is a conditionally permitted use in the agricultural and residential-suburban zones.

The anticipated installation of the towers could result in temporary impacts to air quality during construction. Temporary construction emissions could contribute to levels that exceed State ambient air quality standards on a cumulative basis, contributing to existing nonattainment conditions, when considered along with other construction projects. By implementing the above Conditions of Approval, construction-related emissions for the proposed project would result in a less than significant level.

Short-term air quality impacts will be generated by truck trips during grading to prepare the sites for installation of the towers. Very little topsoil will be excavated for the tower foundations and base sections. Construction activities are expected to take two days to complete each tower.

Long-term mobile source emissions from the anticipated project would also not exceed thresholds established by the Yolo-Solano Air Quality Management District Handbook (2007) and would not be cumulatively considerable for any non-attainment pollutant from the project. The tower sites would be monitored remotely and only visited on an annual basis for minor maintenance and repairs. The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant.

d) *Less than Significant Impact.* Three of the proposed project tower sites are located in rural agricultural settings with no sensitive receptors in the vicinity (Towers #1, #2, and #3); and Tower #4 is located in a rural residential area amidst other four to five acre rural residential properties. ("Sensitive receptors" refer to those segments of the population most susceptible to poor air quality, i.e. children, elderly and the sick, and to certain at-risk sensitive land uses such as schools, hospitals, parks, or residential communities.) The nearest rural residence to the proposed Tower #1 is located approximately 1,238 feet north of the tower site, on an adjoining parcel, which is separated by a creek and riparian foliage; residences in the vicinity of the proposed Tower #2 are approximately 1,400 feet away from the tower site; the closest rural residence to the proposed Tower #3 is approximately 2,470 feet southwest of the tower site; and, the closest residence to the proposed Tower #4 is approximately 140 feet to the east on an adjoining property. The proposed installation and operation of the towers are not expected to generate pollutant concentrations at a sufficient level to be noticed by any rural residences, particularly given the agricultural and/or rural nature of the project areas.

The air pollutants generated by the tower project would be primarily dust and particulate matter during installation activities. The project could have the potential to expose nearby rural residents to minimal pollutant concentrations from construction equipment. However, dust will be controlled through effective management practices, such as water spraying during construction activity. Dust control measures will be incorporated into the project's Conditions of Approval, as defined in the following list of best management practices:

- All construction areas shall be watered as needed.
- All trucks hauling soil, sand, or other loose materials shall be covered or required to maintain at least two feet of free board.
- Unpaved access roads, parking areas, and staging areas shall be paved, watered, or treated with a non-toxic soil stabilizer, as needed.
- Exposed stockpiles shall be covered, watered or treated with a non-toxic soil stabilizer, as needed.
- Traffic speeds on unpaved access roads shall be limited to 15 miles per hour.
- Any visible soil materials that is carried onto adjacent public streets shall be swept with water sweepers, as needed.

The project is expected to have a less than significant impact on air pollutant concentrations.

e) *Less than Significant Impact.* The proposed tower project is not anticipated to create objectionable odors. Though, the project could be constructed using diesel-powered heavy equipment. Diesel exhaust from installation activities may generate temporary odors while project construction is under way. Thus, objectionable odors from the proposed uses are expected to be less than significant.

IV.	BIOLOGICAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f.	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Environmental Setting

As noted above in the Agricultural Resources section, the three agriculturally-zoned project sites have historically been in use as rangeland (Tower Site #1), a walnut orchard (Tower Site #2), and row crops (Tower Site #3). Tower Site #4 is located in a residential suburban subdivision. As identified in the Agricultural Resources section, above, three of the tower sites are located in agriculturally designated areas, and one tower site has been identified as "Urban and Built Up Land." According to the Final Environmental Impact Report for the Yolo County 2030 Countywide General Plan, one special status plant, the Round-leaved Filaree, may occur in one or more of the project sites (Tower #2); and, the burrowing owl and American badger, special status animals, may occur in the vicinity of Tower Sites #2, #3, and #4. Additionally, the Swainson's hawk, a state-threatened species is also known to occur within the vicinity of Tower Sites #2, #3, and #4. The Swainson's hawk is a summer resident that nests primarily in riparian areas adjacent to agricultural fields or pastures, although it sometimes uses isolated trees or roadside trees. Nest sites are in mature trees and are typically located near suitable foraging areas. The primary foraging areas for Swainson's hawk include open agricultural lands and pastures (California Department of Fish and Game, 1994).

The temporary disturbance of nesting habitat as well as noise and other construction-related disturbances may affect nesting raptors in the vicinity of the project areas during the breeding season (March through August).

Discussion of Impacts

a) *Less than Significant Impact.* Tower Site #1 has historically been used as rangeland, and Tower Site #2 has historically been in walnuts. The proposed Tower Site #3 has been in row crops; and Tower Site #4 is an urban area with primarily rural residential uses. No more than 300-square feet of rangeland will be used to accommodate Tower Site #1, and approximately 100-square feet of land will be used for Tower Site #3, with no removal of crops. Tower Site #2, with a 36-square foot footprint, will be placed amongst a walnut orchard and will not require any tree removal. Tower Site #4, with a 16-square foot footprint, will be placed adjacent to a barn.

There are no known special status plants or animals that occur within the vicinity of Tower Site #1. Tower Site #2 is located in proximity to known special status plants and/or animals; however, the tower will be installed in a mature walnut orchard in an area surrounded by other orchards. It is highly unlikely that any biological resources will be impacted by the 36-square foot project footprint. Similarly, Tower Site #3 will encompass a 100-square foot project footprint, but is not expected to impact biological resources. Tower Site #4 will be located in a rural residential subdivision on land designated as "Urban and Built-up" with a project footprint of 16 square feet. Although the project is not expected to impact any special status plants or species, including raptor foraging habitat, installation of the towers may potentially disturb nesting hawks and raptors during the breeding season.

In order to ensure the project does not affect nesting hawks and raptors, pre-construction surveys will be required to be performed in advance of construction to ensure that no potential hawk or other raptor nests in the vicinity of the project sites will be affected. As a Condition of Approval, the applicant will be required to hire a qualified biologist to conduct preconstruction surveys to locate all active raptor nest sites within one-half mile of construction activities prior to initiation of installation activities for each tower site. All surveys shall be submitted to the appropriate state and/or federal wildlife agencies and Yolo County Planning and Public Works Department for review. If any nearby nests are identified, and are found to be sufficiently close (as determined by the qualified biologist) to the area to be affected by construction activities, a qualified biologist shall notify the Department of Fish and Game (CDFG) and a ½ mile construction-free buffer zone shall be established around the nest. Intensive new disturbances (e.g., heavy equipment activities associated with construction) that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March and September unless it is determined by a qualified biologist in coordination with CDFG that the young have fledged and are feeding on their own, or the nest is no longer in active use.

b) *No Impact.* A records search was conducted through the National Wetland Inventory for the four tower sites; formal wetland delineations have not been performed. The four towers are not expected to have a substantial adverse effect on any riparian habitat or any other sensitive natural community identified in local or regional plans, policies, or regulations.

c) *No Impact.* Agricultural lands surround each of the agriculturally-zoned project sites; Tower Site #4 is surrounded by other rural residential parcels and agricultural lands to the west. The project will not affect any riparian habitat at any of the tower sites.

d) *Less than Significant Impact.* Construction of the project would temporarily disrupt use of the project sites by local wildlife; however, any disruption would be temporary. The project would not impact migratory patterns of any species.

e) *No Impact.* The proposed project would not conflict with any local policies or ordinances protecting biological resources.

f) *No Impact.* The Yolo County Habitat Conservation Plan (HCP)/Natural Communities Conservation Plan (NCCP) is in preparation by the Natural Heritage Program, with an anticipated adoption sometime in 2011. The proposed project would not conflict with the HCP/NCCP effort or any conservation plan protecting biological resources.

V.	CULTURAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☐	☒
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	☒
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Discussion of Impacts

a) *No impact.* There are rural residences and associated agricultural outbuildings on the project sites at the proposed Tower #1, #2, and #4 locations. However, the project is not expected to impact any historic or cultural resources as none are known or suspected to occur on the project sites; and none of the tower site locations will impact structures existing on the properties.

b) *No impact.* See (a) above. The property at each tower site location has been in use as rangeland, extensive agricultural production, and/or is considered urban and built-up land; no cultural resources are known or suspected to occur on the project tower sites.

c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project sites.

d) *Less than Significant Impact.* No human remains are known or predicted to exist in the project areas. However, the potential exists during tower installation to uncover previously unidentified resources. Any development that uncovers cultural resources is required to follow procedures and recommendations as set forth in the CEQA Guidelines, Section 15064.5. In addition, Section 7050.5 of the California Health and Safety Code states that, when human remains are discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are

not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

VI.	GEOLOGY AND SOILS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
	1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
	2. Strong seismic groundshaking?				
	3. Seismic-related ground failure, including liquefaction?				
	4. Landslides?				
b.	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c.	Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion of Impacts

a) *Less than Significant Impact.* According to the 2030 Countywide General Plan, the only fault in Yolo County that as been identified by the California Division of Mines and Geology (1997) to be subject to surface rupture (within an Alquist-Priolo Earthquake Fault Zone) is the Hunting Creek Fault, which is partly located in a sparsely inhabited area of the extreme northwest corner of the county. Most of the fault extends through Lake and Napa counties. The other potentially active faults in the county are the Dunnigan Hills Fault, which extends west of I-5 between Dunnigan and northwest of Yolo, and the newly identified West Valley and East Valley Faults (Fault Activity Map of California, California Geological Survey, 2010), which are in the vicinity of the proposed project areas. However, these faults are not within an Alquist-Priolo Earthquake Fault Zone, and are therefore not subject to surface rupture. The project sites range from slightly hilly to relatively flat, with no potential for major landslides. The project sites can be expected to experience moderate to strong ground shaking during future seismic events along active faults throughout

Northern California or on smaller active faults located in the project vicinity. Any proposed construction would be required to comply with all applicable Uniform Building Code requirements.

b) *Less than Significant Impact.* The Soil Survey of Yolo County, California (Soil Conservation Service 1972) indicates the project sites are composed of well drained silty clay loam or gravelly loam with a subsoil of clay soils. Surface runoff on these soil types is slow, and the erosion hazard is none to slight. Ground disturbance caused by project activities is expected to be minimal, and the project sites are not expected to result in substantial erosion or loss of topsoil.

c) *Less than Significant Impact*. The project sites are not located in areas of unstable geologic materials, and the project is not expected to significantly affect the stability of the underlying materials at each tower site, which could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. The project proposes no permanent residences, and would not subject people to landslides or liquefaction or other cyclic strength degradation during a seismic event.

d) *Less than Significant Impact.* The project sites are typically blanketed with clays of minimal to moderate expansive potential. Expansive soils will experience volume changes with seasonal moisture variations. Such volume changes may crack and heave lightly loaded, shallow foundations and slabs. The project will be built in accordance with Uniform Building Code requirements as part of the building permit process.

e) *No Impact.* The project will not generate wastewater.

VII. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒
c. Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?	☐	☐	☐	☒

Environmental Setting

The issue of combating climate change and reducing greenhouse gas emissions (GHG) has been the subject of recent state legislation (AB 32 and SB 375). The Governor's Office of Planning and Research has recommended changes to the California Environmental Quality Act (CEQA) Guidelines, and the environmental checklist which is used for Initial Studies such as this one. The recommended changes to the checklist, which have been approved by the state, are incorporated above in the two questions related to a project's GHG impacts. A third question has been added by Yolo County to consider potential impacts related to climate change's effect on individual

projects, such as sea level rise and increased wildfire dangers. To date, specific thresholds of significance to evaluate impacts pertaining to GHG emissions have not been established by local decision-making agencies, the Yolo Solano Air Quality Management District, the state, or the federal government. However, this absence of thresholds does not negate CEQA's mandate to evaluate all potentially significant impacts associated with the proposed project.

Yolo County has adopted General Plan policies and a Climate Action Plan (CAP) which address these issues. In order to demonstrate project-level compliance with CEQA relevant to GHG emissions and climate change impacts, applications for discretionary projects must demonstrate consistency with the General Plan and CAP. The adopted 2030 Yolo Countywide General Plan contains the following relevant policies and actions:

Policy CO-8.2: Use the development review process to achieve measurable reductions in greenhouse gas emissions.

Action CO-A117: Pursuant to the adopted Climate Action Plan (CAP), the County shall take all feasible measures to reduce its total carbon dioxide equivalent (CO2e) emissions within the unincorporated area (excluding those of other jurisdictions, e.g., UC-Davis, Yocha Dehe Wintun Nation, DQ University, school districts, special districts, reclamation districts, etc.), from 648,252 metric tons (MT) of CO2e in 2008 to 613,651 MT of CO2e by 2020. In addition, the County shall strive to further reduce total CO2e emissions within the unincorporated area to 447,965 MT by 2030. These reductions shall be achieved through the measures and actions provided for in the adopted CAP, including those measures that address the need to adapt to climate change. (Implements Policy CO-8.1)

Action CO-A118: Pursuant to and based on the CAP, the following thresholds shall be used for determining the significance of GHG emissions and climate change impacts associated with future projects:

1) Impacts associated with GHG emissions from projects that are consistent with the General Plan and otherwise exempt from CEQA are determined to be less than significant and further CEQA analysis for this area of impact is not required.

2) Impacts associated with GHG emissions from projects that are consistent with the General Plan, fall within the assumptions of the General Plan EIR, consistent with the CAP, and not exempt from CEQA are determined to be less than significant or mitigated to a less-than-significant level, and further CEQA analysis for this area of impact is generally not required.

To be determined consistent with the CAP, a project must demonstrate that it is included in the growth projections upon which the CAP modeling is based, and that it incorporates applicable strategies and measures from the CAP as binding and enforceable components of the project.

3) Impacts associated with GHG emissions from projects that are not consistent with the General Plan, do not fall within the assumptions of the General Plan EIR, and/or are not consistent with the CAP, and are subject to CEQA review are rebuttably presumed to be significant and further CEQA analysis is required. The applicant must demonstrate to the County's satisfaction how the project will achieve its fair share of the established targets including:

- Use of alternative design components and/or operational protocols to achieve the required GHG reductions;

- Use of real, additional, permanent, verifiable and enforceable offsets to achieve required GHG reductions. To the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County;

The project must also be able to demonstrate that it would not substantially interfere with implementation of CAP strategies, measures, or actions. (Implements Policy CO-8.5)

Discussion of Impacts

a) *Less than Significant Impact.* The project could affect GHG emissions through vehicle trips generated for installation of the four towers, as well as physical changes in the vegetation of the land. However, no significant agricultural resources will be removed from production, and each tower site footprint is relatively small (ranging from 16 square feet to 36 square feet for the towers, and 100 square feet to 300 square feet at two of the sites for security fencing).

As noted above in the Air Quality section, short-term air quality and GHG impacts will be generated by truck trips during installation of the towers, estimated to last two days per tower site. The carbon dioxide emissions (the main GHG emission associated with auto and truck trips) generated by construction truck trips would be a temporary impact.

As required by Action CO-A118, cited above, the project is consistent with the General Plan, and falls within the assumptions of the General Plan EIR. To be determined consistent with the CAP, a project must demonstrate that it is included in the growth projections upon which the CAP modeling is based, and that it incorporates applicable strategies and measures from the CAP as binding and enforceable components of the project.

Long-term GHG impacts from the tower sites would be caused by annual maintenance visits to the sites, which will be remotely monitored and upgraded. Thus, traffic generated by the towers would occur four times per year (i.e., one round-trip per tower site). Additionally, Winters Broadband uses renewable energy sources to power most of their sites so that broadband service is available during power outages. The proposed project is not considered to have an individually significant or cumulatively considerable impact on global climate change.

b) *No Impact.* The proposed project would not conflict with any applicable plan, policy or regulation adopted to reduce GHG emissions, including the Yolo County Climate Action Plan (CAP) or the numerous policies of the newly adopted 2030 Yolo Countywide General Plan.

c) *No Impact.* The project would not be affected by climate change impacts.

VIII.	HAZARDS AND HAZARDOUS MATERIALS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

VIII.	HAZARDS AND HAZARDOUS MATERIALS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c.	Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d.	Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e.	Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f.	Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Discussion of Impacts

a) *Less than Significant Impact.* The proposed project will require the short-term use of installation equipment. Construction equipment used on the site could include excavators, backhoes, scrapers, dump trucks, and water trucks. The routine use of construction equipment and vehicles to and from the site would not create a significant hazard to the public or the environment. The proposed project will not include the storage, use, and disposal of any chemicals or hazardous materials for the long-term operation of the towers.

b) *Less than Significant Impact.* The installation equipment associated with this project typically uses only a minor amount of hazardous materials, primarily motor vehicle fuels and oils. Small volumes of hazardous materials (fuel and engine oil) would be temporarily used and handled to operate the construction equipment. The potential for release of hazardous materials into the environment is expected to be less than significant.

c) *No Impact.* No schools exist or are proposed within 0.25 mile of the proposed project areas.

d) *No Impact.* Although no Phase I Environmental Site Assessment has been conducted for the tower sites, based on the long term use of the sites for grazing land, crop production, and/or rural

residential uses, no underground or other hazardous materials are anticipated to be located at the project sites. Additionally, the project sites are not located on a site that is included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Division-Hazardous Waste Site Files pursuant to Government Code 65962.5.

e) *Less than Significant Impact.* The proposed project has two tower sites that are located within two miles of the County Airport (Tower Site #3) and the Watts Woodland Airport (Tower Site #4). Both sites are within the safety overflight zones as prescribed by each airport's Comprehensive Land Use Plan (CLUP) (Figure 4). At the request of the County's airport manager, the applicant has filed a notice with the Federal Aviation Association (FAA) for the construction of Tower #3 (Aeronautical Study Number (ASN) 2011-AWP-6944-OE). In an e-mail from SACOG, dated October 27, 2011 (SACOG, 2011), both towers, one 60-foot tall (Tower #3) and one 45-foot tall (Tower #4), have been determined by the Airport Land Use Commission (ALUC) to be consistent with their respective CLUPs for the following reasons:

- Wireless facilities are allowed uses within the overflight zones if they are not uses that would cause electrical interference that would be detrimental to the operation of aircraft or aircraft instrumentation. Due to the towers' distances from the airports, the ALUC could not find any technical information that would suggest there would be a detrimental interference. Additionally, according to the applicant, the towers operate in the 2.4 GHz and 5.8 GHz unlicensed ISM FCC (Federal Communications Commission) frequency bands, which are governed by Part 18 of the FCC Rules and Regulations. Part 15 contains the rules for unlicensed communications devices, including those that use the ISM frequencies. All equipment purchased and built by Winters Broadband is required to have FCC Part 15 certification, which is done at the manufacturer level by the FCC, and must comply with Part 15 regulations.
- ALUC staff contacted Caltrans Division of Aeronautics for determining whether or not the towers would be required to register with the FAA. According to FCC guidelines contained at this website: http://wireless.fcc.gov/antenna/index.htm?job=about_getting_started#top, there are two applicable conditions which would trigger registration with the FAA: 1) If the towers penetrate an imaginary plane 200 feet above the elevation of the airport runway; and, 2) If the towers are at a greater height than an imaginary surface extending outward and upward at one of the following slopes:
    - 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each specified airport with at least one runway more than 3,200 feet in actual length;
    - 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each specified airport with its longest runway no more than 3,200 feet in actual length; and,
    - 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport at a specified airport.

Both towers are located below the 200-foot elevation plane; and, both towers would not penetrate the imaginary surfaces at slopes described above. The project would not result in a safety hazard for people residing or working in the project area nor interfere with airport operations at either airport.

f) *No Impact.* The project is located more than two miles from any private airstrips. The project would not result in a safety hazard for people residing or working in the project area.

g) *No Impact.* No emergency response plans will be affected by the proposed project during or upon completion of construction.

h) *Less than Significant Impact.* Three of the tower sites are not located in a hazardous fire zone (APNs: 030-280-021, 038-060-005, and 040-200-028), as mapped by the State; Tower Site #4 is located within a moderate fire zone. However, the project proposes to install a 45-foot tall tower, within a 16-square foot footprint, that will be remotely monitored. Impacts associated with exposure to wildland fire are expected to be less than significant.

IX.	HYDROLOGY AND WATER QUALITY.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or off-site?	☐	☐	☒	☐
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or off-site?	☐	☐	☒	☐
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f.	Otherwise substantially degrade water quality?	☐	☐	☐	☒
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	☐	☐	☐	☒
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j.	Contribute to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion of Impacts

a) *No Impact.* Four new "Wi-Fi" broadband towers, between 40 feet and 60 feet in height, will be erected as part of the project. The free-standing towers will be installed in 16-square foot to 36-

square foot concrete areas, and remotely monitored. No impacts on water quality and discharge of pollutants into the wastewater system, or violations of existing water quality standards or waste discharge requirements, will occur due to the project.

b) *No Impact.* The project will not be served by a well or other water source. The project will not have an impact on water flows on any neighboring wells.

c) *Less than Significant Impact.* The proposed project would not substantially alter the existing drainage pattern of the tower sites or the surrounding areas and would not, therefore, result in substantial erosion or siltation on- or off-site. No stream or river crosses the project sites.

d) *Less than Significant Impact.* Four new self-supporting, broadband towers will be erected as part of this project. The largest tower footprint is 36 square feet. Absorption rates around the tower sites will decrease slightly, but would not be expected to increase the rate of surface runoff that could result in area flooding.

e) *Less than Significant Impact.* See d), above. Grading plans are required for all construction to address erosion control and drainage. The project would not provide significant additional sources of runoff pollution.

f) *No Impact.* See (a), (d), and (e), above. No additional impacts to water quality are anticipated.

g) *No Impact.* The project does not include any housing and would not place housing in an existing floodplain.

h) *No Impact.* The project sites are not located within the 100-year floodplain, as designated by the Federal Emergency Management Agency (FEMA), and are not considered to be subject to 100-year flood flows. Thus, the proposed broadband towers would not be expected to impede any flood flows.

i) *No Impact.* Although two of the tower sites (Tower #1 and #2) are located downstream of a dam at Lake Berryessa that could expose people to flooding in the unlikely event it fails, the towers are remotely monitored and require only one annual inspection. The project does not propose any residential uses and therefore would not pose a significant risk of loss, injury or death.

j) *No Impact.* The project areas are not located near any large bodies of water that would pose a seiche or tsunami hazard. The project sites are slightly hilly to relatively flat and are not located near any physical or geologic features that would produce a mudflow hazard.

X.	**LAND USE AND PLANNING.**	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Physically divide an established community?	☐	☐	☐	☒

X.	LAND USE AND PLANNING.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion of Impacts

a) *No Impact.* The project sites are located in rural agricultural areas, near the Cities of Winters, Davis, and Woodland, with no potential of dividing any urban area. Therefore, there would be no impact.

b) *No Impact.* As already noted above in the Project Description, the proposed project would not conflict with any Yolo County General Plan policies or other applicable land use documents designed to avoid or mitigate an environmental impact.

c) *No Impact.* The County does not have an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP), although a draft plan is now being prepared by the Yolo County Natural Heritage Program (the Joint Powers Agency).

XI.	MINERAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Discussion of Impacts

a) and b) *No impact.* The project areas have not been identified as areas of significant aggregate deposits.

XII.	NOISE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	☐	☐	☒	☐
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f.	Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion of Impacts

a) *Less than Significant Impact.* Yolo County has not adopted a noise ordinance which sets specific noise levels for different zoning districts or for different land uses in the unincorporated area, except for mining activities along Cache Creek, which are restricted to no more than 65 dBA Leq measured at the property boundaries between 6 p.m. and 6 a.m.

Installation of the proposed towers would temporarily increase noise in the vicinity of the project areas. Noise increases would result from grading and onsite construction activities. The 2030 Yolo Countywide General Plan Final Environmental Impact Report (FEIR) (Yolo County, 2009) notes that typical construction noise ranges between 80 to 88 dBA at 50 feet generated by tractors, front loaders, trucks, and dozers. Temporary construction noise associated with the grading and installation activities would be similar to existing noise associated with ongoing agricultural activities, such as tractors disking fields, and other agricultural-industrial operations in the adjacent areas, as well as traffic generated on nearby county roads and/or state highways. The FEIR notes that typical noise levels for tractors conducting farming activities ranges from 78 dBA L_{max} to 106 dBA at 50 feet, with an average of about 84 dBA. Noise levels at 100 feet from the I-505 roadway centerline range from 65 to72 dBA L_{dn}.

The proposed grading, installation, and operation of the towers are not expected to generate noise levels at the boundaries of the agriculturally-zoned properties that will significantly impact the nearest neighbors, since the residences are located so far away from the noisiest construction activities. The nearest rural residence to Tower Site #4 is approximately 140 east of the tower site. However, installation activities, which consist of digging the tower foundations, installing the base sections, pouring the concrete, then erecting the tower sections and

associated equipment, will take two total construction days. Noise levels diminish or attenuate as distance from the noise source increases, based on an inverse square rule. Noise from a single piece of construction equipment attenuates at a rate of 6dB for each doubling of distance.

b) *Less than Significant Impact.* Groundborne vibration levels may be measured similar to noise in vibration decibels (VdB). The 2030 Yolo Countywide General Plan FEIR notes that typical construction vibration levels range from 58 VdB at 25 feet for a small bulldozer up to 112 VdB for a pile driver. However, construction activities are not expected to generate vibration levels at the boundaries of the tower sites that will significantly impact the nearest neighbors, since installation would occur in two total construction days and most of the residences are located so far away from the construction activities. Tower Site #4 is located approximately 140 west of the nearest rural residence; however, the project is not expected to result in excessive groundborne noise levels, and impacts are expected to be less than significant.

c) *No Impact.* See a), above. Upon completion of the project, noise from the operation of each tower site would be negligible.

d) *Less than Significant Impact.* As described above, temporary construction activities could result in substantial increases in ambient noise levels but would be attenuated at the property boundaries to acceptable levels. Operational noise levels of the tower sites will be minimal and would not be adverse to the nearest homes.

e) *No Impact.* The proposed Tower Sites #3 and #4 are located within two miles of the County Airport and Watts-Woodland Airport, respectively. However, the project would not expose people residing or working in the project area to excessive noise levels, since the towers would be remotely monitored.

f) *No Impact.* The proposed project is located more than two miles from the nearest private airstrip. The project would not expose people residing or working in the project area to excessive noise levels.

XIII.	POPULATION AND HOUSING.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☐	☒
b.	Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c.	Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion of Impacts

a) *No Impact.* The proposed project would not induce any population growth either directly or indirectly. Installation of four self-supporting broadband towers that would be remotely monitored would not be expected to induce population or housing growth.

b) *No Impact.* The proposed project would not displace any existing housing units.

c) *No Impact.* Implementation of the proposed project would not displace any housing units or people.

XIV.	PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
	Fire protection?	☐	☐	☒	☐
	Police protection?	☐	☐	☐	☒
	Schools?	☐	☐	☐	☒
	Parks?	☐	☐	☐	☒
	Other public facilities?	☐	☐	☐	☒

Discussion of Impacts

a) *Less than Significant Impact.* The addition of four self-supporting broadband towers that are remotely monitored would not increase the demand for fire and emergency medical services. The City of Winters Fire Department provides primary service to Tower Sites #1 and #2; West Plainfield Fire District provides service to Tower Site #3; and Willow Oak Fire District provides service to Tower Site #4, which is in a moderate severity fire zone. Impacts to fire protection services will be less than significant.

b) *No Impact.* The addition of four broadband towers to the rural areas would not increase the demand for police protection services. The proposed project would not impact police services provided by the Yolo County Sheriff's Department.

(c)(d)(e) *No Impact.* The proposed project would not increase the need for schools, parks or other public facilities and services.

XV.	RECREATION.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					

XV.	RECREATION.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion of Impacts

a) *No Impact.* The project would not require the construction of additional recreational facilities nor substantially increase the use of existing recreational facilities.

b) *No Impact.* The project would not require the construction of nor include additional recreational facilities.

XVI.	TRANSPORTATION/TRAFFIC.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d.	Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e.	Result in inadequate emergency access?	☐	☐	☐	☒
f.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion of Impacts

a) *Less than Significant Impact.* Approval of the project would allow the installation of four self-supporting broadband towers. Installation activities, which consist of digging the tower foundations, installing the base sections, pouring concrete, and erecting the tower sections, are expected to take two total construction days per each tower. Since the towers would be monitored and upgraded remotely, long-term changes to local traffic circulation from the project are expected to be minimal. Tower maintenance would occur annually. Impacts to the existing circulation system within the vicinity of each tower site will be less than significant.

b) *No Impact.* The project would not conflict with any applicable congestion management program.

c) *Less than Significant Impact*. Although two of the tower sites (Tower #3 and #4) are within the overflight zones of the Yolo County Airport and the Watts Woodland Airport, the project would not affect air traffic patterns. The towers have been determined to be consistent with the respective airports' Comprehensive Land Use Plans, and will not have a significant impact on airport or airport instrumentation operations.

d) *No Impact.* The proposed project does not have any design features that would result in hazardous traffic conditions.

e) *No Impact.* The proposed project would not result in inadequate emergency access.

f*) No Impact.* Construction of the proposed project would not conflict with any adopted policies, plans, or programs supporting alternative transportation.

XVII.	**UTILITIES AND SERVICE SYSTEMS.**	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	☐	☐	☐	☒
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒

XVII.	UTILITIES AND SERVICE SYSTEMS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion of Impacts

a) *No Impact.* The project will not require the need for or the construction of a wastewater treatment system. The proposed project would not create any new demand for public utilities or public service systems. It would not exceed wastewater requirements, nor would it necessitate expansion of any public wastewater treatment facilities or water supply entitlements.

b) *No Impact*. See a) above.

c) *No Impact.* The project will not require the need for or the construction of new stormwater drainage facilities.

d) *No Impact.* The project will not require a water supply.

e) *No impact.* There is no wastewater treatment provider, nor the need for a wastewater treatment system.

f) *No Impact.* The existing County landfill would adequately accommodate construction of the project, if necessary. Operation of the project would not impact disposal capacity at the landfill.

g) *Less than Significant Impact.* The proposed project would be required to comply with all solid waste regulations as implemented and enforced by Yolo County.

XVIII.	MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b.	Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion of Impacts

a) *Less than Significant Impact*. Based on the information provided in this Initial Study, the project would not degrade the quality of the environment. The project sites have historically been used as rangeland, farmed in various crops, and/or are located in rural residential settings. No important examples of major periods of California history or prehistory in California were identified. The project will be required to comply with Conditions of Approval that regulate construction activity during raptor nesting season, if any nearby nests are identified. Impacts to biological resources will be less than significant.

b) *Less than Significant Impact.* The proposed project has temporary construction impacts which could degrade air quality cumulatively, in combination with other construction projects in Yolo County. These potential impacts will be reduced to a less-than-significant level through implementation of the standard air quality measures described in this Initial Study.

c) *Less than Significant Impact.* Based on the analysis provided in this Initial Study, impacts to human beings resulting from the proposed project would be less than significant. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly, and would be required to comply with Conditions of Approval to manage: dust control from construction-related activities; erecting a tower within an airport safety (overflight) zone; and construction-related noise. Impacts to air quality, hazards, and noise will be less than significant.

References Consulted and Cited

Application and supporting materials

Airport Land Use Commission, 1993. *Watts-Woodland Airport Comprehensive Land Use Plan.*

California Department of Conservation, letter dated October 25, 2011

Sacramento Area Council of Governments (SACOG), 1999. *Yolo County Airport Comprehensive Land Use Plan.*

Sacramento Area Council of Governments (SACOG), Greg Chew, ALUC staff, e-mail correspondence (Oct. 2011)

Yolo County, *Yolo County Zoning Code.*

Yolo County. 2009. *2030 Yolo Countywide General Plan and Final Environmental Impact Report.*

Yolo-Solano Air Quality Management District (YSAQMD). 2007. *Handbook for Assessing and Mitigating Air Quality Impacts.*

ATTACHMENT D

FINDINGS
WINTERS BROADBAND TOWER PROJECT USE PERMIT
ZONE FILE #2011-0047

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2011-0047, the Yolo County Planning Commission finds the following:
(A summary of evidence to support each FINDING is shown in Italics)

California Environmental Quality Act (CEQA) and Guidelines

That the recommended Negative Declaration/Initial Study was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

The environmental document for the project, prepared pursuant to Section 15000 et. seq. of the CEQA Guidelines, provides the necessary proportionate level of analysis for the proposed project, and sufficient information to reasonably ascertain the project's potential environmental effects. The environmental review process has concluded that there will not be a significant effect on the environment as a result of the proposed project.

General Plan

That the proposal is consistent with the Yolo County General Plan as follows:

The Yolo County General Plan designates the subject properties as Agriculture (AG) and Residential Rural (RR).

The project is consistent with the following General Plan Policies:

Land Use Policy LU-5.6: Assist existing communities to obtain the services, support and infrastructure needed to thrive and be successful.

Community Character Policy CC-1.18: Electric towers, solar power facilities, wind power facilities, communication transmission facilities and/or above ground lines shall be avoided along scenic roadways and routes, to the maximum feasible extent.

Public Facilities Policy PF-11.2: Encourage expanded coverage and enhanced quality for communication technology, such as mobile connectivity, high-speed wireless internet access, and emergency communication systems.

Economic Development Policy ED-2.4: Support the development of adequate infrastructure for economic development, including communications and information technology, etc.

Economic Development Policy ED-5.7: Encourage appropriate home-based occupations, "cottage" industries, telecommuting, and telepresence to reduce fuel consumption and traffic and improve air quality.

Zoning

That the proposal is consistent with each property's zoning.

Three of the properties are zoned A-P (Agricultural Preserve) (APNs: 030-280-021, 038-060-005, and 040-200-028). The proposed use is consistent with Section 8-

2.404(c) of the Yolo County Code, which allows for the conditional approval of communication equipment buildings.

One property is zoned R-S (Residential Suburban) (APN: 040-032-011). The proposed use is consistent with Section 8-2.704(b), which allows for the permitting of communication equipment buildings as a conditional use.

That, as required by Sections 8-2.404(c) and 8-2.704(b) it is found that the proposed use shall require a Use Permit and is subject to Yolo County Code Section 8-2.2417, which establishes Use Permit criteria for wireless communication facilities in the unincorporated area of the County.

The project is found to be consistent with the following review criteria:

(a) The sites are adequate for the development of the proposed wireless communication facility;

The proposed broadband towers will be used to enhance an existing broadband network. Each free-standing tower will be located on a separate parcel and will occupy no more than 36 square feet of ground requiring no additional support equipment. The towers will be monitored and updated remotely.

(b) Opportunities to collocate the subject facility on an existing facility have either been exhausted or are not available in the area;

Two of the locations have existing infrastructure and will be upgraded with newer technology in order to accommodate a broader range of service and bandwidth availability. The towers will work in conjunction with existing sites and one another to enhance the fixed wireless broadband network. Broadband towers operate in the unlicensed FCC 5.8 GHz ISM band or licensed FCC band frequencies.

(c) The facility as proposed is necessary for the provision of an efficient wireless communication system;

The project will provide wireless broadband service to those businesses and residences in the rural area of the County currently un-served or underserved. The project will also increase bandwidth availability to current and future users.

(d) The development of the proposed wireless communication facility will not significantly affect the existing onsite topography and vegetation; or any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource;

The 40-foot to 60-foot high self supporting towers will occupy no more than 36 square feet of land and are located in areas that will not adversely impact active agricultural practices in the surrounding areas. No crop production will be removed for the project. One tower is located south of SR 128, a designated scenic roadway in the General Plan, but will not impair views along the highway corridor. None of the tower sites are located in environmentally sensitive areas.

(e) The proposed wireless communication facility will not create a hazard for aircraft in flight and will not hinder aerial spraying operations.

The towers will reach no more than 60 feet in height, which is well below FCC guidelines for registering with the FAA. Two of the towers are within an airport overflight zone (Yolo County Airport and Watts-Woodland Airport safety zone), but have been determined to be compatible uses by each airport's Comprehensive Land Use Plan through an Airport Land Use Commission review by SACOG. Additionally, one of the towers within the vicinity of the Yolo County Airport (APN: 040-200-028) was registered with the FAA, who, in turn, determined the tower was not a hazard to air navigation (Aeronautical Study Number 2011-AWP-6944-OE). The towers are located within the vicinity of much taller vegetation and structures, such as eucalyptus groves, power lines, and cell towers, and will not hinder air traffic.

That the proposal is consistent with findings required for approval of a Use Permit (Section 8-2.2804 of the Yolo County Code) as follows:

The requested land use is listed as a permitted conditional use in the zoning regulations.

Pursuant to Sections 8-2.404(c) and 8-2.704(b) the proposed broadband towers are allowed within the A-P and R-S Zones through the Use Permit review and approval process.

The request is essential or desirable to the public comfort and convenience.

The project will enhance the fixed wireless broadband services provided to businesses and residences in the rural areas of the County, and will broaden the range of bandwidth availability and service areas to those businesses and residences currently underserved or un-served.

The requested land use will not impair the integrity or character of a neighborhood or be detrimental to public health, safety or general welfare.

As evidenced in the Initial Study/Negative Declaration, the proposed project will not create a significant effect on the character of the surrounding rural areas. The project is located on four separate parcels that span from south and east of the City of Winters to west and north of the City of Davis and west of the City of Woodland. The properties and greater surrounding areas are currently in use as rangeland (APN: 030-280-021), walnut orchards (APN: 038-060-005), row crops (APN: 040-200-028), and rural residences (APN: 040-032-011). The terrain consists of rolling hills. The project proposes very little ground disturbance and very little to no vegetation is required to be removed for installation of the towers, and thus there will be negligible loss of rangeland and farmland. No crops will be taken out of production to accommodate the project. The closest rural residence is located approximately 140 east of the tower proposed to locate in the Monument Hills area (APN: 040-032-011); the other tower sites, located on larger agricultural parcels, are located between 1,000 feet to 1,500 feet away from the nearest rural homes. Conditions of Approval placed on the project will ensure that the public's health, safety, or general welfare will not be impaired.

Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

All necessary infrastructure and utilities will be required of the proposed project. Existing roadways and internal farm roads will serve the project. The project will make use of existing power utilities, including solar and wind generation, provided at each site.

The requested use will serve and support production of agriculture, the agricultural industry, animal husbandry or medicine; or is agriculturally related and not appropriate for location within a city or town; and the requested use, if proposed on prime soils, cannot be reasonably located on lands containing non-prime soils.

The project is intended to provide wireless broadband service to existing farms that are currently un-served or underserved due to their remote locations.

ATTACHMENT E

CONDITIONS OF APPROVAL
WINTERS BROADBAND TOWER PROJECT
USE PERMIT
ZONE FILE #2011-0047

ON-GOING OR OPERATIONAL CONDITIONS OF APPROVAL:

PLANNING DIVISION—PPW (530) 666-8850

1. The project shall be developed in compliance with all adopted Conditions of Approval approved for Zone File #2011-0047. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval as contained herein.

2. Development of the sites, including installation and/or placement of structures, shall be as described in this staff report for this Use Permit (ZF#2011-0047). Installation of four self-supporting broadband towers shall be limited to the specific areas of each property as shown in **Attachment A**: one 40-foot high tower will locate in the northeast section of APN: 030-280-021 (Tower Site #1); one 60-foot high tower will locate in the middle of APN: 038-060-005 (Tower Site #2); one 60-foot high tower will locate in the southeast corner of APN: 040-200-028 (Tower Site #3); and, one 45-foot high tower will locate near the southeast property line of APN: 040-032-011 (Tower Site #4). Overall tower footprint for the 40-foot and 45-foot high towers is 16 square feet, and 36 square feet for the 60-foot high towers. Tower Sites #1 and #3 will be fenced for security with four-foot cyclone fencing. Tower #1 will be placed within a 300-square foot fenced area, and Tower #3 will be placed within a 100-square foot fenced area.

3. Any minor modification or expansion of the proposed use shall be consistent with the purpose and intent of this Use Permit, and shall be approved through Site Plan Review or an amendment to this Use Permit, as determined by the Director of Planning and Public Works. The sites shall be operated in a manner consistent with the project's approval.

4. This Use Permit shall commence within one year from the date of the Planning Commission's approval or said permit shall be null and void. The Director of Planning and Public Works may grant an extension of time. However, such an extension shall not exceed a maximum of one year.

5. Assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4 will be required. The fees ($2,044 plus a $50 Recorder fee) are payable by the project applicant upon filing of the Notice of Determination by the lead agency, within five working days of approval of this project by the Planning Commission.

6. Tower Site #3 is required to comply with Federal Aviation Administration (FAA) requirements by completing FAA Form 7460-2, Notice of Actual Construction or Alteration, within five days after construction of the tower reaches its greatest height.

7. The applicant shall keep the designated leasehold areas (site) free from flammable brush, grass, and weeds.

8. No exterior lighting shall be provided as part of this project.

9. The project shall be operated in compliance with all applicable federal and state laws, including Yolo County Code regulations and FAA standards regulating tower heights and aviation safety procedures.

PUBLIC WORKS DIVISION (530) 666-8811

10. The developer shall apply for transportation permits through all necessary jurisdictions for the movement of all vehicles/loads (construction or business operations related) exceeding statutory limitations on the size, weight, and loading of vehicles contained in Division 15 of the California Vehicle Code.

11. The applicant shall file a Record of Survey, prepared by a licensed surveyor in the State of California, whenever any of the following instances occur:
    a. A legal description has been prepared that is based upon a new field survey disclosing data that does not appear on any previously filed Subdivision Map, Parcel Map, Record of Survey, or other official map.
    b. Permanent monuments have been set marking any boundary.

COUNTY COUNSEL—(530) 666-8172

12. In accordance with Yolo County Code Section 8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the county or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attach, set aside, void, or annul an approval of the county, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

    The county shall promptly notify the applicant of any claim, action or proceeding and that the county cooperates fully in the defense. If the county fails to promptly notify the applicant of any claim, action, or proceeding, or if the county fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the county harmless as to that action.

    The county may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

13. Failure to comply with the Conditions of Approval as approved by the Yolo County Planning Commission may result in the following actions:
    - non-issuance of future building permits;
    - legal action.

PRIOR TO LAND DISTURBANCE OR ISSUANCE OF BUILDING PERMITS:

PLANNING DIVISION—PPW (530) 666-8850

14. The applicant shall verify access to the tower sites by maintaining current lease agreements with all affected property owners. Signed agreements shall be provided to the Director of Planning and Public Works prior to installation of the project.

15. Construction details shall be included in construction drawings, submitted concurrent with the building permit application, and are subject to review and approval by the Director of the Planning and Public Works Department.

16. During construction, all disturbed soils and unpaved roads shall be adequately watered to keep soil moist to provide dust control, and comply with YSAQMD requirements listed below.

17. In order to ensure the project does not affect nesting hawks and raptors, pre-construction surveys will be required to be performed in advance of construction to ensure that no potential hawk or other raptor nests in the vicinity of the project sites will be affected. The applicant shall hire a qualified biologist to conduct preconstruction surveys to locate all active raptor nest sites within one-half mile of construction activities prior to initiation of installation activities for each tower site. All surveys shall be submitted to the appropriate state and/or federal wildlife agencies and Yolo County Planning and Public Works Department for review. If any nearby nests are identified, and are found to be sufficiently close (as determined by the qualified biologist) to the area to be affected by construction activities, a qualified biologist shall notify the Department of Fish and Game (CDFG) and a ½ mile construction-free buffer zone shall be established around the nest. Intensive new disturbances (e.g., heavy equipment activities associated with construction) that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March and September unless it is determined by a qualified biologist in coordination with CDFG that the young have fledged and are feeding on their own, or the nest is no longer in active use.

PUBLIC WORKS DIVISION—PPW (530) 666-8811

18. The developer shall apply for a County encroachment permit for any proposed work within the county right-of-way.

19. Construction of the proposed development shall comply with the County of Yolo Improvement Standards that require best management practices to address storm water quality, erosion, and sediment control. If the development disturbs one acre or more of land, the developer must obtain coverage under California's "National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (State General Permit)" for controlling construction activities that may adversely affect water quality. State General Permit coverage requires preparation of a Storm Water Pollution Prevention Plan (SWPPP). The developer shall provide Yolo County its State-issued Waste Discharge Identification Number (WDID #) and a copy of the SWPPP prior to issuance of a County building or grading permit.

BUILDING DIVISION—PPW (530) 666-8775

20. All building plans shall be submitted to the Planning and Public Works Department for review and approval in accordance with County Building Standards prior to the commencement of any construction.

21. If applicable, the applicant shall obtain the necessary building permits prior to installation of equipment. New installation shall meet State of California minimum code requirements for fire, life, and safety standards.

22. Any owner or authorized agent who has constructed, installed, or erected towers and/or dishes without approvals and permits must submit a completed permit application along with applicable fees and construction "as-built" plans for the unpermitted work.

23. The applicant shall pay all appropriate fees prior to the issuance of Building Permits, including but not limited to the applicable School District and Fire District, and County facility fees.

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT—(530) 757-3650

24. Visible emissions from stationary diesel-powered equipment are not allowed to exceed 40 percent opacity for more than three minutes in any one-hour, as regulated under District Rule 2.3, Ringelmann Chart.

25. Portable diesel fueled equipment greater than 50 horsepower, such as generators or pumps, must be registered with either the Air Resources Board's (ARB's) Portable Equipment Registration Program (PERP) (http://www.arb.ca.gov/perp/perp.htm) or with the District.

26. Architectural coatings and solvents used at the project site shall be compliant with District Rule 2.14, Architectural Coatings.

27. All stationary equipment, other than internal combustion engines less than 50 horsepower, emitting air pollutants controlled under District Rules and Regulations require an Authority to Construct (ATC) and Permit to Operate (PTO) from the District.

28. In order to reduce construction-related air pollutants, the following best management practices will be required at the project site to control dust:
    - All construction areas shall be watered as needed.
    - All trucks hauling soil, sand, or other loose materials shall be covered or required to maintain at least two feet of freeboard.
    - Unpaved access roads, parking areas, and staging areas shall be paved, watered, or treated with a non-toxic soil stabilizer, as needed.
    - Exposed stockpiles shall be covered, watered, or treated with a non-toxic soil stabilizer, as needed.
    - Traffic speeds on unpaved access roads shall be limited to 15 miles per hour.
    - Any visible soil material that is carried onto adjacent public streets shall be swept with water sweepers, as needed.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

ATTACHMENT F

Aeronautical Study No.
2011-AWP-6944-OE

Issued Date: 11/07/2011

Brian Horn
Winters Broadband LLC
455 Russell Street
Winters, CA 95694

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Plainfield
Location:	Davis, CA
Latitude:	38-35-00.13N NAD 83
Longitude:	121-49-22.40W
Heights:	78 feet site elevation (SE)
	60 feet above ground level (AGL)
	138 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 05/07/2013 unless:

(a) extended, revised or terminated by the issuing office.
(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION

OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 838-1993. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-AWP-6944-OE.

Signature Control No: 152351104-153240698 (DNE)
Joan Tengowski
Technician

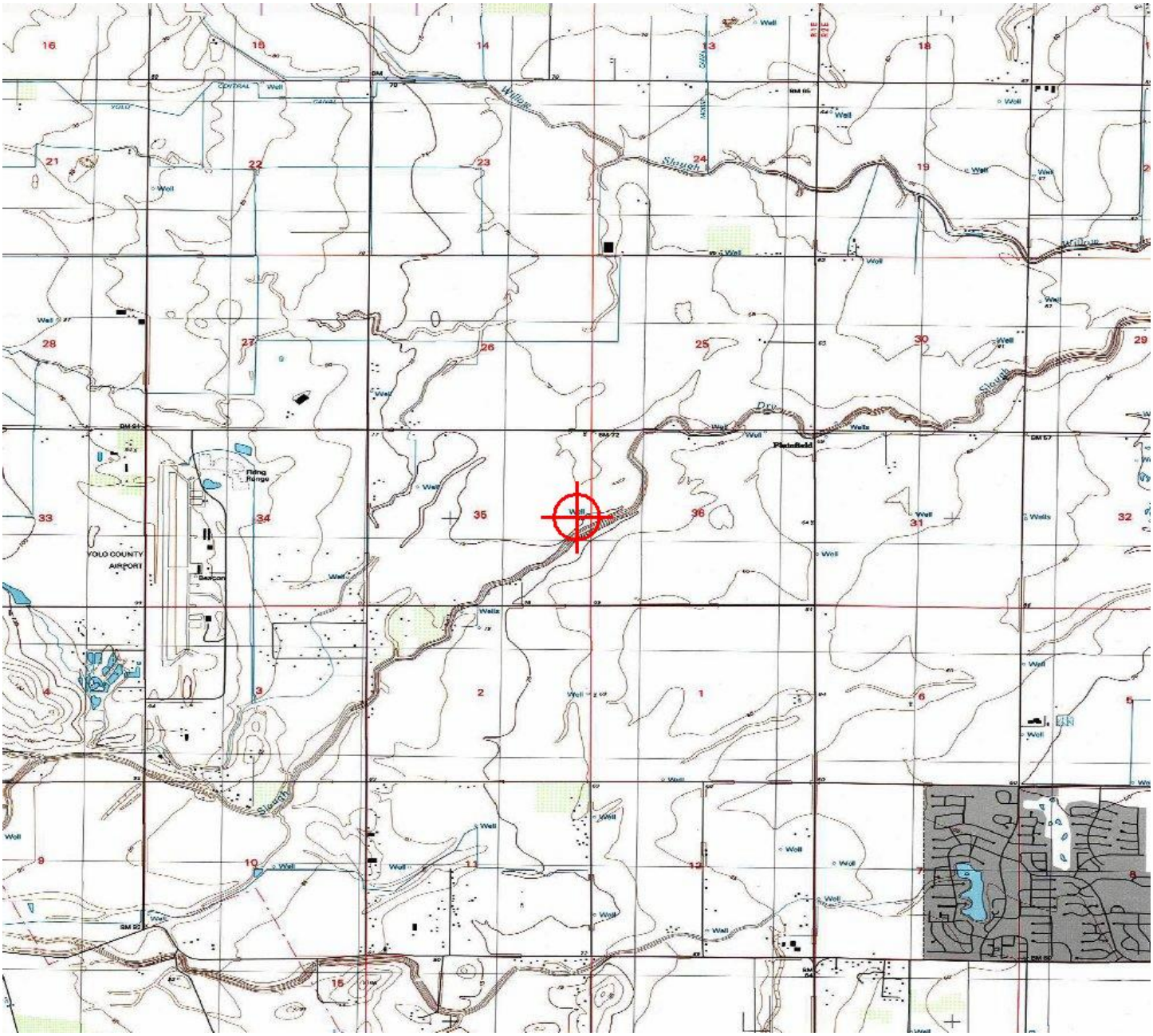
Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2011-AWP-6944-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
2.4	2.4835	GHz	4	W
5.725	5.875	GHz	4	W

TOPO Map for ASN 2011-AWP-6944-OE



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • **FAX** 916 / 327-3430 • **TDD** 916 / 324-2555 • **WEBSITE** conservation.ca.gov

October 25, 2011

VIA FACSIMILE (530) 666-8156
Ms. Stephanie Cormier, Senior Planner
Yolo County Planning and Public Works
292 W. Beamer Street
Woodland, CA 95695

Dear Ms. Cormier:

Subject: Use Permit No. 2011-0047, Winters Broadband/Kuger, Hansen, Eoff, and Tarava, Yolo County

The Department of Conservation (Department), Division of Land Resource Protection, Williamson Act Program has reviewed the request from Yolo County (County) Planning and Public Works regarding applications for Use Permits (noted above) on behalf of Winters Broadband/Kuger, Hansen, Eoff, and Tarava to place three wireless communications towers on lands restricted by Williamson Act contracts (APNs 030-280-021; 038-060-005; 040-200-028).

Project Description:

The applicant proposes to erect four self-supporting communication towers between 40-60 foot high in various locations in Yolo County to extend services to underserved businesses and residences located in rural areas of the County. According to the *COUNTY OF YOLO 2030 COUNTYWIDE GENERAL PLAN* Policy CC-1.18 communication transmission facilities and/or above ground lines are only prohibited along scenic roadways and routes. It appears that communication towers are allowable elsewhere within the County's jurisdiction.

The Land Conservation (Williamson) Act of 1965 grants cities/counties the authority to establish allowable uses on land under contract within agricultural preserves (Government Code §51240). It also states that unless the board finds otherwise, a communications tower is a compatible use (Government Code §51238(a)(1)).

After considering the information provided by Yolo County, it appears that communication towers are a compatible use on lands restricted by Williamson Act contracts, subject to any findings that the Yolo County Board of Supervisors might otherwise make.

If you have any additional questions with respect to this application, please feel free to contact Jacquelyn Ramsey, Environmental Planner at (916) 323-2379.

Sincerely,

John M. Lowrie
Program Manager
Williamson Act Program