

COUNTY OF LAKE
MAJOR USE PERMIT AND MITIGATED NEGATIVE DECLARATION
(PL-25-394 FOR UP 24-16)

US-CA-7286, North Lakeport
NEW COMMUNICATION TOWER CO-LOCATION
CONDITIONS OF APPROVAL

Expires if not used by: June 11, 2028

Pursuant to the approval of the Planning Commission on June 11, 2026 there is hereby granted to applicant Assurance Development, T-Mobile a Major Use Permit and Mitigated Negative Declaration (PL-25-394 for UP 24-16) with the following conditions of approval to construct a 150' tall monopine cell tower (designed to look like a pine tree) with a 10' tall lightning rod, up to 18 anchor antennas, a microwave antenna, two ground mounted radio cabinets, with more radio cabinets in the future as other companies co-locate in the facility, and a step down transformer to power the tower through PG&E, located at 5017 Terrace Avenue, Lakeport (APNs 029-031-18), subject to the following terms and conditions.

A. GENERAL CONDITIONS

1. The use hereby permitted shall substantially conform to the site plans, and any conditions of approval imposed by the Major Use Permit (PL-25-394 for UP 24-16) and the review authority to construct a 150' tall monopine cell tower with a 10' tall lightning rod, up to 18 anchor antennas, a microwave antenna, two ground mounted radio cabinets, with potential for additional radio cabinets in the future as other companies co-locate in the facility, and a step down transformer to power the tower through PG&E. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts.
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The permittee shall obtain permits as may be required from each agency.
3. The permit holder is responsible for insuring that all project workers are informed of, understand, and agree to abide by the approved plans and project conditions.
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
5. All construction shall be reviewed and approved by a *California-Licensed Professional Civil Engineer or Architect*, and be constructed to those specifications, subject to review and approval of the Community Development Department, Building Safety Division.
6. If a communications tower remains unused for a period of 12 consecutive months, the owner or operator shall dismantle and remove the communications equipment related to this permit for co-location on the tower and any equipment buildings within six months of the expiration of such 12 month period.
7. The Lake County Building Official may request additional engineering requirements for the tower and mechanical equipment while the building permit(s) are under review.
8. Prior to building permit final, the permit holder shall comply with all of the regulations and/or requirements of the Lakeport Fire Protection District. The permittee shall contact the Lakeport Fire Protection District for details.
9. This permit shall be null and void if not used by June 11, 2028, unless extended, or if the use is abandoned for a period of two years.
10. On-site storage of any items unrelated to the tower within the leased area is prohibited.
11. Antennas and antenna towers shall be inspected, following significant storm or seismic events, by a structural engineer licensed in the state of California to assess their structural integrity, and a report of the engineer's findings shall be submitted to the Community Development Department. Costs of inspection and reporting shall be borne

by the permit holder. If an inspection is necessary, the current inspection fee shall be paid to the County to cover the cost of County Staff for doing the inspection and any and all follow-up activities that are necessary.

12. All equipment, including the tower, shall be regularly maintained and painted as needed.
13. All ancillary buildings, poles, towers, antenna supports, antennas, and other components or telecommunication facilities shall be of a color or combination of colors approved by the Appropriate Authority. If the facility is conditioned to require paint, it shall initially be painted with a flat paint color approved by the Appropriate Authority and thereafter repainted as necessary with a flat paint color. Components of the telecommunication facility which will be viewed against soils, trees, or grasslands shall be of a color matching these landscapes.
14. Prior to operation, the permittee shall contact the Lake County Building Division to conduct an inspection to verify that the site is Public Resource Code 4290 and 4291, and Wildland Urban Interface compliant.
15. Prior to operation, all gated entrances shall be two feet wider than the interior access aisle. All gates shall be equipped with a Knox box in accordance with the Lakeport Fire Protection District to facilitate access for emergency service providers.
16. Prior to operation, address numbers shall be displayed in contrasting colors (4" min. size) and readable from the street or access road.
17. At the discretion of the Lakeport Fire Protection District, portable fire extinguishers shall be installed at designated areas on the site. Prior to operation, the permittee shall contact the Lakeport Fire Protection District to coordinate a site visit to confirm that this condition is met.

B. AESTHETICS

1. All lighting shall be downcast and shall not be directly visible from public roads or neighboring lots. All lighting shall comply with fixture recommendations found in darksky.org.
2. Prior to operation, the applicant shall install a minimum 6' tall screening fence around the tower's lease area. Fabric screening shall not be used due to poor durability; the screening material shall be chain link with slats, or a solid wood or metal fence. (Mitigation Measure AES-1)
3. All lighting shall be downcast and shall not spill over onto public roads or neighboring lots. All lighting shall comply with fixture recommendations found in darksky.org. (Mitigation Measure AES-2)
4. The 150' tall monopine cell tower shall be green and brown in colors and maintained for the life of the project. Any changes to the appearance of the tower that do not qualify for a Federal Communications Commission (FCC) Eligible Facilities Request shall require a new use permit application. (Mitigation Measure AES-3)

C. AIR QUALITY

1. During site disturbance, the applicant shall apply palliatives (water) to the ground to minimize dust migration. (Mitigation Measure AQ-1)

D. BIOLOGICAL RESOURCES

1. A qualified biologist shall perform a pre-construction survey for nesting birds within 7 days prior to breaking ground at the site if construction activities take place between February 1 and August 31. If nesting birds are found, the qualified biologist should establish suitable buffers prior to groundbreaking activities. To prevent encroachment, the established buffer(s) should be clearly marked by highly visibility material. The established buffer(s) should remain in effect until the young have fledged, or the nest has been abandoned as confirmed by the qualified biologist. (Mitigation Measure BIO-1)
 - Alternatively, depending on site-specific conditions for each nest and the proximity and nature of construction activities, it may be possible for work to proceed within the established buffer without affecting the nesting effort. This determination will be made on a case-by-case basis by a qualified biologist. If construction within the

buffer is permitted, the nest(s) will be continuously monitored by the biologist during all work activities within the buffer zone. The biologist will conduct full-time monitoring to assess whether construction is causing disturbance to the nest or nesting behavior. If any signs of nest disturbance or adverse impacts are observed, the biologist will immediately notify the construction manager to halt all work within the buffer. Work will not resume until the nest is no longer active or the young have successfully fledged. For active raptor nests, the Project proponent must notify the California Department of Fish and Wildlife (CDFW) to consult on whether work can proceed within the standard 500-foot (or greater) buffer. Construction within the buffer of an active raptor nest may only proceed with explicit approval from CDFW.

2. All work within or adjacent to the stream, including work on or around the culvert, shall occur during the dry season (typically June 15 to October 15) when no flowing water is present, unless otherwise approved by the California Department of Fish and Wildlife (CDFW) and the Regional Water Quality Control Board (RWQCB). (Mitigation Measure BIO-2)
3. The limits of construction shall be clearly demarcated with high-visibility fencing to restrict equipment, personnel, and materials to designated work areas and avoid unnecessary disturbance to the streambed, banks, and adjacent riparian vegetation with temporary erosion and sediment control measures shall be installed prior to the onset of construction and maintained throughout the construction period. These measures may include, but are not limited to, silt fencing, straw wattles, fiber rolls, and sediment basins. Soil stockpiles shall be covered and surrounded by appropriate sediment controls and located at least 50 feet from the stream. (Mitigation Measure BIO-3)
 - Upon completion of construction, all disturbed soils adjacent to the stream shall be stabilized using erosion control measures such as native seed, mulch, erosion control fabric, or other appropriate methods. Any temporarily impacted riparian vegetation shall be restored using locally appropriate native species. Erosion control measures shall be inspected regularly during construction and after major storm events. Repairs or reinforcements shall be made promptly if measures are damaged or ineffective.
4. All construction equipment shall be maintained in good condition to prevent leaks. Equipment refueling, maintenance, and storage shall occur at least 100 feet away from the stream. Spill prevention and response materials shall be maintained on site at all times. Concrete washout areas shall be sited away from the stream and fully contained. (Mitigation Measure BIO-4)

E. CULTURAL RESOURCES

1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work. (Mitigation Measure CUL-1)
2. All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during ground disturbance. Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training. (Mitigation Measure CUL-2)
3. Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified archaeologist for proper interment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5. (Mitigation Measure CUL-3)

F. GEOLOGY AND SOIL

1. The applicant shall submit a Stormwater Erosion Control Plan, Best Management Practices, to the Lake County Building Division with the building permit application. Best Management Practices Plan shall be submitted with the Stormwater Erosion Control Plan.

The applicant shall implement the Best Management Practices when they are trenching, grading, and doing any ground disturbance. (Mitigation Measure GEO-1)

G. HAZARDS & HAZARDOUS MATERIALS

1. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported and disposed of consistent with applicable local, state and federal regulations.
2. Storage of hazardous materials equal to or greater than 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas will require the permittee shall submit a Hazardous Material Business Plan to the Division of Environmental Health via the California Electronic Reporting System (CERS) and it shall be renewed and/or update annually or if quantities increase. If the amount of hazardous materials is less than the above quantities, the permittee must complete and submit a *Hazardous Materials and Waste Registration Form* with the Division of Environmental Health. The permittee shall submit a copy of all necessary documents to the Community Development Department prior to issuance of any building permits.

H. TRIBAL CULTURAL RESOURCES

1. All on-site personnel of the project shall receive tribal cultural resource sensitivity training prior to initiation of ground disturbance activities on the project. The training must be according to standards of NAHC or the culturally affiliated tribe(s). Training will address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training will also provide a process for notification of discoveries to culturally affiliated tribes, protection, treatment, care and handling of tribal cultural resources discovered or disturbed during ground disturbance activities of the project. Tribal monitors will be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project. (Mitigation Measure TCR-1)
2. If previously unidentified tribal cultural resources are encountered during construction of the project, altering materials and their stratigraphic content shall be avoided, and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources. A representative from a locally-affiliated tribe(s) shall be contacted to evaluate the resource and prepare a tribal cultural resource plan to allow for identification and further evaluation in determining the tribal cultural resource significance and appropriate treatment or disposition. (Mitigation Measure TCR-2)

I. WILDFIRE

1. The applicant shall keep a water truck on site during construction to reduce the impacts that might result in a spark creating a wildfire on site. (Mitigation Measure WLD-1)
2. Prior to operation, the applicant shall improve the interior driveway to meet Public Resource Code 4290 and 4291 driveway standards. (Mitigation Measure WLD-2)
3. Prior to construction the proposed project must have separate reflective address for the cell tower and the residence on the property. (Mitigation Measure WLD-3)

J. ONGOING OPERATIONS AND EXPIRATION

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
2. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Mireya G. Turner
Community Development Director

Prepared by: ms

By: _____
Yolanda Claybon, Planning Technician AS Office Assistant III

Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: _____

Signature of permittee or authorized agent

Printed name of permittee or authorized agent