



**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION**

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 7, 2022
To: Humboldt County Planning Commission
From: John H. Ford, Director of Planning and Building
Subject: **PG&E After-the-Fact Coastal Development Permit**
Record Number PLN-14376-CDP
Adjacent to Assessor's Parcel Number 517-041-016
2625 Patricks Point Drive

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Please contact Cliff Johnson, Supervising Planner at (707) 445-7541 or at cjohnson@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 7, 2022	PG&E After-the-fact Coastal Development Permit	Cliff Johnson

Project Description: An after-the-fact Coastal Development Permit to modify an existing electric distribution facility previously constructed without permits in the existing public right-of-way. Proposed modifications to the facility consist of the following: removal of one 45-foot-tall utility pole, replacement of two 45-foot-tall utility poles with 55-foot-tall poles, installation of a new 55-foot-tall pole and 3 platform mounted voltage regulators. The poles were installed within the County right-of-way and near the driveway that serves parcel 517-041-016. An existing utility pole is located 8-feet south of the existing driveway and will remain in place. The design standards for allowable pole sizes for platform mounted voltage regulators has changed to a 55-foot-tall pole, while the previous standards allowed for a 45-foot-tall pole, driving the need for the height increase of the existing facility. PG&E is proposing to install three (3) 55-foot-tall poles in accordance with these standards. These new poles would be 10-feet taller than the existing 45-foot-tall poles. Additionally, the height of the conductor and distribution line would change from 39-feet to 47-feet. The voltage regulators and other equipment will remain at approximately the same height. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles.

Project Location: The project site is located within the Trinidad area on the east side of Patricks Point Drive, approximately 1.2 miles north of the intersection of Patricks Point Drive and Seawood Drive, adjacent to 2625 Patricks Point Drive.

Present Plan Land Use Designations: TC (Coastal Timberland), Trinidad Area Plan (TAP), Density: 1 Dwelling Unit per 40-acres, Density: Range is 40-160 acres/unit. Slope Stability: Low Instability (1) – Moderate Instability (2)

Present Zoning: TC/D,R (Commercial Timber, Design Review, Streams and Riparian Corridor Protection).

Adjacent to Assessor Parcel Number: 517-041-016

Record Number: PLN-14376-CDP

Applicant	Owner	Agent
Pacific Gas & Electric Co., c/o Bessie Young 1455 E. Shaw Ave. Fresno, CA 93720	Same as applicant	N/A

Environmental Review: Project is categorically exempt from environmental review per CEQA Section 15303(d) – New Construction or Conversion of Small Structures

Major Issues: None.

State Appeal Status: The project is not appealable to the California Coastal Commission.

PG&E After-the-Fact Coastal Development Permit
Record Number: PLN-14376-CDP
Assessor's Parcel Number: 517-041-016

Recommended Planning Commission Action

1. Describe the application as a public hearing;
2. Request staff to present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

Adopt the resolution to 1) find the project exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines, 2) make all of the required findings for approval of the Coastal Development Permit, and 3) approve the PG&E Coastal Development Permit project subject to the recommended conditions.

Executive Summary:

A Coastal Development Permit to modify an existing electric distribution facility previously constructed without permits. Proposed modifications to the facility consist of the following: removal of one 45-foot-tall utility pole, replacement of two 45-foot-tall utility poles with 55-foot-tall poles, installation of a new 55-foot-tall pole and 3 platform mounted voltage regulators. The poles were installed within the County right-of-way and near the driveway that serves parcel 517-041-016. An existing utility pole is located 8-feet south of the existing driveway and will remain in place. The design standards for allowable pole sizes for platform mounted voltage regulators has changed to a 55-foot-tall pole, while the previous standards allowed for a 45-foot-tall pole. All poles must be the same height to allow the electric distribution line to be at the same height. PG&E is proposing to install three (3) 55-foot-tall poles in accordance with these standards. These new poles would be 10-feet taller than the existing 45-foot-tall poles. Additionally, the height of the conductor and distribution line would change from 39-feet to 47-feet. The voltage regulators and other equipment will remain at approximately the same height. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles.

The utility pole proposed for removal is located 2.8-feet north of the driveway edge, after removal, the pole proposed to be replaced will increase the setback distance on the north side of the driveway edge to 18 feet. The removal of the existing northern pole will improve ingress/egress to the driveway. The property is zoned TPZ and is developed with a single-family residence. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles. A biological/botanical assessment is not required for the proposed development.

A total of three new 55-foot-tall utility poles and removal of three 45-foot-tall poles are proposed at this time, no net increase in the total number of utility poles is proposed, only one location approximately 46-feet north of the driveway, includes a new pole installation. This proposed project location is not within the Trinidad Coastal Scenic Area.

According to the applicant, It was necessary to install the voltage regulator along Patricks Point Drive to be effective in serving customers along the circuit. A project description was submitted by the applicant stating: "To improve service reliability, the regulators needed to be installed within a specific geographic area, which included the length of Patrick's Point Drive. Because the distribution line runs along Patrick's Point Drive, a mapped scenic corridor, there were few opportunities to avoid placing the equipment within a scenic corridor. After field trips and consideration of various proposed locations, the project site was found to be the most suitable due to availability of existing right-of-way, accessibility, and environmental constraints. Additionally, installing the regulator bank at the project site avoided the need for additional aboveground PG&E facilities to improve service reliability, which could further impact the scenic character of the road. For these reasons, the project location was determined to be the least impactful to land and environmental resources."

The figure below shows the existing and proposed relocated facility.



Figure 1: Visual mockup showing the existing and proposed facility looking North.



Figure 2: Street view looking south at the existing facility.

The proposed project is consistent with the General Plan's policies. The project is in conformance with Chapter 12 Standard 12.5: E-S5.A (Electrical Transmission Lines) of the Energy Element because it proposes to increase the setbacks of existing utility poles to an adjacent private driveway, will consolidate utility pole infrastructure to minimize impacts on the viewshed, and increase the height of the existing infrastructure (45-feet to 55-feet), which will lessen the visual impacts of the project. Proposed development will meet Chapter 10.7.4 Standards (SR-S1) Development in Mapped Scenic Areas) because it proposes to consolidate utility pole infrastructure and increase the height of the existing infrastructure, which will lessen visual impacts of the project.

The proposed project is consistent with the Trinidad Area Plan (TAP) policies. The Coastal Commercial Timberland (TC) designation (TAP) applies to the parcel adjacent to the project site. By increasing the setbacks between utility pole infrastructure to an existing driveway to allow for large logging trucks ingress/egress, the project will bring the site into conformance with the purpose of the TC designation by improving access to primary site uses. The Trinidad Area Plan Visual Resource Protection, Coastal Scenic Areas section requires that new public facility development shall be limited to above-ground power lines less than 30KV, the project proposes above-ground power lines with 12KV capacity and is therefore in compliance with the TAP.

Public comments were received by the adjacent (driveway) property owner that initiated the requirement of a Coastal development Permit for the utility poles at the project site location. The primary concerns of the property owner included impacts to ingress/egress access for logging trucks for the existing driveway and utility pole (pole setback 2.8 feet north of the driveway) and negative impacts towards visual/scenic resources. The current project proposed by PG&E has

addressed the concerns of ingress/egress for logging trucks by increasing the utility pole setback to 18 feet from the northern driveway edge and will improve the visibility for car traffic along Patricks Point Drive by increasing the pole height to 55 feet. The proposal to relocate the pole closest to the existing driveway would result in approximately 44.6 feet between the faces of the electric distribution poles located closest to the driveway.

This project was heard during the May 12th Planning Commission hearing where several concerns were raised about project design and siting. Without adequate information being available or a representative from PG&E present, it was decided to continue the project to the June 16th hearing date to provide PG&E with enough time to respond to the concerns expressed during the May hearing. At the June 16th Planning Commission hearing this was continued to the July 7th hearing to allow for the project engineer to be available at the hearing.

Additionally, subsequent to the May hearing PG&E provided additional clarification on the design decisions for the regulator. Per PG&E the electric distribution line regulator bank was installed at this location on the Trinidad 1102 circuit along Patrick's Point Drive to avoid extended outages and improve service reliability to PG&E customers served by the Trinidad 1102, Orick 1102, and Orick 1101 circuits when there is planned and unplanned work at Big Lagoon Substation. To have the desired effect on service reliability, the electric distribution line regulators needed to be installed within a specific geographic area, which included the length of Patrick's Point Drive. Because the Trinidad 1102 circuit runs along Patrick's Point Drive, there were few opportunities other than this location that would avoid placing the equipment within a designated coastal scenic corridor or vista. The engineering team performed several site visits to evaluate locations where the equipment could be installed, and subsequently evaluated several alternatives. After considering all the alternatives, the project site was found to be the most suitable due to availability of existing right-of-way, accessibility, and environmental constraints. For example, other feasible locations would have required right-of-way acquisition, were not accessible for line trucks and construction equipment, and/or had environmental constraints, such as waterways or substantial initial vegetation clearing for construction and routine vegetation management for operations and maintenance. Additionally, installing the line regulator bank at the project site avoided the need for additional aboveground PG&E facilities to improve service reliability, which could further impact the scenic character of the area. For these reasons, the project location was determined to be the least impactful to land and environmental resources. This project has provided improved service reliability to 1,226 electric meters in the coastal area.

Alternative: Several alternatives may be considered: 1) The Planning Commission could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Planning Commission could elect to add or delete conditions of approval; 3) The Planning Commission could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 22-

Record Number PLN-14376-CDP

Adjacent to Assessor Parcel Number: 517-041-016

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the PG&E After-the-Fact Coastal Development Permit (14376)

WHEREAS, PG&E submitted an application and evidence in support of approving a Coastal Development Permit to allow for the removal, replacement, and installation of three utility poles in order to allow for sufficient clearance of vehicles using the adjacent property driveway; and

WHEREAS, the project is categorically exempt from environmental review pursuant to Section 15303(d) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments, and recommendations; and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on **July 7, 2022**; reviewed, considered, and discussed the application for a Coastal Development Permit; and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

1. FINDING:

Project Description: A Coastal Development Permit to modify an existing electric distribution facility previously constructed without permits. Proposed modifications to the facility consist of the following: removal of one 45-foot-tall utility pole, replacement of two 45-foot-tall utility poles with 55-foot-tall poles, installation of a new 55-foot-tall pole and 3 platform mounted voltage regulators. The poles were installed within the County right-of-way and near the driveway that serves parcel 517-041-016. An existing utility pole is located 8-feet south of the existing driveway and will remain in place. The design standards for allowable pole sizes for platform mounted voltage regulators has changed to a 55-foot-tall pole, while the previous standards allowed for a 45-foot-tall pole. All poles must be the same height to allow the electric distribution line to be at the same height. PG&E is proposing to install three (3) 55-foot-tall poles in accordance with these standards. These new poles would be 10-feet taller than the existing 45-foot-tall poles. Additionally, the height of the conductor and distribution line would change from 39-feet to 47-feet. The voltage regulators and other equipment will remain at approximately the same height. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles.

EVIDENCE: a) Project File: PLN-14376-CDP

2. FINDING: **CEQA:** The requirements of the California Environmental quality Act have been met.

EVIDENCE: a) The project is exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines.

FINDINGS FOR COASTAL DEVELOPMENT PERMIT (CDP)

3. FINDING: The proposed development is in conformance within the Trinidad Area Plan (TAP).

EVIDENCE: a) The project is in conformance with Chapter 12 Standard 12.5: E-S5.A (Electrical Transmission Lines) of the Energy Element: "Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in highly scenic areas, and to avoid locations that are on or near habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be minimized and revegetated with plants similar to those in the area.". The project is consistent with the Chapter 12 Standard because it proposes to increase the setbacks of existing utility poles to an adjacent private driveway, will consolidate utility pole infrastructure to minimize impacts on the viewshed, and increase the height of the existing infrastructure (45-feet to 55-feet), which will lessen the visual impacts of the project.

b) Development is proposed to meet Chapter 10.7.4 Standards (SR-S1. Development in Mapped Scenic Areas): "Discretionary and ministerial development shall avoid visual disturbance of natural contours, hilltops, tree lines, forest landscapes, bluffs and rock outcroppings, to the maximum extent feasible. Roads and public utility corridors shall be as narrow as feasible and follow natural contours. Natural features disturbed for construction purposes shall be restored to as close to natural condition as feasible." The project is consistent with the Chapter 10 Standards because it proposes to consolidate utility pole infrastructure and increase the height of the existing infrastructure, which will lessen visual impacts of the project.

c) The project will neither add nor subtract from the County's Housing Inventory (Chapter 8.4 Goals & Policies: H-G4. Residential Land Inventory). The project is consistent with the County's Housing Element.

d) The project is not in an environmentally sensitive habitat area and there are no watercourses within 100 feet of the project development area. No referral agencies cited any potential issue regarding biological resources. Due to these findings, no threats to sensitive and critical habitats are expected.

- e) The project is consistent with the goals and policies of the Trinidad Area Plan (TAP). The Coastal Commercial Timberland (TC) designation (TAP) applies to the parcel adjacent to the project site, which is currently developed with a single-family residence. The proposed project is an after-the-fact CDP to increase the setbacks of the existing utility poles to the adjacent private driveway by removing one pole, replacing two poles, and installing one pole in a new location. By increasing the setbacks between utility pole infrastructure to an existing driveway to allow for large logging trucks ingress/egress, the project proposes to bring the site into conformance with the purpose of the TC designation: "to protect productive timberlands for long-term production of merchantable timber".

- f) The Trinidad Area Plan Visual Resource Protection, Coastal Scenic Areas section states that: "New industrial and public facility development shall be limited to: ... Underground utilities, telephone lines, and above-ground power lines less than 30KV." The project is outside of Coastal Scenic Areas and proposes above-ground power lines with 12KV capacity and is therefore in compliance with the TAP.

- g) No biological resources were identified within the project area. The project site is currently developed with three 45-foot utility poles and two platform mounted voltage regulators. There are no significant areas of natural habitat or vegetation on the site. As such, a review of the project site has determined that the site is not located within a riparian habitat or other sensitive natural community, nor is located within or near any known wetland areas. Vegetation was removed to install the existing utility poles; the biologist representing PG&E stated that there are no impacts that would require mitigation or be a significantly impact surrounding biological resources.

The project site is not located within a designated coastal scenic area however the project will not impact any protected visual resources within the County. The facility is located along the eastern portion of the roadway; therefore, the facility will not have any impact to views toward the coastal vista from any public views. The facility is also sited in a right-of-way (or easement) area typical for electrical infrastructure in the most feasible location. The proposed scale, setbacks, and development intensity are in scale with existing utility infrastructure in the area surrounding the project and will result in a less than significant impact to aesthetics. The project is not located within an area that will obstruct coastal/scenic views, the proposed increase in utility pole height (10 feet) is a nominal increase to existing infrastructure that is visually slim in nature and will not result in any new obstruction of vista or public viewpoints; therefore, the proposed height increase is not anticipated to negatively impact visual resources in the area.

- i) The project complies with the County's Housing Element as it will not add to nor subtract from the County Housing Inventory.

- j) The project is located in a low-moderate instability geologic area. The project area is located outside of the 100-year flood zone and is not within a tsunami inundation area. The project is within the State Fire Responsibility Area for fire protection, and with police services provided by the County of Humboldt Sheriff's Department. The project proposes the replacement of two utility poles (45-feet to be 55-feet), removal of one pole, and installation of one pole (55-feet). Based on these findings, the proposed development does not increase risks to hazards.

4. FINDING:

The proposed development is consistent with the purpose of the existing primary zone (Commercial Timber (TC)) in which the site is located. The proposed development conforms to all applicable standards and requirements of these regulations.

EVIDENCE:

- a) The project is located on a parcel with the Commercial Timber (TC) zoning designation (HCC 313-7.2). Principally permitted uses in the TC Zone include "Single Family Residential, General Agriculture, Timber Production, Cottage Industry... and Minor Utilities to serve these uses." The project proposes minor utility removal, replacement, and installation for existing utility infrastructure. The proposed utility facilities support the intended uses of the zone district.
- b) The project's proposed setbacks between the poles and existing private driveway/roadway include: an existing pole to remain with an 8-foot setback (distance between pole's north face to the southern edge of the driveway), a proposed pole with an 18-foot setback (distance between pole's south face to the northern edge of the driveway), and a minimum proposed pole face setback from the road fog line of 15-feet for all proposed poles.
- c) The project is located on a parcel with the Combining Zone-D (Design Review) zone designation (HCC 313-19.1.1): "The purpose of these regulations is to provide design review for conformance of new development with the policies and standards of the General Plan, and to provide for a design review process where neighborhoods within the same zone district desire to preserve or enhance the area's historical, cultural or scenic values."
- d) The project is located on a parcel with the Combining Zone-R (Streams and Riparian Corridor Protection) zone designation (HCC 313-33.1.1): "The purpose of these regulations is to provide for the maintenance, enhancement, and, where feasible, restoration of water resources by restricting development, and by minimizing adverse effects of runoff, interference with surface waterflow, and alteration of natural streams, and by protecting riparian habitats." The project proposes minor utility removal, replacement, and installation for existing utility infrastructure; proposed development is not anticipated to have a negative impact on water resources or riparian habitats because there are none existing within the area of the proposed facility.

- e) The project includes the installation of Minor Utilities, the proposed utility wires are 12 kilovolts, to serve permitted uses within the TC zone. The Civic Development Impact Use Type for Major Electrical Distribution Lines does not apply for this project, this use type includes electrical utility wires, 60 kilovolt or larger, either above ground or underground, including supporting towers, poles and appurtenances, which are used for distributing, conveying or transmitting electrical energy (HCC 313-171.4.1).
- f) The project includes the installation of Minor Utilities, the proposed utility wires are 12 kilovolts, to serve development within the TC zone. The Civic Development Impact Use Type for Major Electrical Distribution Lines does not apply for this project. The project meets the Required Mitigation measures for Major Electrical Transmission Lines (HCC 313-73.1.3) which includes HCC 313-73.1.3.4: "Transmission lines shall be routed to avoid the crests of roadways to minimize their visibility on distant views. Where visual impacts will be minimized, lines shall cross roadways at downhill low elevation sites or curves in the road, wherever feasible."

5. FINDING: The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

EVIDENCE: a) The project is an after-the-fact permit for the removal of one existing 45-foot-tall utility pole, replacement of two existing 45-foot-tall utility poles with 55-foot-tall poles, the installation of one 55-foot-tall utility pole, and two platform mounted voltage regulators. The purpose of the project is to increase the setback distance between existing utility poles and the edges of an adjacent driveway to allow for improved large logging truck ingress/egress. Referral agencies provided conditional approval comments for the project. No detrimental effects to public health, safety and welfare have been identified. The project is not expected to be detrimental to property values in the vicinity nor pose any kind of public health hazard.

6. FINDING: The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE: a) The project will not add to nor subtract from the Housing Inventory.

DECISION

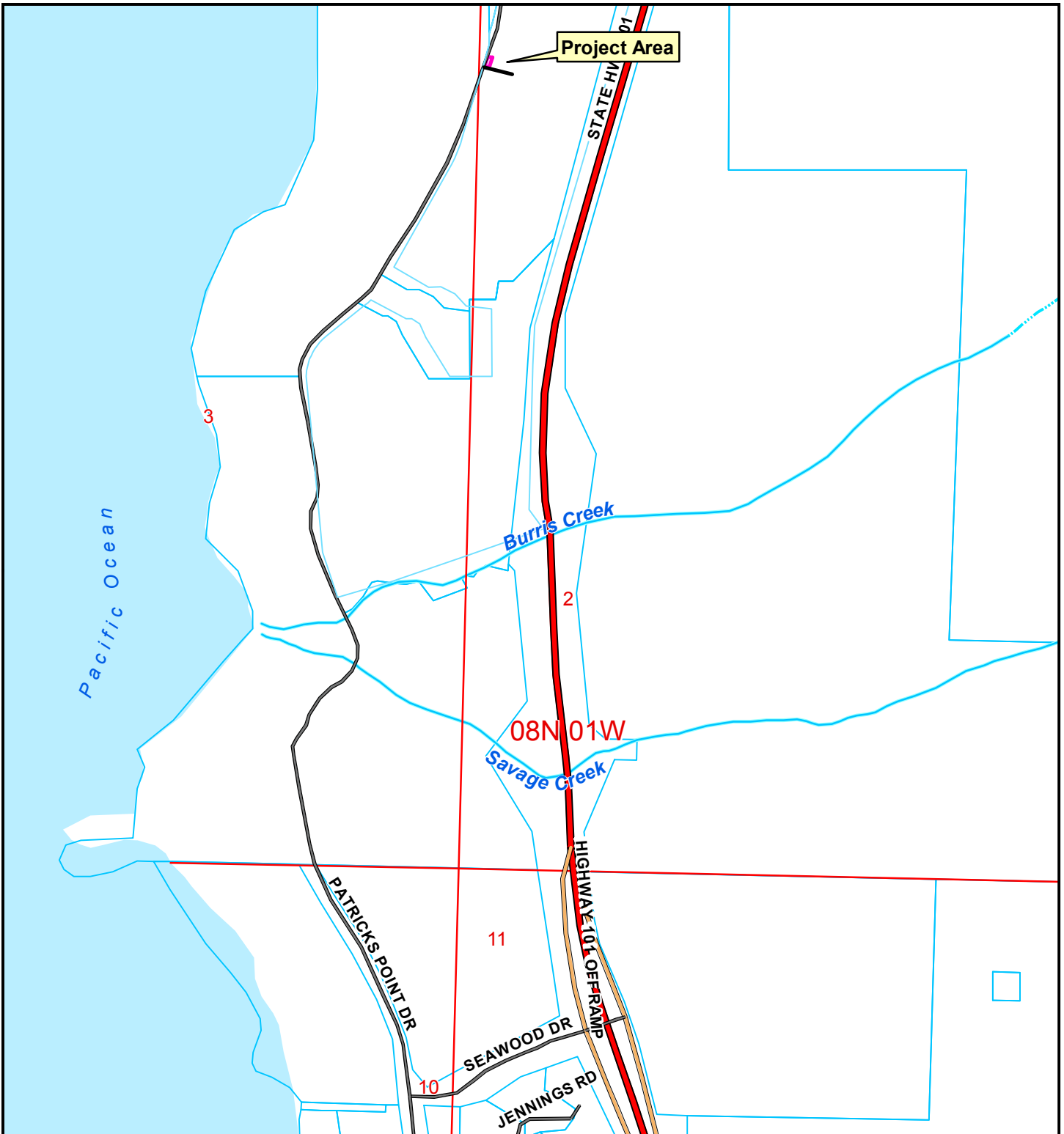
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Coastal Development Permit for PG&E, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **July 7, 2022**

I, John H. Ford, Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Planning Commission at a meeting held on the date noted above.

John H. Ford, Planning Commission
Planning and Building Department



LOCATION MAP

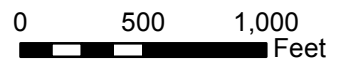
**PROPOSED PG&E
COASTAL DEVELOPMENT PERMIT
PATRICKS POINT AREA
PLN-2018-14376-CDP**

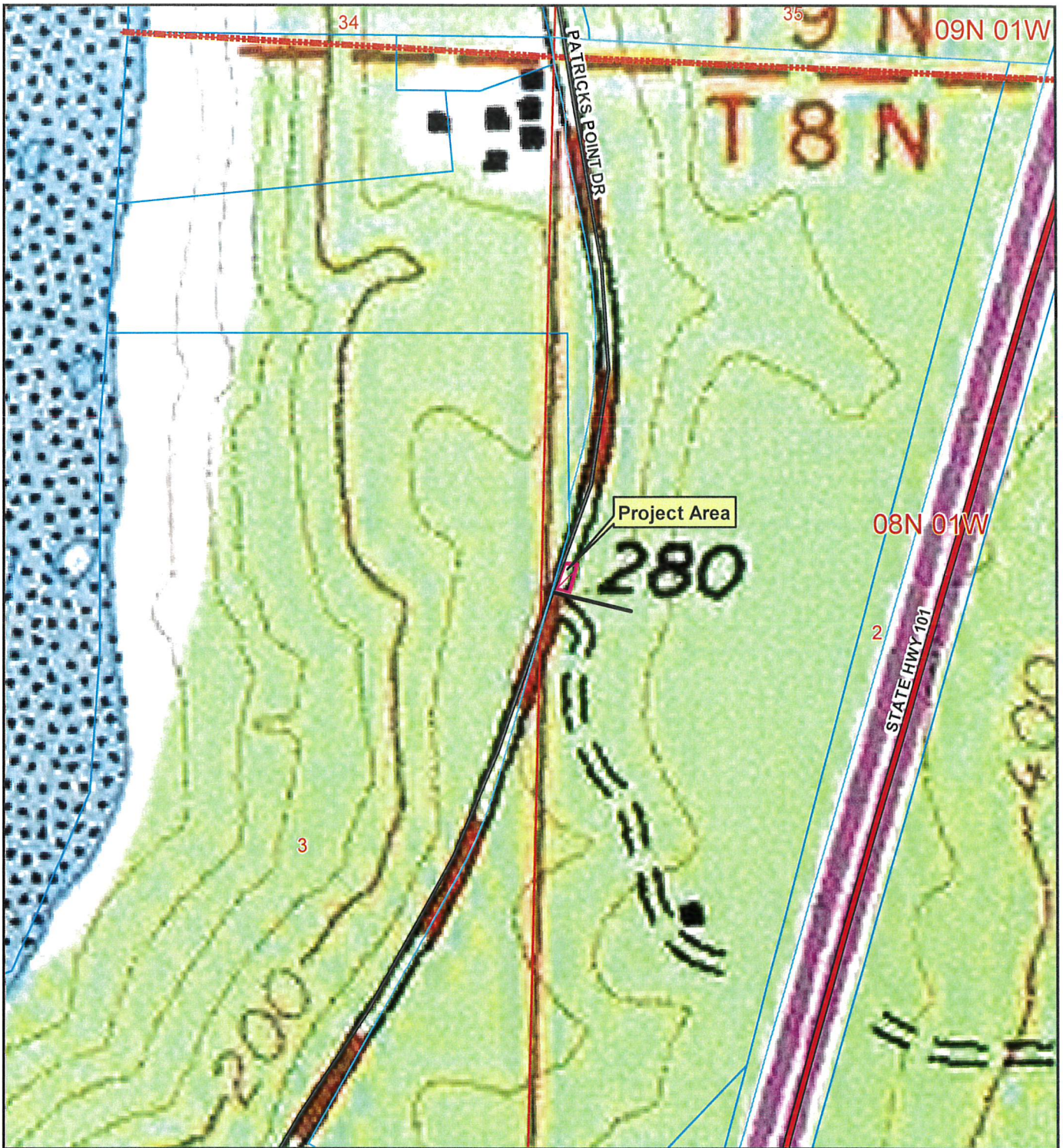
APN: N/A

T08N R01W S02 HB&M (Patricks Point)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





TOPO MAP

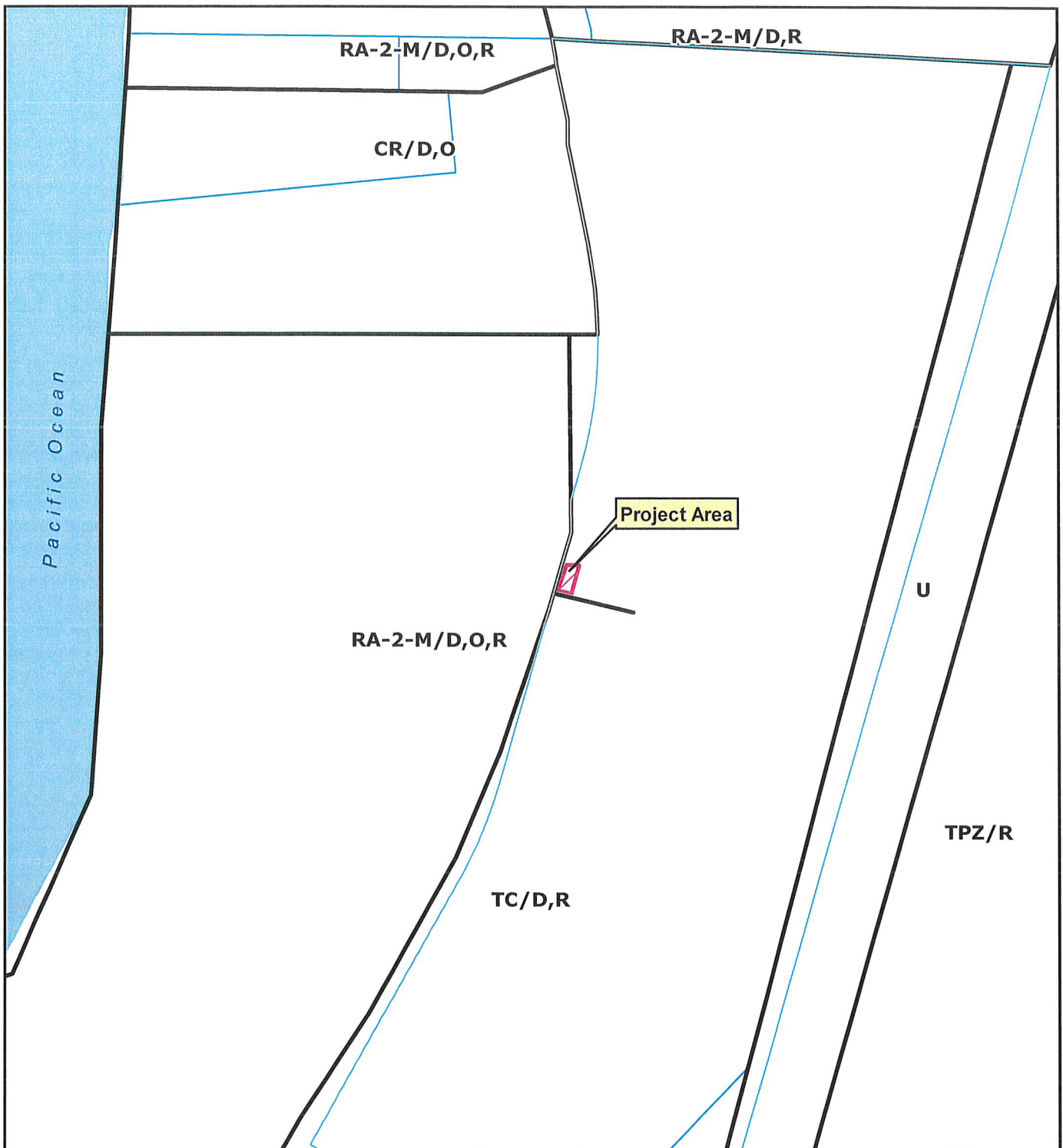
**PROPOSED PG&E
COASTAL DEVELOPMENT PERMIT
PATRICKS POINT AREA
PLN-2018-14376-CDP
APN: N/A**

T08N R01W S02 HB&M (Patricks Point)

Project Area = 



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ZONING MAP

**PROPOSED PG&E
COASTAL DEVELOPMENT PERMIT
PATRICKS POINT AREA
PLN-2018-14376-CDP
APN: N/A**

Project Area = 

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T08N R01W S02 HB&M (Patricks Point)





AERIAL MAP

**PROPOSED PG&E
COASTAL DEVELOPMENT PERMIT
PATRICKS POINT AREA
PLN-2018-14376-CDP
APN: N/A**

Project Area = 



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T08N R01W S02 HB&M (Patricks Point)

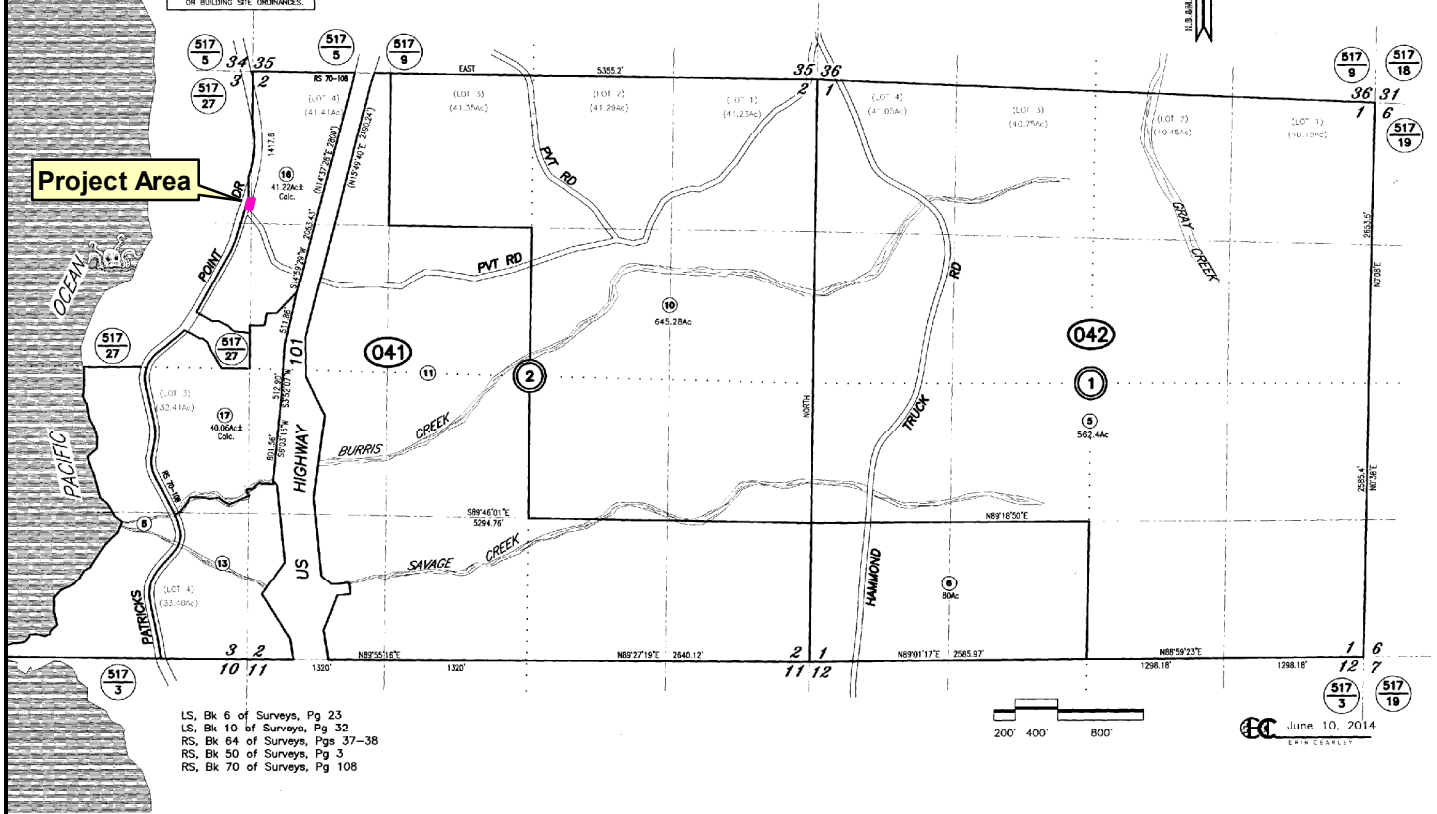
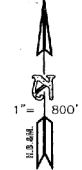
Assessor's Map Bk.517, Pg.04
County of Humboldt, CA.

SECS 1, 2 & 3, T8N R1W H.B.& M.

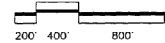
517-04

ASSESSOR'S PARCEL MAP
1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SET ORDINANCES.

NOTE -- Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Small Circles



LS, Bk 6 of Surveys, Pg 23
LS, Bk 10 of Surveys, Pg 32
RS, Bk 64 of Surveys, Pgs 37-38
RS, Bk 50 of Surveys, Pg 3
RS, Bk 70 of Surveys, Pg 108



June 10, 2014
EIN 1000000000

ASSESSOR PARCEL MAP
PROPOSED PG&E
COASTAL DEVELOPMENT PERMIT
PATRICKS POINT AREA
PLN-2018-14376-CDP
APN: N/A

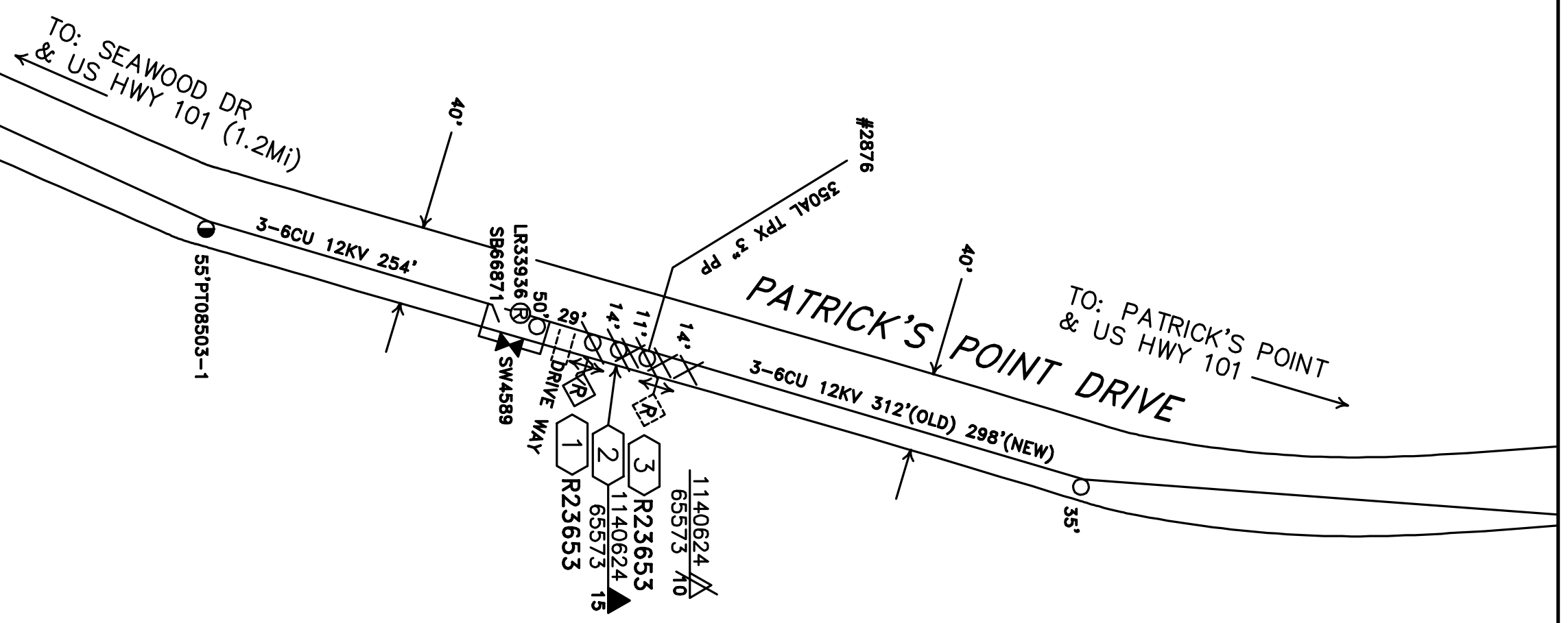
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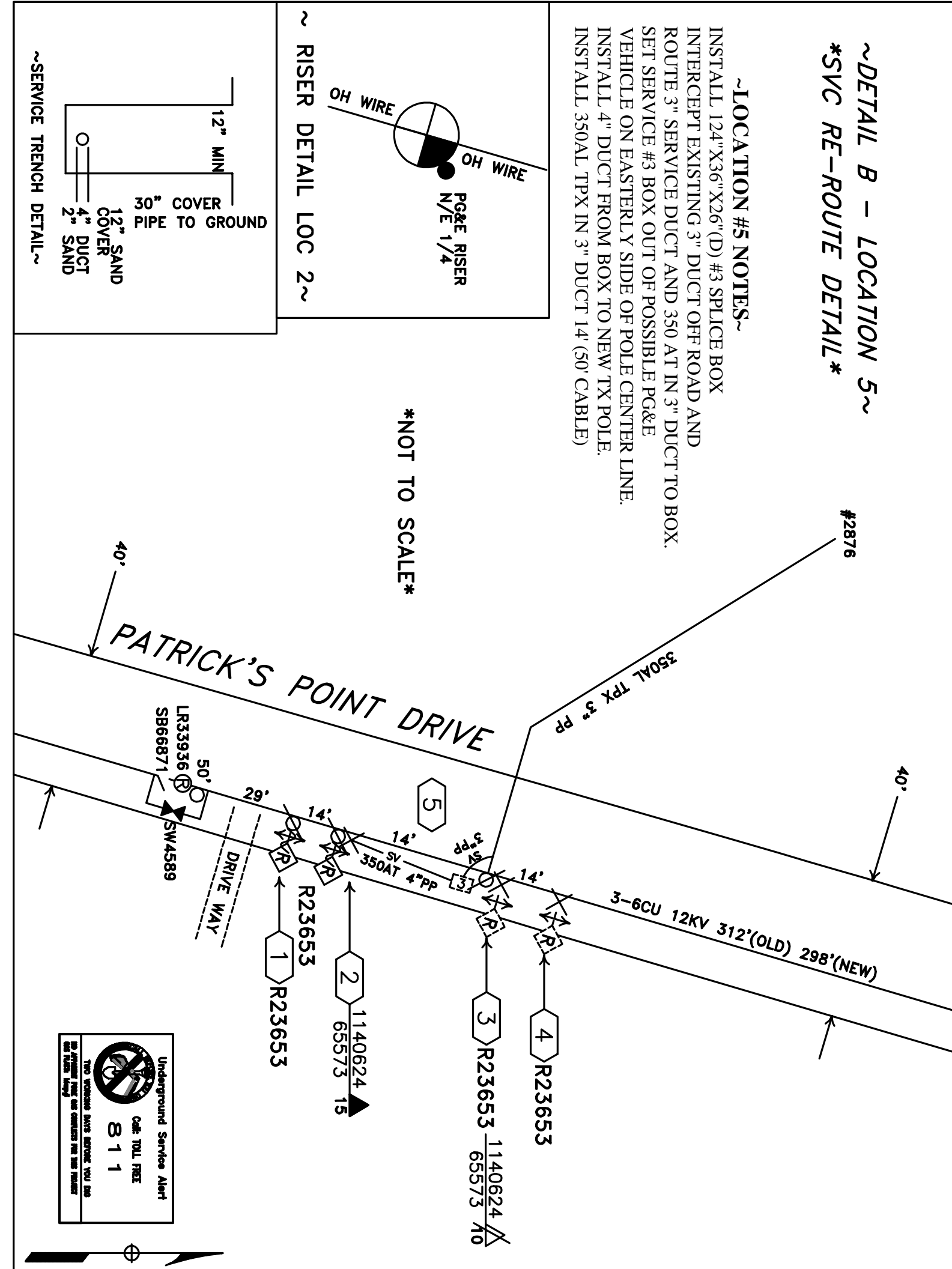
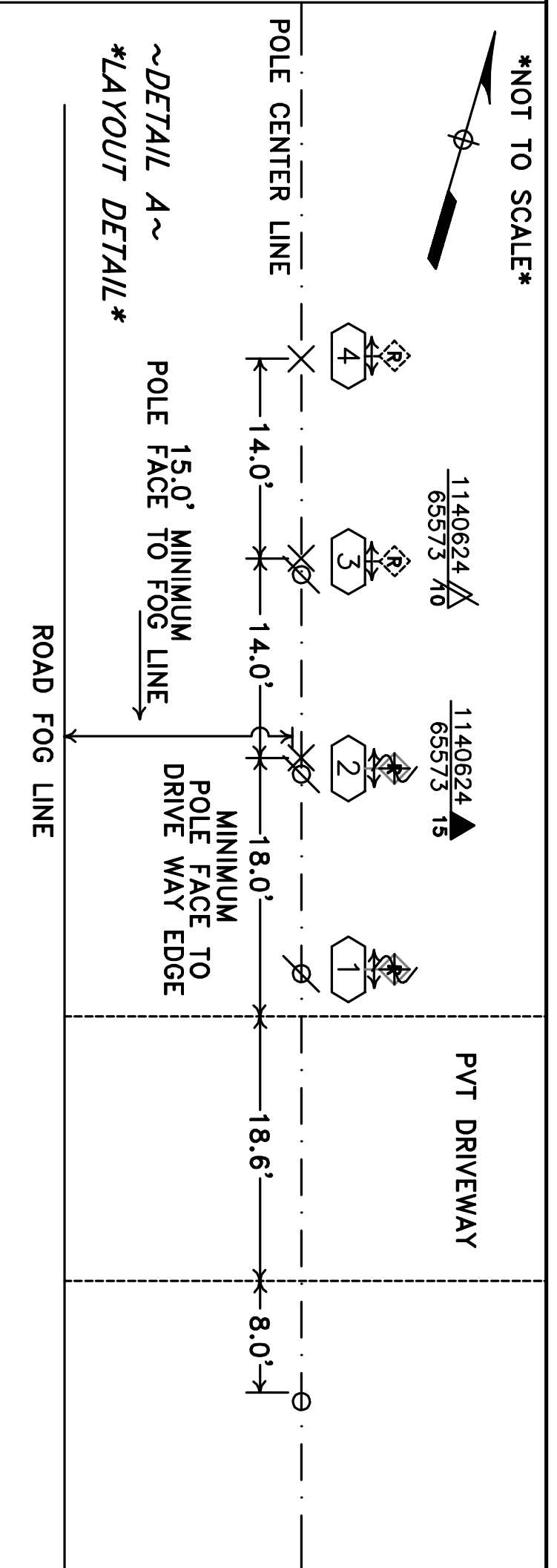
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T08N R01W S02 HB&M (Patrick's Point)

MAP NOT TO SCALE



- LOCATION NOTES-**
- LOC 1 - REMOVE 45'-3 POLE
 - LOC 1 & 2 - REMOVE PLATFORM MOUNTED VOLTAGE REGULATOR 23653, 3-100AMP, 138KVA
 - LOC 2 - REMOVE 45'-3 POLE, INSTALL 55'-3 POLE, 15KVA OH TX, DEMAND=6KVA (SC)
 - TX CGC# 1140624-65573
 - LOC 3 - REMOVE 45'-5 POLE, INSTALL 55'-3 POLE
 - LOC 4 - INSTALL 55'-2 POLE
 - LOC 3 & 4 - INSTALL PLATFORM MOUNTED VOLTAGE REGULATOR 23653, 3-100AMP, 138KVA, 12KV STAINLESS STEEL LINE VOLTAGE REGULATORS, SCADA CONTROL, REGULATORS CONNECTED DELTA WITH REVERSING RELAYS.
 - LOC 5 - RE-ROUTE EXISTING 350AL TX IN 4" DUCT, SEE DETAIL B



CONSTRUCTION SKETCH

RELOCATE VOLTAGE REGULATOR 23653

PATRICKS POINT DRIVE

TRINIDAD (Unic)

PRIMARY VOLTAGE: 12 kV	VOLTAGE AREA: 2
LATITUDE: 41.112839014	LONGITUDE: -124.1561999863
SOURCE SIDE DEVICE: LR 33936	
SUB & CIRCUIT: TRINIDAD 1102	
DSGN SAG: RURAL	RAPTOR ZONE: NO
LOADING AREA: LIGHT	ARRESTER DIST: 2
CORROSION AREA: SEVERE	INSULATION DIST: AA
EXEMPT EQUIP. INST.: YES	FIRE AREA: SRA-TIER 1

ENGINEERING AND PLANNING DEPT.

2555 MYRTLE AVENUE

EUREKA, CA 95503

811 Know what's below. Call before you dig.

NO ENVIRONMENTAL ISSUES

GAS CONFLICT:

NEAR LOC:

EST: BEAR WINKLE	707-445-5515
ADE: BEAR WINKLE	707-445-5515
SUPV: ERIN McVEY	530-682-3652
REP: CUYLER STAPELMANN	510-239-9737
PLNR: CHARLES PLANK	916-397-8811
NOTIF:	JPA#: N/A
SCALE: None	DATE: 11/16/2021
PM:	SHEET: 1 OF 1 REV. 0

**ATTACHMENT 1
RECOMMENDED CONDITIONS OF APPROVAL**

Conditions of Approval for the Coastal Development Permit

APPROVAL OF THE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS

Conditions of Approval:

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. Per the County Public Works Department comment dated January 28, 2020, the applicant, PG&E, obtains an annual encroachment permit each year to work within the County road right-of-way.
3. The work shall be conducted in accordance with the Application signed September 5, 2018, and revised site plan submitted on November 16, 2021.
4. Changes in the project other than Minor Deviations from the Site Plan as provided in HCC Section 312-11.1 shall require a modification of this permit.
5. Applicant shall obtain a Building Permit that includes an engineered grading, erosion, and sediment control plan.
6. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
7. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. Within three days of the effective date of permit approval, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this fee to the project.
8. Applicant shall be responsible to correct any involved drainage problems within the County Road right of way to the satisfaction of this Department.
9. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653- 4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened

midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant is responsible for ensuring compliance with this condition.

Informational Notes:

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
2. The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.
3. The after-the-fact Coastal Development Permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); All permit conditions of the follow up CDP shall be satisfied prior to such anniversary date. The term of this permit may be extended as provided by Section 312-11.3 of the Humboldt County Code.
4. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the Applicant after the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

ATTACHMENT 2

Applicant's Evidence in Support of the Required Findings

Attachment 2 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

- Application Form (on file)
- Site Plan (attached)
- Project Description (attached)
- County Public Works Department issued 2020 Annual Encroachment Permit (Permit No. 2015)



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

2015

On-line
 Web: humboldt.gov

Administration	445-7491	Natural Resources	445-7741
Business	445-7652	Natural Resource Planning	267-9542
Engineering	445-7377	Parks	445-7651
Facility Management	445-7621	Roads	445-7421

Clark Complex
 Harris & H St., Eureka
 Fax 445-7388
 Land Use 445-7205

Permittee: **PACIFIC GAS & ELECTRIC COMPANY**
 % Rokstad Power, Inc: Attn: Courtney Belcher
 Address: **7305 Morro Road Suite 200**
Atascadero, CA 93422

ANNUAL ENCROACHMENT PERMIT

Permit No.: 2015
 Valid Dates: 04/29/2020 through 12/31/2020

Authorized Signatures - (not valid unless signed by County)	
Permittee	County of Humboldt
By:  <small>(Signature of authorized representative)</small>	
Name Printed: <u>Courtney Belcher</u>	By: Erin Cearley Engineering Technician 3015 "H" Street Eureka, CA 95501 (707) 445-7205
Telephone: <u>(541) 913-3557</u>	

In compliance with your request and subject to all the terms, conditions, and restrictions written below or printed as general or special provisions on any part of this form and/or attachments, permission is hereby granted *for the installation of new lateral service connections and to REPAIR or REPLACE any EXISTING* underground and/or overhead facilities located within the County highway or right of way as per Humboldt County Code Title IV, Division I, Chapter I, *and Sections 1463 and 1469 of the Streets and Highways Code of the State of California*, pertaining to the protection and control of County roads. All activities within the right of way under the terms of this Annual "Blanket" Encroachment Permit shall be performed in conformance with the requirements of said Chapter I and the specific requirements contained herein.

THIS PERMIT AUTHORIZES WORK TO BE DONE BY THE PERMITTEE'S OWN FORCES

** Work done solely by a contractor hired by the Permittee requires a separate permit.

SPECIFIC REQUIREMENTS:

(1) Any opening or excavation made under the authority of this Permit **SHALL NOT** exceed *four (4)* feet in width and/or *fifty (50)* feet in length.

*Any work **EXCEEDING** the scope above shall not be covered by this Permit. Main line extension projects and any other facility development shall require the **PERMITTEE** to submit a separate Encroachment Permit Application.*

(2) *Any work authorized under this Annual Encroachment Permit for new lateral service connection, repair, or replacement of existing facilities NOT EXCEEDING the scope listed in (1) above shall require notifying the Department of Public Works PRIOR to commencement of work* - per County Code Section 411-11 (k) and (l).

Notifying the department of work authorized under this permit is **now required** through the online form on the County website at:

<http://humboldt.gov/FormCenter/Public-Works-12/Annual-Encroachment-Permit-Holder-Projec-93>

The above website must also be used to notify the Department of work initiated due to an emergency. The COUNTY shall be notified of all emergency work performed within 48 hours. A separate Encroachment Permit Application must be submitted if the work exceeds the scope listed in (1).

(4) **NO EXCAVATION SHALL BE PERMITTED** on a new roadway or overlay section less than five (5) years old or on a slurry sealed roadway section less than two (2) years old without written approval from the Director of Public Works. The roads currently within the five-year and two-year period are listed in **Exhibit A**. Planned projects are listed with an Anticipated Construction Date and will be included upon completion of the construction. Contact Public Works for options if the work area appears to be covered by the above requirement.

*** **Exhibit A** will be mailed separately when available – Contact Public Works for options if the work area appears to be covered by the above requirement.

(6) This Annual Encroachment Permit authorizes all routine maintenance of **Permittee** owned facilities within County right of way.

(7) The minimum overhead clearance of cables at all road crossings shall be eighteen feet (18').

(8) The Permittee shall provide, erect, and maintain all barriers, warning lights, traffic control devices, and other safeguards to protect the traveling public in accordance with Section 21400 of the California Vehicle Code and the latest edition of CalTrans Manual of Traffic Controls for Construction and Maintenance Work Zones during operations allowed under this permit.

(9) Permittee shall be responsible for all traffic control and safety at all work locations in a manner satisfactory to the Department of Public Works. Traffic control operations shall conform to **2014 California Manual on Uniform Traffic Control Devices for Streets and Highways** (FHWA's MUTCD 2009 Edition, as amended for use in California), Revision 3 - March 9, 2018, or latest edition, and to the satisfaction of the Department of Public Works. Warning and flagging of motorists at work locations shall be conducted **AT ALL TIMES** by properly trained personnel.

NO COMPLETE ROAD CLOSURE is authorized under this permit, unless authorized in writing by the Director of Public Works.

(10) Permittee shall be responsible for contacting all affected utilities prior to any excavation work. The Permittee shall notify U.S.A. - Underground Service Alert - at 1-800-227-2600 two (2) working days in advance. Failure to comply with the U.S.A. notification and excavation requirements pursuant to Section 7110 of the Business and Professions Code shall be cause for this permit to be revoked. **The County does not participate in U.S.A., therefore, Permittee shall be responsible for identification and notification regarding County substructures.** Contact Public Works - Roads Division (445-7421) for assistance locating County maintained facilities.

(11) Excavations shall be conducted in such a manner that not more than one traffic lane is closed at any one time. Excavation in the opposite traffic lane shall not begin until the traffic lane first excavated is backfilled, compacted, and surfaced or is made passable to traffic by temporary steel bridging. Trench shoring shall comply with Cal-OSHA requirements. NO open trenches within County right of way shall be allowed during non-working hours.

(12) Backfill material used in all trenches shall conform to Section 19 of CalTrans standard specifications, dated 2018. The attached **Exhibit B** Type I Trench detail shall be used for all roads. Backfill material, Class II AG base, shall be placed to the subgrade of the pavement in uniform layers and shall be brought up uniformly on all sides of the structure or facility. Backfill material shall be mechanically compacted to a relative compaction of not less than 95% in the top 2.5 feet of the trench and a minimum of 90% relative compaction below that point to the top of any conduit or pipe, within the traveled way and shoulder section of any County maintained road.

Upon written request and approval by the Department of Public Works, use of the Type II Trench detail shown in **Exhibit C** may be allowed for collector roads, arterial roads, and trenches near the edge of road. Backfill material consisting of two (2) sack concrete slurry shall conform to Section 19-3.02 E of CalTrans standard specifications, dated 2018 and shall be placed up to asphalt cap.

All trenches in typical details shall be temporarily capped with a minimum of three inches (3") of cold mix asphalt prior to opening the roadway to public traffic.

(13) The permanent pavement restoration for trenches excavated across or parallel to existing paved traveled way section of County roads shall consist of MINIMUM of three (3) inches of Type B asphalt concrete (hot mix). Temporary pavement shall be removed from all trenches prior to placing permanent paving. Trenches shall be saw cut in conformance with **Exhibit B** or **Exhibit C** beyond the asphalt concrete disturbed by trench excavation or the edge of the trench just prior to placing permanent paving. Trench edges shall be sealed after paving with bituminous oil (tack oil) to prevent water seepage. The finish paving SHALL NOT be CROWNED across the trench section and **shall be placed no later than 30 (thirty) days after initial trench excavation.**

(14) The Department of Public Works reserves the right to make as many compaction tests as it deems reasonably necessary to ensure that the compaction requirements are met. Permittee agrees to reimburse the Department of Public Works the reasonable cost of such tests. Said costs shall be in conformance with the Board of Supervisors latest adopted Ordinance.

(15) Permittee shall guarantee the trench work against failures after acceptance of the complete project by the Department of Public Works and shall cause such repairs to be made as are necessary to correct such failures. In the traveled way, a depression of one-four inch (1/4") per two feet (2') of trench width below the average of the sides of the uncut portion shall constitute a failure.

(16) Any damage to existing County road improvements (i.e., adjacent curb and gutter, drainage structures, road surface, etc.) caused by work authorized by this permit shall be repaired or replaced by the permittee to the satisfaction of the Department of Public Works.

(17) If Permittee fails to comply with the terms of this permit or to perform or complete work according to the terms of this permit or County or State specifications, the County may elect to perform and complete the work by any method the Director deems appropriate. Permittee shall reimburse County for the full cost at the then current Associated General Contractor's Cost schedule for such work for performing and completing the work according to County standards.

(18) The Permittee agrees to indemnify and hold harmless and, at its own risk, cost, and expense, defend the County of Humboldt, its officers, agents, and employees from and against any and all liability expense, including defense costs, legal fees, and claims for damages arising from Permittee's negligence, intentional acts, or breaches of this agreement excepting only liability arising from the sole negligence of the County. Indemnification with respect to defense costs shall be made at the time the County of Humboldt incurs such costs.

(19) Permittee, at its own expense, agrees to obtain and maintain policies of insurance as specified in **Exhibit D**, "Insurance Requirements" from the COUNTY RISK MANAGER.

(20) The Permittee shall be responsible for all work conducted by outside contractors operating under the authorization of the Permittee and the terms of this Annual Permit. The Permittee shall be responsible for all inspections and approval of facilities placed within County right of way by Permittee's contractor.

(21) Hours of operation shall be Monday through Friday, 7:00 a.m. to 5:00 p.m. Weekend operation may be acceptable to COUNTY, provided COUNTY is notified 48 hours (2 County business days) in advance and agrees to the weekend operation. Holiday operation shall only be granted with SPECIAL WRITTEN PERMISSION from the COUNTY. The allowable days and times of operation are void in the event of an emergency caused by a natural disaster or major facility failure. The COUNTY shall be notified of all work performed within an emergency situation within 48 hours.

(22) An Annual Encroachment Permit shall be valid for one (1) calendar year and shall be subject to periodic review, and any of the preceding conditions/requirements may be revised by the Department of Public Works whenever modifications or additional conditions are deemed necessary to protect the County right of way or the traveling public. Any activity done in violation of permit requirements shall be grounds for immediate revocation of the Annual Encroachment Permit by and at the discretion of the Director of Public Works.

ATTACHMENT 3
Referral Agency Comments and Recommendation

Referral Agency	Response	Recommendation	On File	Attached
County Building Inspection Division	No	No Response		
Yurok Tribe	No	No Response		
County Public Works Department	Yes	Commented that this is allowed per PG&E encroachment permit	✓	
Northwest Information Center	Yes	Comments	✓	
Cal Coastal Commission	No	No Response		

ATTACHMENT 4
Public Comment

Charles R. Lewis, IV
Senior Counsel
Law Department

Mailing Address
P.O. Box 7442
San Francisco, CA 94120

Street/Courier Address
77 Beale Street, B30A
San Francisco, CA 94105

(415) 973-6610
Fax: (415) 973-5520
Email: CRL2@pge.com

May 10, 2017

Mr. Jeffrey Guttero
2625 Patrick's Point Drive
Trinidad, CA 95570

Re: Pole Relocation

Dear Mr. Guttero:

Your letter to Pacific Gas and Electric Company (PG&E) Senior Land Technician Denise Young has been referred to me for investigation and response. You write about the recent installation of electric distribution equipment consisting of a pair PG&E poles and platform which support, what you describe as, "3 massive metal caasons" near your Patrick's Point Drive property. You claim that this equipment "precludes the use of your land and diminishes its value." As explained more fully below, I cannot agree with your assertions.

The three metal caissons in question comprise an Electric Distribution Voltage Regulator. The purpose of this equipment is to regulate and sustain the line voltage on the distribution circuit. Your property is served by the Trinidad 1102 12,000 Volt (12kV) circuit. In the event of a loss of transmission supply to the Big Lagoon and Orick Substations, this regulation equipment will maintain the distribution voltage to you and many of your neighbors who would otherwise sustain an outage.

This voltage regulator was installed within the limits of the public right of way of Patrick's Point Drive on a platform between two poles. This construction is consistent with General Order 95 (Rules for Overhead Electric Line Construction) adopted by the California Public Utilities Commission (CPUC) and current PG&E standard construction for distribution regulators.

Since the Trinidad 1102 circuit serves customer along Patrick's Point Drive, to be effective in serving customers along this section of the circuit, the distribution voltage regulator had to be installed along Patrick's Point Drive. The particular location for this regulator was

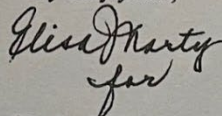
selected based on suitable and safe access for equipment trucks, fairly level road with few grade changes, relatively few vegetation conflicts, and adequate drainage. A design for the regulator was prepared prior to construction. Attached is a photo-conceptual drawing and a copy of the job sketch submitted to Humboldt County Department of Public Works to ensure that there were no issues with the use of the public right of way associated with the PG&E construction and maintenance trucks in this area of Patrick's Point Drive.

PG&E has the right to install electric facilities on Patrick's Point Drive. PG&E is certificated by the CPUC to provide electric service to customers in Humboldt County. PG&E has a franchise issued by the County (Ord. No. 397, March 28, 1961) to install, maintain and use poles, wires and associated equipment along all public roads of the County. Patrick's Point Drive is a dedicated public road. Your recent survey does not change the dedication or the status of Patrick's Point Drive for public use.

I understand but cannot agree with your point about logging trucks using the nearby driveway. You claim, based on the relative condition of the road, that an approved plan "will certainly require" that heavy logging truck traffic turn north to access Highway 101. However, as you acknowledge, you do not presently have an approved timber harvest plan for the property and this is not the only entrance to your property. Moreover, I consider it unlikely that the Board of Forestry would require that heavy logging trucks turn north to travel almost four miles past commercial areas, restaurants, B&Bs and lodges, RV parks and campgrounds and Patrick's Point State Park when Seawood Drive is just one mile south.

For these reasons, I do not believe that PG&E was negligent in siting the electric distribution regulator along Patrick's Point Drive and I cannot agree that this location precludes the use or diminishes the value of your property such that PG&E should be required to relocate this regulator at customer expense.

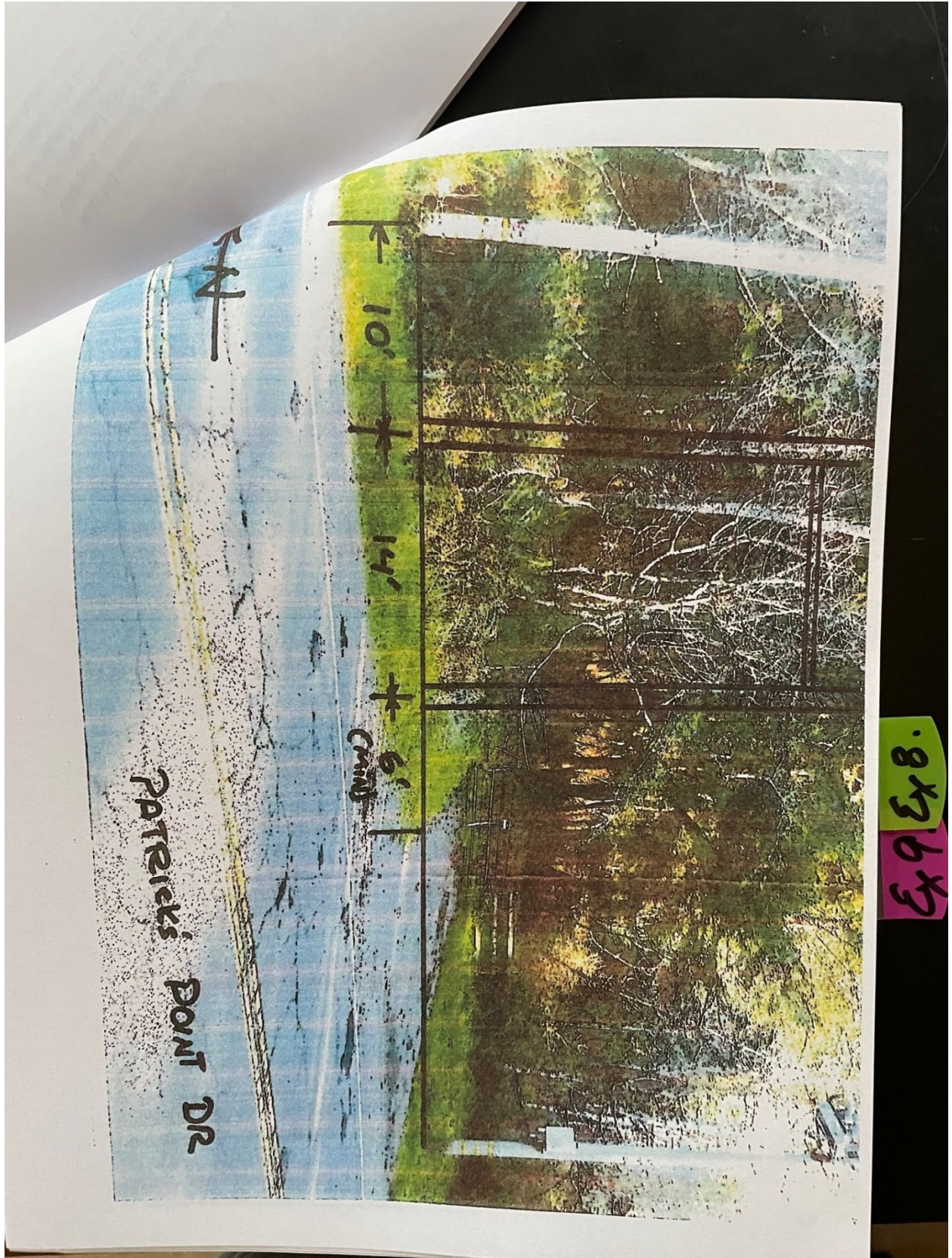
Very truly yours,

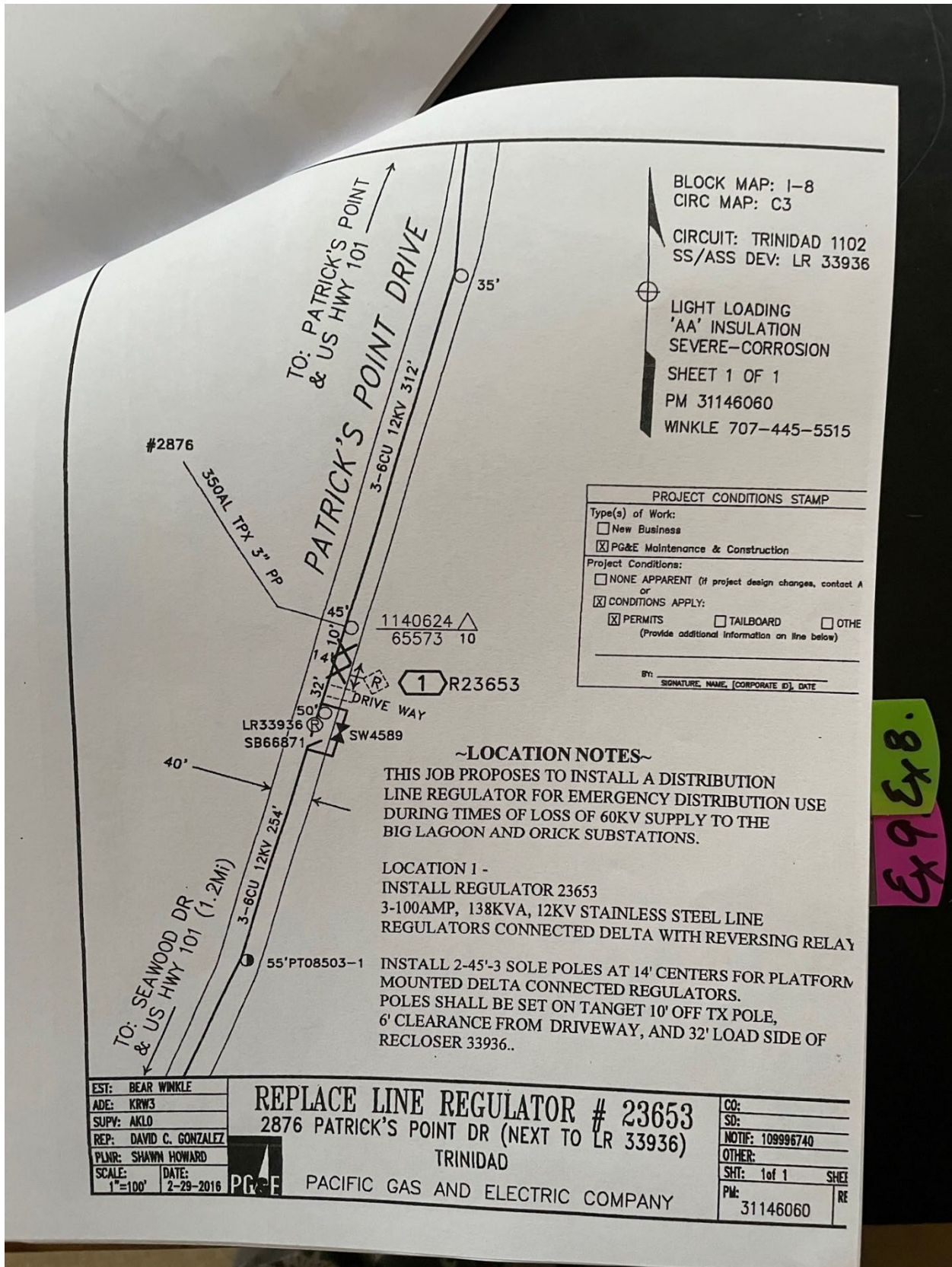


Charles R. Lewis, IV

Enclosures

cc: Denise Young (w/encls.)





BLOCK MAP: 1-8
CIRC MAP: C3

CIRCUIT: TRINIDAD 1102
SS/ASS DEV: LR 33936

LIGHT LOADING
'AA' INSULATION
SEVERE-CORROSION

SHEET 1 OF 1
PM 31146060
WINKLE 707-445-5515

PROJECT CONDITIONS STAMP	
Type(s) of Work:	
<input type="checkbox"/> New Business	
<input checked="" type="checkbox"/> PG&E Maintenance & Construction	
Project Conditions:	
<input type="checkbox"/> NONE APPARENT (if project design changes, contact A or	
<input checked="" type="checkbox"/> CONDITIONS APPLY:	
<input checked="" type="checkbox"/> PERMITS	<input type="checkbox"/> TAILBOARD
	<input type="checkbox"/> OTHE
(Provide additional information on line below)	
BY: _____ SIGNATURE, NAME, (CORPORATE ID), DATE	

~LOCATION NOTES~
 THIS JOB PROPOSES TO INSTALL A DISTRIBUTION LINE REGULATOR FOR EMERGENCY DISTRIBUTION USE DURING TIMES OF LOSS OF 60KV SUPPLY TO THE BIG LAGOON AND ORICK SUBSTATIONS.

LOCATION 1 -
 INSTALL REGULATOR 23653
 3-100AMP, 138KVA, 12KV STAINLESS STEEL LINE REGULATORS CONNECTED DELTA WITH REVERSING RELAY

55'PT08503-1
 INSTALL 2-45'-3 SOLE POLES AT 14' CENTERS FOR PLATFORM MOUNTED DELTA CONNECTED REGULATORS. POLES SHALL BE SET ON TANGENT 10' OFF TX POLE, 6' CLEARANCE FROM DRIVEWAY, AND 32' LOAD SIDE OF RECLOSER 33936..

EST: BEAR WINKLE
 ADE: KRW3
 SUPV: AKLO
 REP: DAVID C. GONZALEZ
 PLNR: SHAWN HOWARD
 SCALE: 1"=100'
 DATE: 2-29-2016

REPLACE LINE REGULATOR # 23653
 2876 PATRICK'S POINT DR (NEXT TO LR 33936)
 TRINIDAD

PG&E PACIFIC GAS AND ELECTRIC COMPANY

CO:
 SD:
 NOTIF: 109996740
 OTHER:
 SHT: 1 of 1 SHEET
 PM: 31146060 RE

Ex 9 Ex 8.



Hello Leiloni....you have requested a summary email setting forth my position regarding Project file 14376. The reasons for my opposition to the current location of Regulator 23653 are set forth in the prepared presentation which I will submit to the public record at the upcoming hearing before the Zoning Administrator: Statement of Jeff Guttero in Opposition and Statement of Jeffrey D. Cyphers. That presentation demonstrates that: 1. Regulator 23653 creates an aesthetic anomaly on the iconic coastal redwood roadway known as Patrick's Point Drive in Trinidad, California; 2: PG&E mischaracterized this piece of equipment as a "Replacement" facility in an attempt to claim an exemption from the requirement for a Coastal Development Permit; 3. This Regulator was built in violation of California Public Utilities Commission General Order 95 which dictates the proper location for utility facilities relative to a permitted access to the roadway; 4. Regulator 23653 obstructs my property's logging truck access to Patrick's Point Drive; and 5. The location of this Regulator creates a safety hazard for traffic on Patrick's Point Drive when my driveway is used by logging trucks.

Now, in light of these valid objections to the current location of this equipment, PG&E submits a "Construction Sketch" which proposes to relocate Regulator 23653 a few feet north of its current location on Patrick's Point Drive. In this manner, the utility seeks to: 1. circumvent the requirements for a Coastal Development Permit relating to the aesthetic sensitivity of this neighborhood and; 2. obfuscate it's sordid history relating to the current placement of this equipment. In the final analysis, the proposed relocation of this Regulator totally disregards the aesthetics of the area exactly as was the case when it was misplaced in the first instance. Given that PG&E's new proposal contemplates the disassembly of the existing facility for reconstruction at a different location, I submit that it should be removed to an altogether different area which is not as aesthetically sensitive as Patrick's Point Drive on the redwood coast.

Respectively submitted,
Jeff Guttero
2625 Patrick's Point Drive

DRAFT

6/2020

DECLARATION OF JEFF GUTTERO IN OPPOSITION TO PG&E'S RETROACTIVE APPLICATION FOR A COASTAL DEVELOPMENT PERMIT FOR LINE REGULATOR #23653 @ 2876 PATRICK'S POINT DRIVE (NEXT TO LR33936).

1. My name is Jeff Guttero and I reside at 2625 Patrick's Point Drive, Trinidad, Humboldt County California.
2. In October 2013 my wife and I completed a several year process of merging our residential parcel with the surrounding commercial timber lands. As a result of a 2011 inventory the parcel contains 1,105 mbf of merchantable timber.
3. These land use proceedings included a Humboldt County requirement that we procure an encroachment permit for a driveway where a historical logging road on our property intersects Patrick's Point Drive. This access point has been used for logging purposes since before Highway 101 was constructed. In October 2013 we complied with the requirements for this permit which dictated the exact specifications for an asphalt apron at the intersection including its location, size, composition, thickness and dimensions.
4. On March 16, 2016 upon my return from out of town, I approached a PG&E work crew completing construction of a massive utility installation on the north side of the asphalt apron. I communicated my objections to the installation to 2 supervisors among the work crew together with my contact information. I was assured that they would report my concerns to higher authorities, and that I would receive a call to discuss the matter. I never heard from anyone at PG&E or otherwise regarding the matter.
5. Attached hereto as Exhibit 1 is a photograph of this installation adjacent to the permitted asphalt apron referred to above (with my wife shown in order to illustrate the magnitude and proportions of this facility).
6. This piece of equipment is far from the run-of-the-mill utility facility in a residential neighborhood but rather a huge platform suspended between two power poles. The platform holds 3 massive metal caissons with dimensions of approximately 3 feet x 5 feet each. This facility is clearly out of place in this scenic stretch of coastline with beautiful vistas of the sea and magnificent redwoods. Exhibit 2 attached hereto is a photograph depicting the utility installation

as it is situated on Patrick's Point Drive. Exhibit 3 shows the installation adjacent to the north side of the permitted asphalt apron providing logging access to Patrick's Point Drive. These photographs demonstrate that this utility installation is an aesthetic anomaly in this iconic stretch of coastal roadway in the mixed residential and commercial timber neighborhood. This installation was completed on March 16, 2016 without any notice to the adjacent community.

7. As is obvious, Humboldt County's land use designation for our parcel as timber commercial together with the permitted intersection with Patrick's Point Drive establishes our right to access to the logging markets.
8. Patrick's Point Drive to the south of our logging road access is in a substantially deteriorated condition due to the unstable bluffs along the coastline. To the north, the county road is in much better condition; more appropriate to accommodate heavy logging truck traffic. An approved timber harvest plan for our timberlands will certainly require such equipment to make a right-hand turn onto Patrick's Point Drive (northbound) for access to markets via Highway 101 in order to minimize wear and tear on this fragile coastal roadway to the south.
9. PG&E has placed this installation immediately adjacent to the right-hand side of the permitted asphalt apron (to the north) providing access to Patrick's Point Drive. Specifically, the southernmost pole of the two suspending the utility platform is located only 30 inches from the edge of the asphalt apron. Exhibit 4 hereto depicts the 30-inch distance between the utility pole and the asphalt apron. California Public Utilities Commission (CPUC) General Order 95 sets forth utility construction standards requiring at least 6 feet distance between such a driveway and a utility installation. Thus, this utility facility was built in violation of the CPUC construction standards.
10. Additionally, in the last several years PG&E has installed another power pole adjacent to the asphalt apron, this time on the south side of the asphalt apron. This facility was placed 8 feet from the asphalt apron. Exhibit 5 attached hereto is a photograph depicting the asphalt apron with the massive installation to the north (30 inches from the apron) and the other utility pole to the south (8 feet from the apron). Given the location of these two installations relative to the asphalt apron, it is literally impossible for this access to be relocated between them so as to conform with the CPUC construction standards set forth in General Order 95 which requires 6 feet clearance on each side of asphalt apron.

11. Included herewith is the Declaration of Expert Witness Jeffrey D. Cyphers which confirms that either a northbound or a southbound turn onto Patrick's Point Drive by a loaded logging truck from our access apron would be an unsafe maneuver given the existing positions of the utility's facilities.

12. Subsequent to construction of the utility installation and PG&E's failure to respond to my complaints (as described above), on April 17, 2017 I wrote a letter of concern to Denise Young, PG&E's Senior Land Technician. Attached hereto as Exhibit 6 is a copy of that letter itemizing my complaints.

13. Thereafter, I received a response from PG&E Senior Counsel Charles R. Lewis Jr., dated May 10, 2017. Attorney Lewis dismissed and disagreed with the complaints included in my letter to Ms. Young. A copy of attorney Lewis' letter is attached as Exhibit 7. Attorney Lewis' response made several assertions. First, he stated that the subject utility installation:

"... is consistent with General Order 95 (Rules for Overhead Electric (Line Construction) adopted by the California Public Utilities Commission (CPUC) and current PG&E standard construction for distribution regulators."

Attorney Lewis attached to his correspondence an interlineated photograph of the installation which is inconsistent with the facts at the site. A copy of Attorney Lewis' photograph is attached as Exhibit 8. Specifically, Attorney Lewis' photograph depicts the distance between the asphalt apron and the utility installation to the north at a "6-foot minimum." In fact, there is only 30 inches between the utility facility and the apron which is inconsistent with General Order 95.

14. Second, Attorney Lewis attached to his letter evidence that PG&E misinformed the County of Humboldt (and the California Coastal Commission) re: its qualification for an exemption from the requirement for a coastal development permit. Specifically, the Coastal Act regulations set forth certain circumstances where a public utility is exempt from the requirement for a coastal development permit. One such exemption exists where an electric utility is replacing an existing overhead facility. Attorney Lewis attached to his letter a job sketch of regulator #23653 which was submitted to the Humboldt County Department of Public Works "...to ensure that there were no issues..." regarding the construction and maintenance of this facility.

Attached hereto as Exhibit 9 is the "job sketch" forwarded by Attorney Lewis. The title of the document is "Replace Line Regulator #23653 at 2876 Patrick's Point Drive (next to LR 33936).

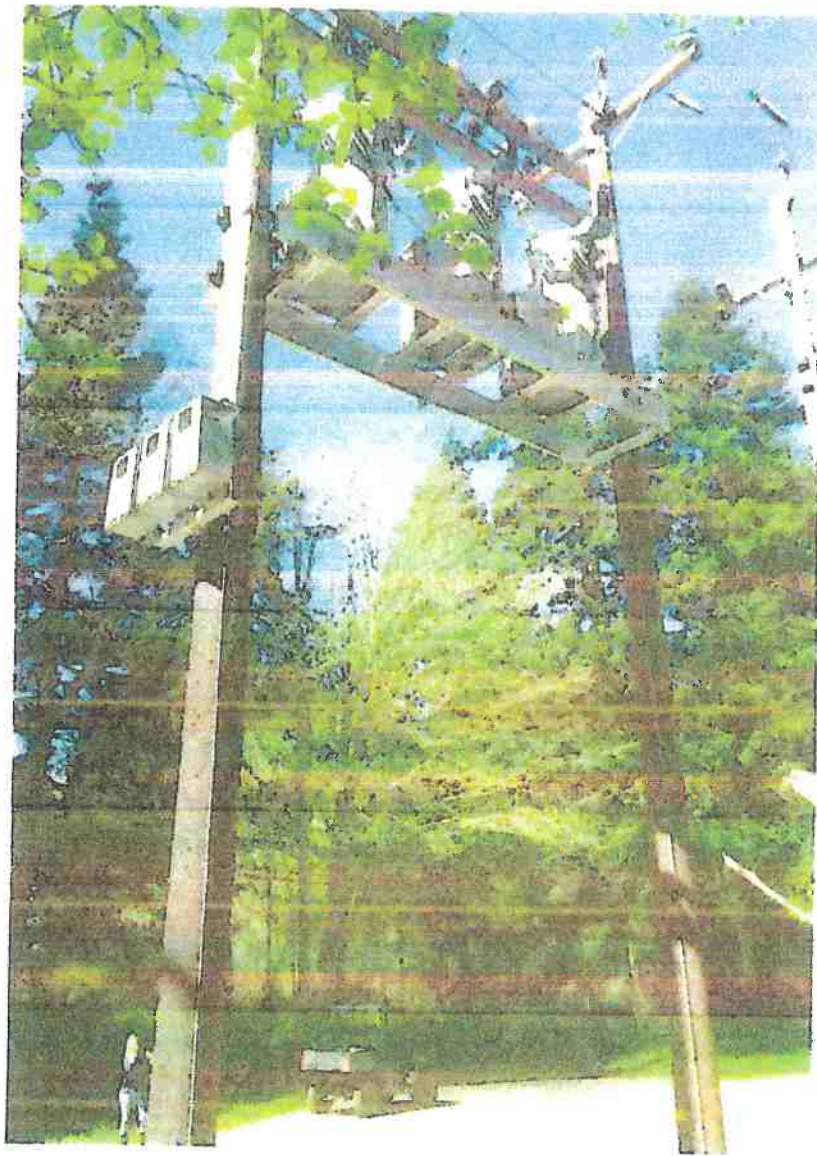
15. I have resided at this location continuously for 28 years and there has never been any such facility in the vicinity prior to the subject installation. In fact, this facility did not replace any such equipment. As a result of this "job sketch" PG&E was not required to conform with the Coastal Act. Accordingly, PG&E installed their aesthetic anomaly on Patrick's Point Drive without: 1) any application for the California Coastal Commission for a coastal development permit; and: 2) any notice to the adjoining community.
16. In the final analysis, PG&E's request for a retrospective coastal development permit should be denied because construction of regular #23653: 1) creates an aesthetic anomaly on this scenic and iconic roadway in Trinidad, California; 2) violates CPUC General Order 95 with the inappropriate placement of these facilities adjacent to a permitted access; 3) obstructs our legitimate access to the timber markets by placement of its facilities; and 4) creates a roadway safety hazard by placement of these facilities.
17. I declare under penalty of perjury, according to the laws of the State of California, that the foregoing is true and correct.

Dated _____

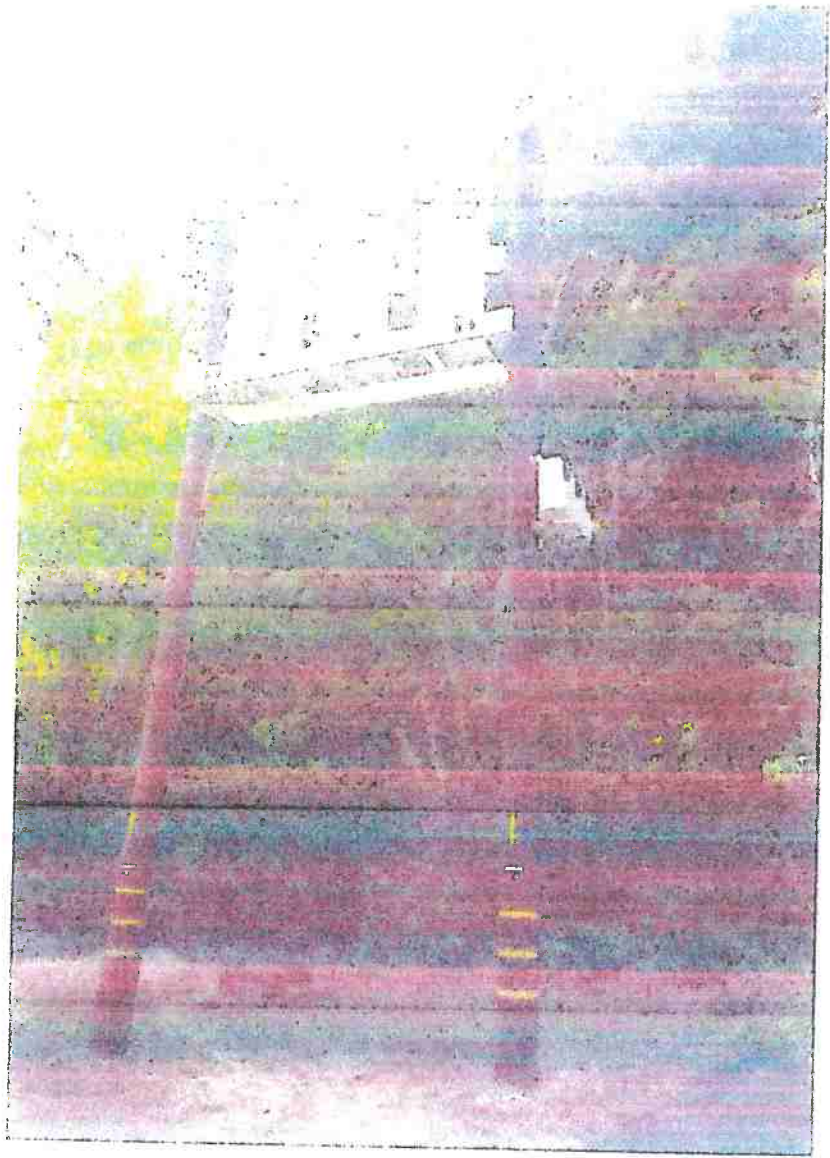
Jeff Guttero
2625 Patrick's Point Drive
Trinidad, CA 95570
(707) 677-0403
Jguttero@aol.com



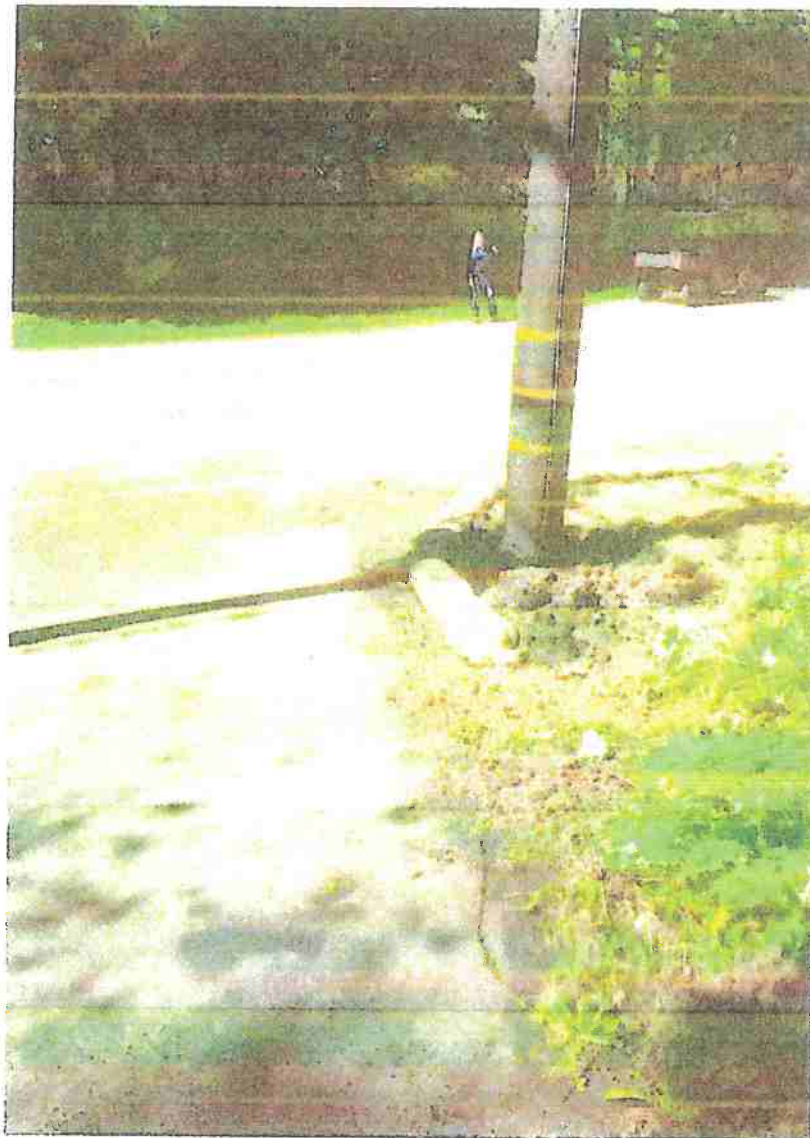
DRAFT
6/2020



DRAFT
6/2020



DRAFT
6/2020



DRAFT
6/2020



DRAFT
6/2020

April 17, 2017

Denise Young
Senior Land Technician
Pacific Gas & Electric Co.
2555 Myrtle Avenue
Eureka, CA 95501

Dear Ms. Young,

Thank you for taking my call on 4/6/17 regarding PG&E's massive utility installation ("MUI") adjacent to our parcel in Trinidad, California. During the course of that conversation you asked me to provide a summary of my complaints for evaluation and hopefully, some resolution.

Background: In October 2013 my wife and I completed the 10-year process of consolidating our residential parcel with the surrounding commercial timberlands. As a result of the various land use proceedings we hold a 42-acre commercial timber zoned parcel which includes our residence. As the result of a 2011 inventory the parcel contains 1,105 mbf of merchantable timber.

These land use proceedings included a Humboldt County requirement that we procure an encroachment permit for a driveway where a historical logging road on our property intersects Patrick's Point Drive. In October 2013 we complied with the requirements for this permit which dictated the exact specifications for an asphalt apron at the intersection including its location, size, composition, thickness and dimensions.

On March 16, 2016 upon my return from out-of-town, I approached a PG&E work crew completing construction of the MUI on the northside of the asphalt apron. I communicated my objections to the installation to 2 supervisors among the work crew and was assured that they would report to higher authorities and I would receive a call to discuss the matter. I never heard from anyone from PG&E or otherwise regarding the matter.

The Installation: During our conversation on 4/6/17 you identified the MUI as a "regulator" but acknowledged that you have never visited the site. This piece of equipment is far from the run-of-the-mill utility facility but rather a huge platform suspended between two power poles. The platform holds 3 massive metal casons with dimensions of approximately 3' x

5' each. I have attached 2 photographs so you can appreciate the magnitude and proportions of this installation. I believe that it is an aesthetic anomaly in this mixed residential and commercial timber zoned neighborhood.

This installation was completed on October 16, 2016 without any notice to adjacent landowners. I have asked the California Coastal Commission whether this utility installation qualifies for an exception under Section 30610 of the Coastal Act. As far as I know, that question is still pending before the North Coast District Director.

Market Obstruction: Patrick's Point Drive to the south of our logging road access is in a substantially deteriorated condition due to the unstable bluffs along the coast line. To the north, the county road is in much better condition; more appropriate for heavy logging truck traffic. An approved timber harvest plan for our timberlands will certainly require such equipment to make a right-hand turn onto Patrick's Point Drive for access to markets via Hwy 101 in order to minimize wear and tear on this fragile coastal roadway.

PG&E's placement of the MUI immediately adjacent to the right side of the asphalt apron (the enclosed photo shows it is only inches from the paved surface) makes it impossible for a 40-foot tractor/trailer loaded with logs to negotiate a right-hand turn onto Patrick's Point Drive. This fact is exacerbated by the reality that our logging road approaches the intersection from the South (parallel to Patrick's Point Drive) thereby requiring a hard-left-hand maneuver before negotiating the required right-hand turn onto the county road.

During our conversation, we discussed relocation of the driveway access to our logging road. As is shown in the attached photo, this simplistic approach is complicated by the fact that PG&E has also recently (within the last 5 years) installed a new power pole adjacent to the paved apron, this time on the south side. I am at loss to see how or why my permitted access must "thread the needle" between PG&E facilities that could have been placed anywhere along Patrick's Point Drive, or elsewhere.

Location: I have enclosed the Record of Survey dated August 13, 2013 relating to our land use proceedings. As you see, the property line for our parcel along Patrick's Point Drive changes at the location of PG&E's MUI. Specifically, at that point, the line crosses from the centerline of Patrick's Point Drive to the western side of the roadway and follows the 2/3

Section line on the map. This change in our property line to the west side of Patrick's Point Drive raises questions as to whether the MUI was built within the utility franchise.

Conclusion: For the forgoing reasons, I believe that PG&E's installation of the MUI in this location under these circumstances precludes our use of the land and diminishes its value. As we discussed on the telephone, I am hopeful that we can reach an amenable resolution. I would greatly appreciate your presenting these thoughts of mine to "the powers that be" expressing my sincere hope that we can come to an amicable conclusion.

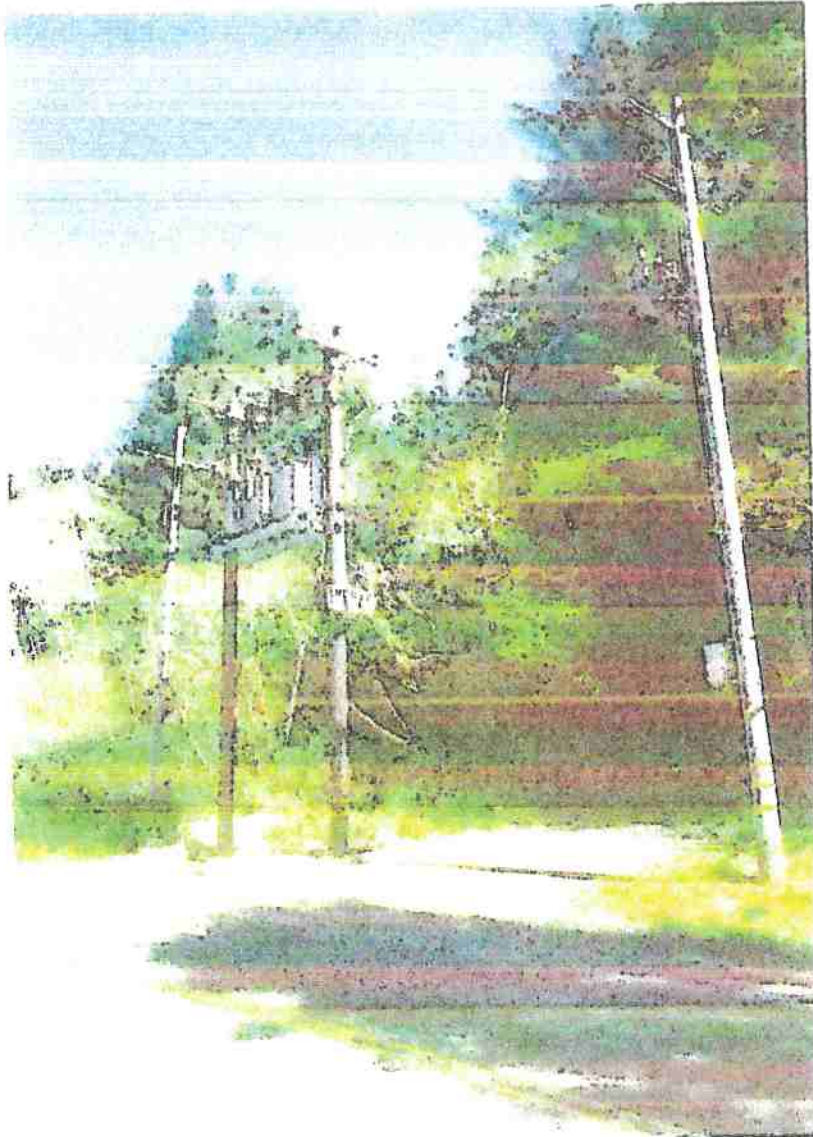
Thank you,

Jeff Guttero
2625 Patrick's Point Drive
Trinidad, CA 95570
jguttero@aol.com
(707) 677-0403













Charles R. Lewis, IV
Senior Counsel
Law Department

Mailing Address
P.O. Box 7442
San Francisco, CA 94120

Street/Courier Address
77 Beale Street, B30A
San Francisco, CA 94105

(415) 973-8610
Fax: (415) 973-5520
Email: CRL2@pge.com

May 10, 2017

Mr. Jeffrey Guttero
2625 Patrick's Point Drive
Trinidad, CA 95570

Re: Pole Relocation

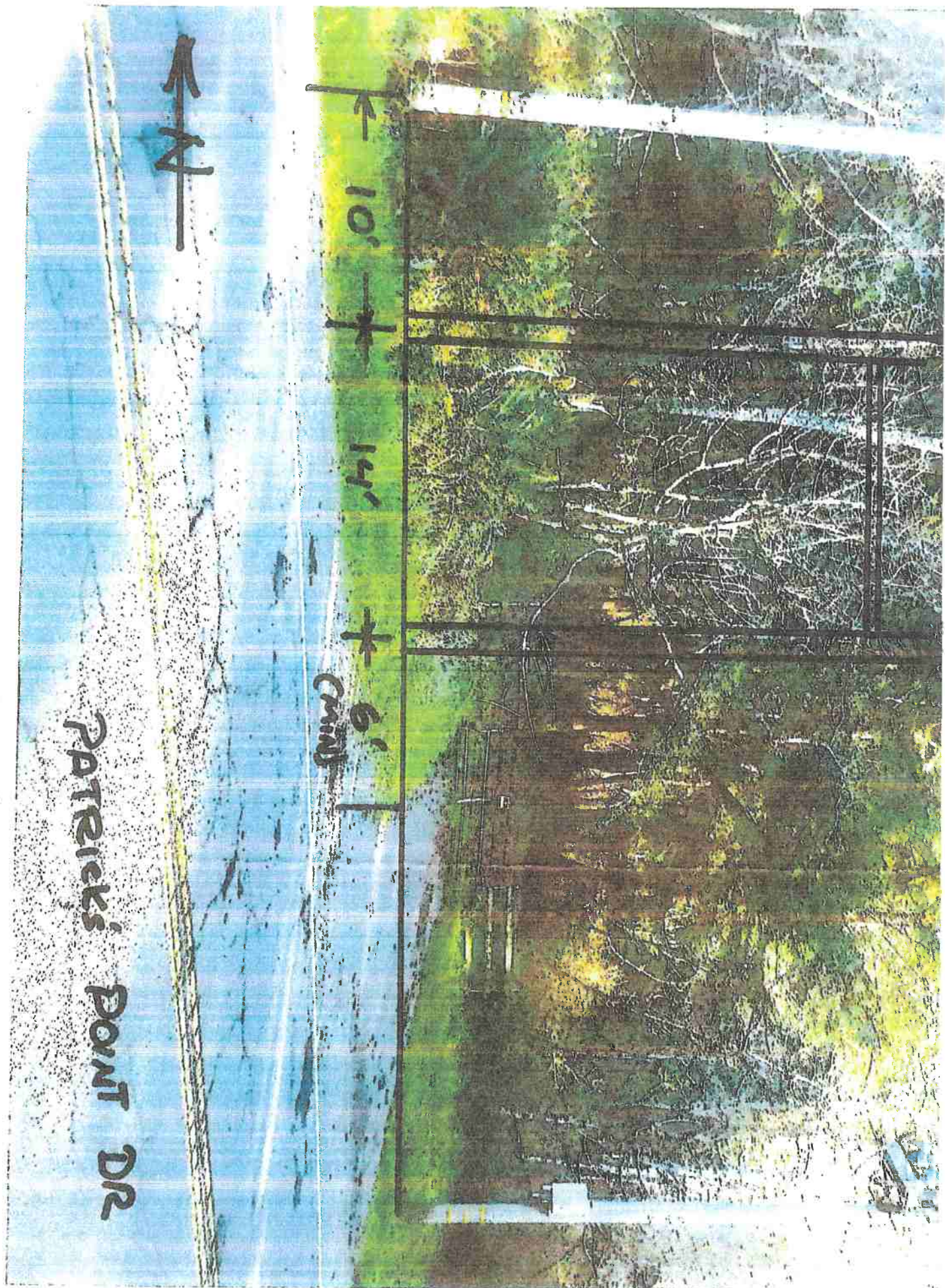
Dear Mr. Guttero:

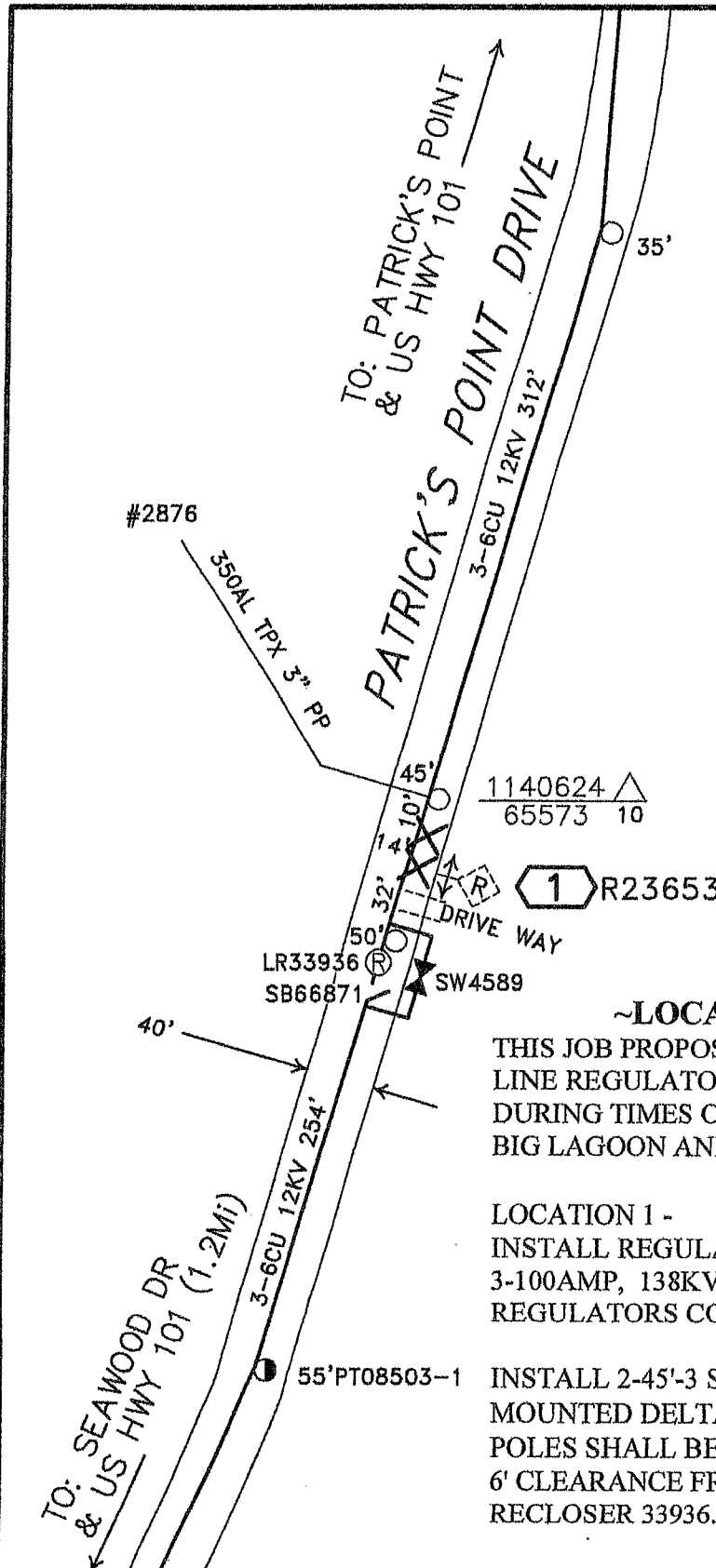
Your letter to Pacific Gas and Electric Company (PG&E) Senior Land Technician Denise Young has been referred to me for investigation and response. You write about the recent installation of electric distribution equipment consisting of a pair PG&E poles and platform which support, what you describe as, "3 massive metal caasons" near your Patrick's Point Drive property. You claim that this equipment "precludes the use of your land and diminishes its value." As explained more fully below, I cannot agree with your assertions.

The three metal caissons in question comprise an Electric Distribution Voltage Regulator. The purpose of this equipment is to regulate and sustain the line voltage on the distribution circuit. Your property is served by the Trinidad 1102 12,000 Volt (12kV) circuit. In the event of a loss of transmission supply to the Big Lagoon and Orick Substations, this regulation equipment will maintain the distribution voltage to you and many of your neighbors who would otherwise sustain an outage.

This voltage regulator was installed within the limits of the public right of way of Patrick's Point Drive on a platform between two poles. This construction is consistent with General Order 95 (Rules for Overhead Electric Line Construction) adopted by the California Public Utilities Commission (CPUC) and current PG&E standard construction for distribution regulators.

Since the Trinidad 1102 circuit serves customer along Patrick's Point Drive, to be effective in serving customers along this section of the circuit, the distribution voltage regulator had to be installed along Patrick's Point Drive. The particular location for this regulator was





BLOCK MAP: 1-8
 CIRC MAP: C3
 CIRCUIT: TRINIDAD 1102
 SS/ASS DEV: LR 33936

LIGHT LOADING
 'AA' INSULATION
 SEVERE-CORROSION
 SHEET 1 OF 1
 PM 31146060
 WINKLE 707-445-5515

PROJECT CONDITIONS STAMP	
Type(s) of Work:	
<input type="checkbox"/> New Business	
<input checked="" type="checkbox"/> PG&E Maintenance & Construction	
Project Conditions:	
<input type="checkbox"/> NONE APPARENT (if project design changes, contact ADE) or	
<input checked="" type="checkbox"/> CONDITIONS APPLY:	
<input checked="" type="checkbox"/> PERMITS	<input type="checkbox"/> TAILBOARD
	<input type="checkbox"/> OTHER
(Provide additional information on line below)	
BY:	SIGNATURE, NAME, [CORPORATE ID], DATE

~LOCATION NOTES~

THIS JOB PROPOSES TO INSTALL A DISTRIBUTION LINE REGULATOR FOR EMERGENCY DISTRIBUTION USE DURING TIMES OF LOSS OF 60KV SUPPLY TO THE BIG LAGOON AND ORICK SUBSTATIONS.

- LOCATION 1 -
 INSTALL REGULATOR 23653
 3-100AMP, 138KVA, 12KV STAINLESS STEEL LINE
 REGULATORS CONNECTED DELTA WITH REVERSING RELAYS.
- 55'PT08503-1
 INSTALL 2-45'-3 SOLE POLES AT 14' CENTERS FOR PLATFORM MOUNTED DELTA CONNECTED REGULATORS.
 POLES SHALL BE SET ON TARGET 10' OFF TX POLE, 6' CLEARANCE FROM DRIVEWAY, AND 32' LOAD SIDE OF RECLOSER 33936..

EST: BEAR WINKLE
ADE: KRW3
SUPV: AKLO
REP: DAVID C. GONZALEZ
PLNR: SHAWN HOWARD
SCALE: 1"=100'
DATE: 2-29-2016

REPLACE LINE REGULATOR # 23653
 2876 PATRICK'S POINT DR (NEXT TO LR 33936)
 TRINIDAD



PACIFIC GAS AND ELECTRIC COMPANY

CO:	
SD:	
NOTIF: 109996740	
OTHER:	
SHT: 1 of 1	SHEETS
PM: 31146060	REV.

From: Leiloni Shine leiloni@landlogistics.com
Subject: RE: Summary
Date: Apr 11, 2022 at 12:40:56 PM
To: Jeffrey Guttero jguttero@icloud.com



Good afternoon,

Thank you for providing an outline of your concerns regarding the current project proposal (14376). I have forwarded this email to staff for their review and to be entered into the record.

Please contact Cliff Johnson regarding any requests for mailing hard-copies of documents: CJohnson@co.humboldt.ca.us (707)268-3721.

Thank you,

Leiloni Shine
Land Logistics, Inc.
[\(707\)671-6928](tel:(707)671-6928)

-----Original Message-----

From: Jeffrey Guttero <jguttero@icloud.com>
Sent: Monday, April 11, 2022 11:46 AM
To: Leiloni Shine <leiloni@landlogistics.com>
Subject: Summary

Hello Leiloni....you have requested a summary email setting forth my position regarding Project file 14376. The reasons for my opposition to the current location of Regulator 23653 are set forth in the prepared presentation which I will submit to the public record at the upcoming hearing before the Zoning Administrator: Statement of Jeff Guttero in Opposition and Statement of Jeffrey D. Cyphers. That presentation demonstrates that: 1. Regulator 23653 creates an aesthetic anomaly on the iconic coastal redwood roadway known as Patrick's Point Drive in Trinidad, California; 2. PG&E mischaracterized this

piece of equipment as a "Replacement" facility in an attempt to claim an exemption from the requirement for a Coastal Development Permit; 3. This Regulator was built in violation of California Public Utilities Commission General Order 95 which dictates the proper location for utility facilities relative to a permitted access to the roadway; 4. Regulator 23653 obstructs my property's logging truck access to Patrick's Point Drive; and 5. The location of this Regulator creates a safety hazard for traffic on Patrick's Point Drive when my driveway is used by logging trucks.

Now, in light of these valid objections to the current location of this equipment, PG&E submits a "Construction Sketch" which proposes to relocate Regulator 23653 a few feet north of its current location on Patrick's Point Drive. In this manner, the utility seeks to: 1. circumvent the requirements for a Coastal Development Permit relating to the aesthetic sensitivity of this neighborhood and; 2. obfuscate it's sordid history relating to the current placement of this equipment. In the final analysis, the proposed relocation of this Regulator totally disregards the aesthetics of the area exactly as was the case when it was misplaced in the first instance. Given that PG&E's new proposal contemplates the disassembly of the existing facility for reconstruction at a different location, I submit that it should be removed to an altogether different area which is not as aesthetically sensitive as Patrick's Point Drive on the redwood coast.

Respectively submitted,

Jeff Guttero

2625 Patrick's Point Drive

Trinidad, California 95570

(707) 677 0403

Jguttero@aol.com

Sent from my iPad

4/20/2022

Cliff Johnson

Please find enclosed my presentation in Project File 14376. I have also included a summary prepared at the request of Leilani Shine;

If you have any questions or if I can be of assistance please let me know

Thank you



Jeff Guttero
(707) 677-0403
jguttero@aol.com
2625 Paprock Pt Dr
Trinidad Ca
95570

McClenagan, Laura

Subject: FW: Project file 14376

From: Jane Williams <janewilliams99@gmail.com>

Sent: Thursday, April 21, 2022 12:40 PM

To: Leiloni Shine <leiloni@landlogistics.com>

Subject: Project file 14376

Hi,

I live on Patrick's Point Drive, next door to Jeff Guttero, and have lived here for 20 years.

I concur, that relocating Regulator 23653, is a good idea. Such a massive, unsightly behemoth of a utility located right along our beautiful road should have never been put there in the first place.

Therefore, I am requesting, for aesthetic reasons, that it be moved, and not just moved into someone else's view.

Thank you.

Jane Williams
707-362-6772

McClenagan, Laura

Subject: Project File # 14376 P.G.&E. Patricks Point Drive

From: Tim Doran <timsourdough@aol.com>

Sent: Friday, April 22, 2022 9:19 PM

To: Leiloni Shine <leiloni@landlogistics.com>

Subject: Project File # 14376 P.G.&E. Patricks Point Drive

Dear Ms. Shine,

As a property owner "down the street" from P.G.&E.'s massive structure that was built six years ago on Patricks Point Drive, I'm writing to demand that Humboldt County Planning Dept. and the Calif. Coastal Commission insist that P.G.&E. relocate this awful eyesore off of Patricks Point Drive. It was unbelievable that P.G.&E. choose to erect this structure in it's present location. Patricks Point Drive is known for being one of the most scenic roads in Humboldt County. During the summer months, thousands of people travel on Patricks Point Drive to take in the beautiful views of the coastline and to visit Sue-Meg State Park (formally known as Patricks Point State Park). Why in the world should P.G.&E. be allowed to erect such a ugly structure in such a sensitive location, negatively impacting the area's natural beauty. It's my request that Humboldt County Planning direct P.G.&E. to relocate the structure somewhere else, where it can be hidden from public view.

Sincerely,

Tim Doran

3320 Patricks Point Drive

P.O. Box 1231

Trinidad, Ca. 95570

(707) 677-3831

Project File 14376

4/20/2022

Ex. 7

STATEMENT OF JEFFREY D. CYPHERS.

1. My name is Jeffrey D. Cyphers and I have been involved in the truck transportation industry for 38 years. In addition to possessing extensive truck-driving experience, I have successfully owned and managed multiple asset-based truck transportation related businesses and an international transportation logistics company.

Specifically, I have 10 years log truck-driving experience in Humboldt County and throughout the State of California. Additionally, I worked for 12 years overseeing log truck route ratings, logging road inspections and log truck operational matters in the field.



Since 2007 I have been President and CEO of TJS Leasing and Holding Company Inc., involved in truck transportation of perishable goods.

My professional experience includes my duties as a Lieutenant in the Humboldt County Sheriff's Department (retired) and a California licensed Private Investigator.

2. I have inspected the area surrounding the intersection of the Guttero's permitted logging access road and Patrick's Point Drive in Trinidad, Humboldt County California. At his intersection is a 25-foot wide and 25-foot-long asphalt apron that widens to 30 feet where it meets the County road. This apron meets the roadway at a 90-degree angle. Patrick's Point Drive at this intersection is paved 21-foot-wide with a 3-foot-wide shoulder on the west side and a 7-foot-wide shoulder on the east side. The County road consists of two traffic lanes divided by a solid, double yellow line. Visibility from the mouth of the apron in each direction to the north and south is obscured by vegetation and the curvature of the County road. The posted speed limit is 45 miles per hour for the on-coming lane of traffic from the north.
3. The permitted logging access road on the Guttero's commercial timber zoned parcel approaches Patrick's Point Drive from the south, parallel to the county road. This approach to the intersection requires a loaded logging truck/trailer to first make a hard-left hand maneuver prior to negotiating the necessary right or left hand turn onto the county roadway.
4. Adjacent to both sides of the asphalt apron are utility facilities. To the north of the apron is a large platform suspended between two power poles. This platform holds 3 metal caissons each with dimensions of approximately 3 feet x 5 feet. The southern-most pole of this platform is buried in the ground 30 inches from the northern edge of the asphalt apron.
5. To the south of the apron is another utility power pole. This facility is located 8 feet from the southern edge of the asphalt apron.

6. Given the circumstances at this intersection, as described above, it is my opinion that a fully-loaded logging truck cannot safely make a right or left turn out the Guttero logging access road onto Patrick's Point Drive.
7. Exhibit 1 attached is a photograph depicting Patrick's Point Drive to the north from the mouth of the logging road apron. The roadside vegetation, the utility pole itself and the curvature of the road surface obscures visibility of oncoming traffic from this vantage point.
8. Likewise, to the north, the placement of the utility pole 30 inches from the edge of the apron makes it unlikely that a loaded truck/trailer can safely achieve the required 90 degree turning radius to the right without either coming into contact with the utility pole or crossing over the double yellow divider into oncoming traffic. In fact, this placement of the utility pole would likely necessitate such a wide right-hand turn that the truck would obstruct both lanes of traffic, utilizing the shoulder on the opposite side of Patrick's Point Drive in order for the rear right-hand side of the trailer to avoid coming into contact with the utility pole.
9. With respect to a left, south-bound turn onto Patrick's Point Drive, there are additional safety concerns. Exhibit 2 is a photograph showing that visibility to the south is obscured by vegetation and the topography of the road surface.
10. Given that the utility pole to the south is 8 feet from the edge of the apron, contact between that pole and the left-hand side of the trailer is of a little concern when making turns to the right. However, the trailer's contact with the pole on the right is problematic when the logging truck is turning left, southbound. Specifically, the width of the apron, due to the placement of the platform, itself dictated a wider turning radius onto Patrick's Point Drive than the placement of the poles/platform allows. While on the surface of the apron, this wider turning radius is necessary to avoid the rear-right side of the trailer swinging to the right and coming into contact with the utility pole on the right which is situated 30 inches from the north side of the apron.

Dated 4/20/2022 Jeffrey D. Cyphers JSI



EX. 1





EX.2





Project File 14376
4/20/2022

STATEMENT OF JEFF GUTTERO IN OPPOSITION TO PG&E'S RETROACTIVE APPLICATION FOR A COASTAL DEVELOPMENT PERMIT FOR LINE REGULATOR #23653 @ 2876 PATRICK'S POINT DRIVE (NEXT TO LR33936).

1. My name is Jeff Guttero and I reside at 2625 Patrick's Point Drive, Trinidad, Humboldt County California.
2. In October 2013 my wife and I completed a several year process of merging our residential parcel with the surrounding commercial timber lands. As a result of a 2011 inventory the parcel contains 1,105 mbf of merchantable timber.
3. These land use proceedings included a Humboldt County requirement that we procure an encroachment permit for a driveway where a historical logging road on our property intersects Patrick's Point Drive. This access point has been used for logging purposes since before Highway 101 was constructed. In October 2013 we complied with the requirements for this permit which dictated the exact specifications for an asphalt apron at the intersection including its location, size, composition, thickness and dimensions.
4. On March 16, 2016 upon my return from out of town, I approached a PG&E work crew completing construction of a massive utility installation on the north side of the asphalt apron. I communicated my objections to the installation to 2 supervisors among the work crew together with my contact information. I was assured that they would report my concerns to higher authorities, and that I would receive a call to discuss the matter. I never heard from anyone at PG&E or otherwise regarding the matter.
5. Attached hereto as Exhibit 1 is a photograph of this installation adjacent to the permitted asphalt apron referred to above (with my wife shown in order to illustrate the magnitude and proportions of this facility).
6. This piece of equipment is far from the run-of-the-mill utility facility in a residential neighborhood but rather a huge platform suspended between two power poles. The platform holds 3 massive metal caissons with dimensions of approximately 3 feet x 5 feet each. This facility is clearly out of place in this scenic stretch of coastline with beautiful vistas of the sea and magnificent redwoods. Exhibit 2 attached hereto is a photograph depicting the utility installation

as it is situated on Patrick's Point Drive. Exhibit 3 shows the installation adjacent to the north side of the permitted asphalt apron providing logging access to Patrick's Point Drive. These photographs demonstrate that this utility installation is an aesthetic anomaly in this iconic stretch of coastal roadway in the mixed residential and commercial timber neighborhood. This installation was completed on March 16, 2016 without any notice to the adjacent community.

7. As is obvious, Humboldt County's land use designation for our parcel as timber commercial together with the permitted intersection with Patrick's Point Drive establishes our right to access to the logging markets.
8. Patrick's Point Drive to the south of our logging road access is in a substantially deteriorated condition due to the unstable bluffs along the coastline. To the north, the county road is in much better condition; more appropriate to accommodate heavy logging truck traffic. An approved timber harvest plan for our timberlands will certainly require such equipment to make a right-hand turn onto Patrick's Point Drive (northbound) for access to markets via Highway 101 in order to minimize wear and tear on this fragile coastal roadway to the south.
9. PG&E has placed this installation immediately adjacent to the right-hand side of the permitted asphalt apron (to the north) providing access to Patrick's Point Drive. Specifically, the southernmost pole of the two suspending the utility platform is located only 30 inches from the edge of the asphalt apron. Exhibit 4 hereto depicts the 30-inch distance between the utility pole and the asphalt apron. California Public Utilities Commission (CPUC) General Order 95 sets forth utility construction standards requiring at least 6 feet distance between such a driveway and a utility installation. Thus, this utility facility was built in violation of the CPUC construction standards.
10. Additionally, in the last several years PG&E has installed another power pole adjacent to the asphalt apron, this time on the south side of the asphalt apron. This facility was placed 8 feet from the asphalt apron. Exhibit 5 attached hereto is a photograph depicting the asphalt apron with the massive installation to the north (30 inches from the apron) and the other utility pole to the south (8 feet from the apron). Given the location of these two installations relative to the asphalt apron, it is literally impossible for this access to be relocated between them so as to conform with the CPUC construction standards set forth in General Order 95 which requires 6 feet clearance on each side of asphalt apron.

11. Included herewith is the Statement of Expert Witness Jeffrey D. Cyphers which confirms that either a northbound or a southbound turn onto Patrick's Point Drive by a loaded logging truck from our access apron would be an unsafe maneuver given the existing positions of the utility's facilities.
12. Subsequent to construction of the utility installation and PG&E's failure to respond to my complaints (as described above), on April 17, 2017 I wrote a letter of concern to Denise Young, PG&E's Senior Land Technician. Attached hereto as Exhibit 6 is a copy of that letter itemizing my complaints.
13. Thereafter, I received a response from PG&E Senior Counsel Charles R. Lewis Jr., dated May 10, 2017. Attorney Lewis dismissed and disagreed with the complaints included in my letter to Ms. Young. A copy of attorney Lewis' letter is attached as Exhibit 7. Attorney Lewis' response made several assertions. First, he stated that the subject utility installation:

"... is consistent with General Order 95 (Rules for Overhead Electric (Line Construction) adopted by the California Public Utilities Commission (CPUC) and current PG&E standard construction for distribution regulators."

Attorney Lewis attached to his correspondence an interlineated photograph of the installation which is inconsistent with the facts at the site. A copy of Attorney Lewis' photograph is attached as Exhibit 8. Specifically, Attorney Lewis' photograph depicts the distance between the asphalt apron and the utility installation to the north at a "6-foot minimum." In fact, there is only 30 inches between the utility facility and the apron which is inconsistent with General Order 95.

14. Second, Attorney Lewis attached to his letter evidence that PG&E misinformed the County of Humboldt (and the California Coastal Commission) re: its qualification for an exemption from the requirement for a coastal development permit. Specifically, the Coastal Act regulations set forth certain circumstances where a public utility is exempt from the requirement for a coastal development permit. One such exemption exists where an electric utility is **replacing** an existing overhead facility. Attorney Lewis attached to his letter a job sketch of regulator #23653 which was submitted to the Humboldt County Department of Public Works "...to ensure that there were no issues..." regarding the construction and maintenance of this facility. Attached hereto as Exhibit 9 is the "job sketch" forwarded by Attorney Lewis. The title of the document is **"Replace Line Regulator #23653 at 2876 Patrick's Point Drive (next to LR 33936)"**.

15. I have resided at this location continuously for 28 years and there has never been any such facility in the vicinity prior to the subject installation. In fact, this facility did not replace any such equipment. As a result of this misleading "job sketch" PG&E was not required to conform with the Coastal Act. Accordingly, PG&E installed their aesthetic anomaly on Patrick's Point Drive without: 1) any application for the California Coastal Commission for a coastal development permit; and: 2) any notice to the adjoining community.
16. In the final analysis, PG&E's plan to relocate this facility in this area should be denied because construction of Regulator #23653: 1) creates an aesthetic anomaly on this scenic and iconic roadway in Trinidad, California; 2) violates CPUC General Order 95 with the inappropriate placement of these facilities adjacent to a permitted access; 3) obstructs our legitimate access to the timber markets by placement of its facilities; and 4) creates a roadway safety hazard by placement of these facilities.

Dated

4/20/2022



Jeff Guttero
2625 Patrick's Point Drive
Trinidad, CA 95570
(707) 677-0403
Jguttero@aol.com

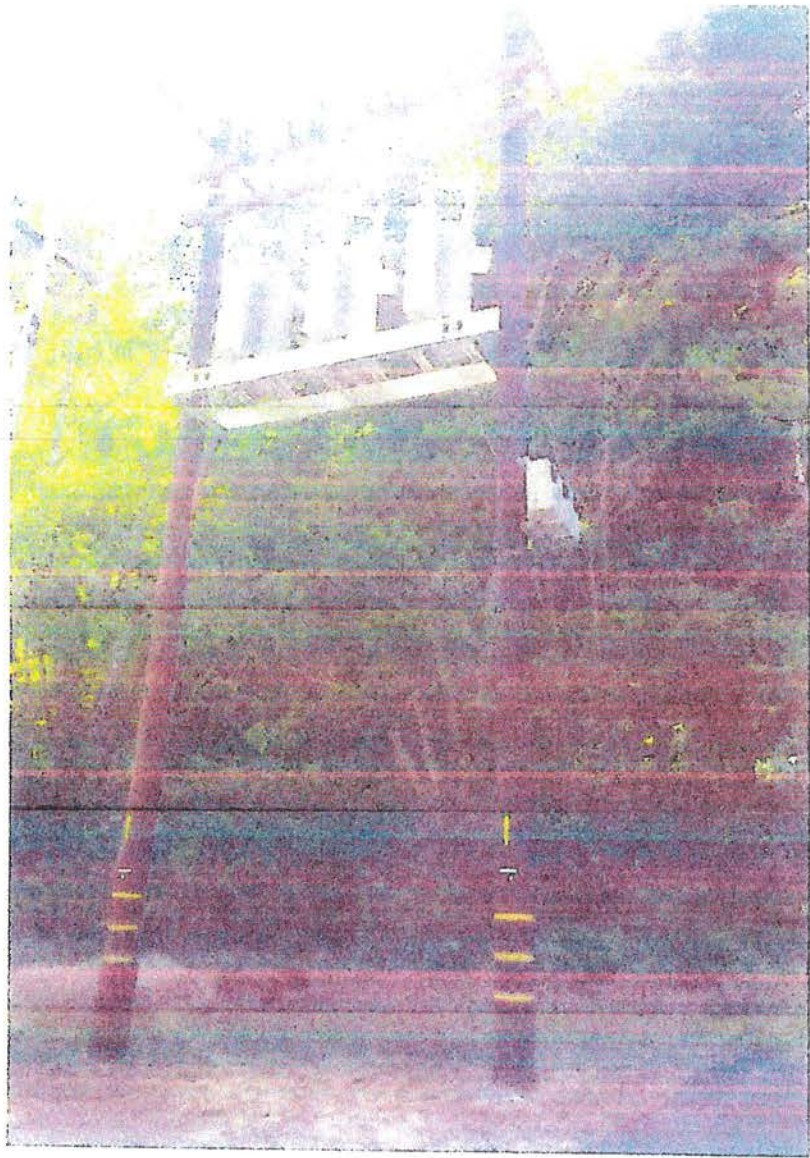


1.



EX. 2





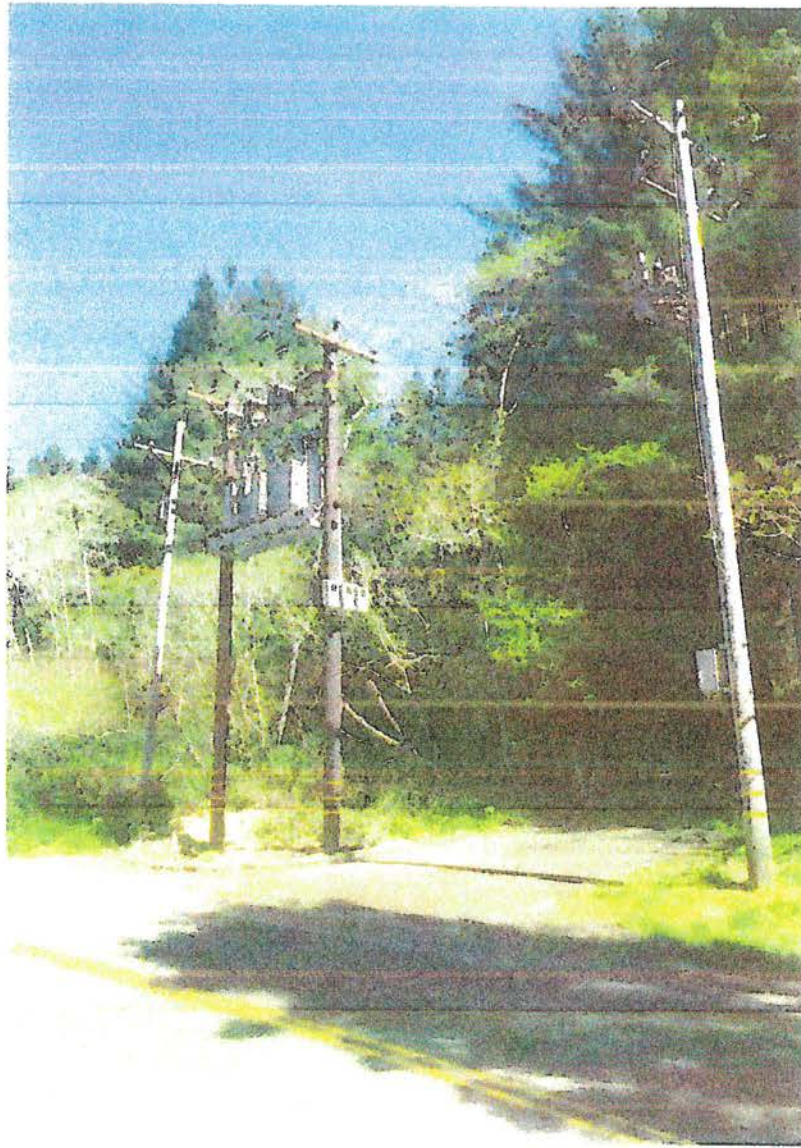
Ex. 3





Ex.4





EX. 5



April 17, 2017

Denise Young
Senior Land Technician
Pacific Gas & Electric Co.
2555 Myrtle Avenue
Eureka, CA 95501



EX. 6

Dear Ms. Young,

Thank you for taking my call on 4/6/17 regarding PG&E's massive utility installation ("MUI") adjacent to our parcel in Trinidad, California. During the course of that conversation you asked me to provide a summary of my complaints for evaluation and hopefully, some resolution.

Background: In October 2013 my wife and I completed the 10-year process of consolidating our residential parcel with the surrounding commercial timberlands. As a result of the various land use proceedings we hold a 42-acre commercial timber zoned parcel which includes our residence. As the result of a 2011 inventory the parcel contains 1,105 mbf of merchantable timber.

These land use proceedings included a Humboldt County requirement that we procure an encroachment permit for a driveway where a historical logging road on our property intersects Patrick's Point Drive. In October 2013 we complied with the requirements for this permit which dictated the exact specifications for an asphalt apron at the intersection including its location, size, composition, thickness and dimensions.

On March 16, 2016 upon my return from out-of-town, I approached a PG&E work crew completing construction of the MUI on the northside of the asphalt apron. I communicated my objections to the installation to 2 supervisors among the work crew and was assured that they would report to higher authorities and I would receive a call to discuss the matter. I never heard from anyone from PG&E or otherwise regarding the matter.

The Installation: During our conversation on 4/6/17 you identified the MUI as a "regulator" but acknowledged that you have never visited the site. This piece of equipment is far from the run-of-the-mill utility facility but rather a huge platform suspended between two power poles. The platform holds 3 massive metal casons with dimensions of approximately 3' x

5' each. I have attached 2 photographs so you can appreciate the magnitude and proportions of this installation. I believe that it is an aesthetic anomaly in this mixed residential and commercial timber zoned neighborhood.

This installation was completed on October 16, 2016 without any notice to adjacent landowners. I have asked the California Coastal Commission whether this utility installation qualifies for an exception under Section 30610 of the Coastal Act. As far as I know, that question is still pending before the North Coast District Director.

Market Obstruction: Patrick's Point Drive to the south of our logging road access is in a substantially deteriorated condition due to the unstable bluffs along the coast line. To the north, the county road is in much better condition; more appropriate for heavy logging truck traffic. An approved timber harvest plan for our timberlands will certainly require such equipment to make a right-hand turn onto Patrick's Point Drive for access to markets via Hwy 101 in order to minimize wear and tear on this fragile coastal roadway.

PG&E's placement of the MUI immediately adjacent to the right side of the asphalt apron (the enclosed photo shows it is only inches from the paved surface) makes it impossible for a 40-foot tractor/trailer loaded with logs to negotiate a right-hand turn onto Patrick's Point Drive. This fact is exacerbated by the reality that our logging road approaches the intersection from the South (parallel to Patrick's Point Drive) thereby requiring a hard-left-hand maneuver before negotiating the required right-hand turn onto the county road.

During our conversation, we discussed relocation of the driveway access to our logging road. As is shown in the attached photo, this simplistic approach is complicated by the fact that PG&E has also recently (within the last 5 years) installed a new power pole adjacent to the paved apron, this time on the south side. I am at loss to see how or why my permitted access must "thread the needle" between PG&E facilities that could have been placed anywhere along Patrick's Point Drive, or elsewhere.

Location: I have enclosed the Record of Survey dated August 13, 2013 relating to our land use proceedings. As you see, the property line for our parcel along Patrick's Point Drive changes at the location of PG&E's MUI. Specifically, at that point, the line crosses from the centerline of Patrick's Point Drive to the western side of the roadway and follows the 2/3

Section line on the map. This change in our property line to the west side of Patrick's Point Drive raises questions as to whether the MUI was built within the utility franchise.

Conclusion: For the forgoing reasons, I believe that PG&E's installation of the MUI in this location under these circumstances precludes our use of the land and diminishes its value. As we discussed on the telephone, I am hopeful that we can reach an amicable resolution. I would greatly appreciate your presenting these thoughts of mine to "the powers that be" expressing my sincere hope that we can come to an amicable conclusion.

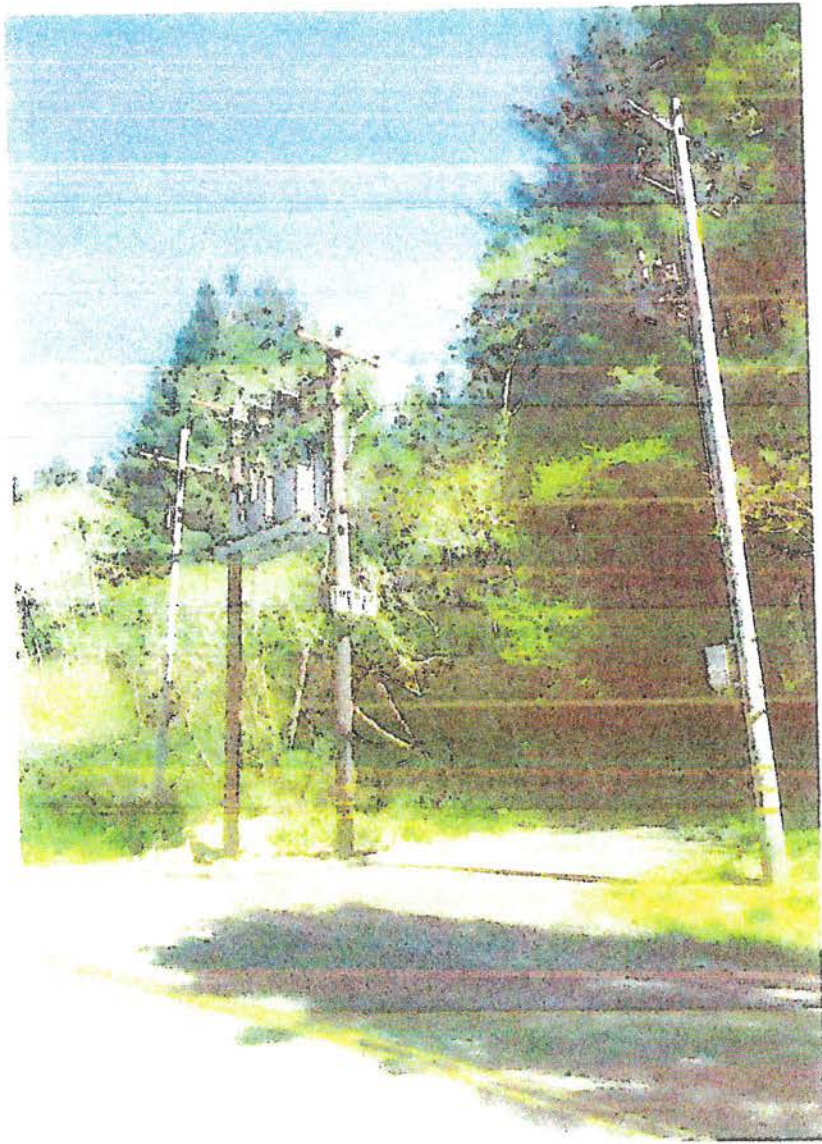
Thank you,

Jeff Guttero
2625 Patrick's Point Drive
Trinidad, CA 95570
jguttero@aol.com
(707) 677-0403











27

From: [Leiloni Shine](#)
To: [Johnson, Cliff](#); [Moxon, Delilah](#); [McClenagan, Laura](#); [Lippre, Suzanne](#); [Giannini, Trip](#)
Cc: [Robby Thacker](#)
Subject: Fwd: PG&E Voltage Regulation on Patricks Point Drive
Date: Tuesday, June 14, 2022 8:06:45 AM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Good morning,
Please see the comments received for the PG&E project #14376.

Thank you
Leiloni Shine
Land Logistics, Inc.
[\(707\)671-6928](tel:(707)671-6928)

From: William Nelson <william_e_nelson@yahoo.com>
Sent: Monday, June 13, 2022, 10:00 AM
To: Leiloni Shine <leiloni@landlogistics.com>
Subject: PG&E Voltage Regulation on Patricks Point Drive

Dear Leiloni Shine,
I live on Patricks Point Dr., in Trinidad. I am very interested in being at the upcoming meeting on the Voltage Regulation issues and PG&E's actions on Patricks Point Dr. I left you a long phone message. And I just wanted to reiterate a few of my comments.
I have a background in Electrical Engineering. I have two degrees in this field. And I am so old that I actually took a number of courses in this area. (Just prior to the transistor taking over the World).
I also worked as an intern for PG&E. One year in the General Office in San Francisco. Specifically, power distribution lines and equipment. The General Office set the standards for all of PG&E.
The second year, I worked in the San Francisco Division office. In electrical distribution. Quite a change. From standards to on the ground training.
However, I was lured away from PG&E by the Siren Song of technology in Silicon Valley. I ended up working in Aerospace for over 40 years. Mostly as an Engineer. Only being forced into management positions occasionally.
I am somewhat unclear what PG&E plans were when they installed this equipment. Possibly you could expand, beyond the words, like, voltage regulation.
If there is anyone else in the planning department, on the Planning Commission, etc, who might be interested in talking to me, that would be great. If I could be connected with the PG&E engineer who did the design of this 'voltage regulation' system, that would be even better.
Th

From: [McClenagan, Laura](#)
To: [Giannini, Trip](#)
Subject: FW: Project # 14376 on Patricks Point Dr, Trinidad
Date: Thursday, June 23, 2022 9:48:52 AM
Attachments: [image002.png](#)



Laura McClenagan

Executive Secretary
Humboldt County Planning and Building Department
3015 H Street | Eureka, CA 95501
Phone: 707-268-3702 | Fax: 707-268-3792
Email: lmcclenagan2@co.humboldt.ca.us

From: Leiloni Shine <leiloni@landlogistics.com>
Sent: Thursday, June 23, 2022 9:29 AM
To: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Moxon, Delilah <DMoxon@co.humboldt.ca.us>;
McClenagan, Laura <lmcclenagan2@co.humboldt.ca.us>; Lippre, Suzanne
<SLippre@co.humboldt.ca.us>
Subject: FW: Project # 14376 on Patricks Point Dr, Trinidad

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Good morning,
Please see the public comment received and forwarded to the applicant, PG&E (below).

Thank you,

Leiloni Shine
Land Logistics, Inc.
(707)671-6928

From: William Nelson <william_e_nelson@yahoo.com>
Sent: Monday, June 20, 2022 12:07 PM
To: Leiloni Shine <leiloni@landlogistics.com>
Subject: Project # 14376 on Patricks Point Dr, Trinidad

Hello Leiloni,
I have some questions with regard to the use and function of the regulator which is the subject of Project file 14376.
Would you please ask PG&E to provide contact information for a utility representative whom I can contact directly in order to ascertain such information regarding this facility.
Thank you in advance for your help.
Bill