

Steering Committee Meeting Notes
Friday, April 18th, 2014, 2014 10:00 am –
The Community Foundation of Mendocino County
204 S. Oak Street, Ukiah, CA 95482 (707) 468-9882

New Dial In Number

Dial In # (760) 569-7225, Participant Access Code: 108 1131#

1. Call to Order: 10:00 am

- a. Attendees: Dan Hamburg, Jim Moorehead, Mike Nicholls, Brian Churm, John Kuhry, Susanne Norgard, Randy MacDonald , Trish Steel
- b. Call-in: Cathy Emerson
- c. Additions to the agenda: Planning Commission meeting update, FCC letter, Eric Brown CA. Telehealth meeting

2. Broadband Coalition of Northern California Counties (BCNCC)

- a. The Broadband Alliance and Access Sonoma Broadband have written a joint letter to the FCC that endorses the move of the FCC to consider overruling state laws that restrict the ability of cities and towns in building their own broadband networks.
- b. In order for our letter to have more impact, we have asked various groups to sign-on to the letter.
- c. We currently have five national groups, including Public Knowledge, Appalshop, Inc, Rural BB Policy Group, Center for Rural Strategies, and the Institute for Local Self-Reliance. The Utility Reform Network (TURN) has indicated that they will sign on.
- d. We will include this letter when we send out the meeting notes, and see if any local groups are interested in signing onto our letter as well.

3. Candidates for MCOE superintendent

- a. Current County Superintendent of Schools Paul Tichinin will be retiring soon, and there are three candidates for the June 3rd primary election to replace him. All three candidates – Paul Joens-Poulton, Kathy Wylie, and Warren C. Galletti have been invited to our next meeting on May 2nd to discuss the intersection of broadband and schools. They were provided with a list of questions for the basis of the discussion.
- b. All three have said that they plan on attending the meeting.
- c. Mike said that in Sonoma County they try to get all candidates for public offices to attend an ASB meeting, and it really helps to get them up to speed on broadband issues. Recently state assembly candidate Jim Wood asked people, “What is the number one problem in the county?” and after several guesses by people, Jim answered, “Lack of affordable broadband”.

4. FCC Connect America Fund

- a. The FCC received around 1,000 Expressions of Interest, which should give the FCC staff more understanding of the problem in rural America. No other update.

5. FCC Rural Broadband Workshop DVD

- a. Although the FCC Rural Broadband workshop was streamed online, neither Jim nor Trish could watch the event in its entirety due to our inadequate satellite broadband connections. Jim asked the FCC Deputy Chief of the Wireline Bureau Patrick Halley to send him a DVD of the event, which Patrick graciously did. It was 5.5 hours long and 12 GB of info (more than Jim's total monthly satellite data allowance).
- b. The Alliance sent Patrick a tee-shirt as a thank-you.
- c. Jim watched it and felt encouraged; he asked Sean from Access Humboldt his opinion and Sean felt like it was a watershed event, in that the FCC is starting to realize that the rural problem is not getting addressed given the current regulatory and legislative environments.
- d. Trish will go through the DVD at some point soon and take notes of the highlights. If anyone is interested in a copy of these notes when done, or to borrow the DVD of the event, contact Trish.
- e. If you have good broadband you can go to the FCC website and watch the video directly: <http://www.fcc.gov/events/rural-broadband-workshop>

6. Newsweek article by David Cay Johnson – Jim interview 3/25

- a. Last week Jim, Mike and Cathy Emerson were interviewed by David Cay Johnston, among other things, a Contributing Editor for Newsweek, and talked for about an hour. David lives in rural New York state.
- b. This interview was a follow up from an article that he wrote recently and was published March 7th in Newsweek: <http://mag.newsweek.com/2014/03/21/telecom-giants-drag-feet-broadband-whole-country.html>
- c. David requested that we provide him with a packet of information, which Jim did, and he will possibly schedule a Ukiah visit in June.

7. Access Sonoma Broadband

- a. Access Sonoma Broadband has their last meeting on Wednesday, April 16th and had as their guest the CPUC Communication Division Director Ryan Dulin.
- b. Mike felt like it was a great meeting, in which people were very appreciative of Ryan being there, and that he really connected with everyone. There was a great interchange with Sonic's CEO Dane Jasper and a good rapport was established with many people.
- c. Ryan spent the rest of the day with Mike visiting places in west Sonoma County, and was able to see for himself some of the broadband issues that rural areas are dealing with.
- d. Many people feel like there is a change in the CPUC which is encouraging.
- e. The next meeting of ASB will be on Wednesday, June 18th. Their website is up and running: <http://sonomacounty.ca.gov/projects/access-sonoma-broadband/>
- f. They may have a presentation by ATT at their next meeting.

8. North Bay-North Coast Broadband Consortium

- a. Cathy provided an update on the NBNCBC application.
- b. Five consortia applications were submitted, but two didn't make the minimum number of points required to be considered. Of the three that remained, one was approved by the commission, and two are still pending for a vote before the commission. The NBNCBC is in the "pending" category. We don't know any other details.

9. CPUC Mapping – not discussed

10. Planning Commission meeting – 3/17/14

- a. There were two issues related to the wireless guidelines that were before the Planning Commission at their April 17th meeting.
- b. This began back in January of 2013 when the Alliance had a special topic meeting in which all the Wireless Internet Service Providers were invited, along with County Planner Dusty Duley, to talk about changes that could be implemented at the county level to make it easier for small internet providers to get permits for small projects. Some of these projects literally only require a small antennae on the side of a building, but currently are required to get a major use permit. The feedback that was given to Dusty was to develop an "alternative permit process" or APP for such projects, which he did:
 - i. The APP would develop a set of standards for are appropriate for an APP application.
 - ii. The APP would cost \$489, and the Zoning Director would determine whether the project meets the APP standards. If the standards are met, then the APP is issued without it going before the Planning Commission.
 - iii. The APP includes four categories: Co-located antennas and associated equipment, building-mounted antennas, roof-mounted antennas, and new wireless communication self-support structures that are less than 35 ft.
 - iv. The APP process still calls for public notice (not a hearing) to all owners and occupants within 1,000 feet of the site, but the decision to grant the APP would only be reversed if found the Zoning Director made a wrong decision about whether the project met the standards. The Zoning Director could also put conditions on the project.
- c. This APP will require an ordinance changing the county inland Zoning Code which has to be approved by the Board of Supervisors. This was before the Planning Commission to make such a recommendation to the Board of Supervisors to approve this ordinance which changes the Zoning Code.
- d. The other item before the Planning Commission was to approve the proposed changes to the guidelines for the development of wireless communication facilities. The Planning Commission currently uses these guidelines as a tool to help them decide whether to approve or deny specific projects before them.
- e. The planning commission ultimately voted to continue this item until their June 19th meeting, and no action was taken. This continuation was the recommendation of their legal staff because although planning department staff have been working on these guidelines extensively for the past 6 months, they received a letter from Verizon just the

night before with concerns (the letter was read into the record) Verizon did not want diesel and gas generators excluded from the APP process. The legal staff wanted time to research Verizon's concerns. Two commissioners were also absent.

- f. Brian and Trish from the Alliance both attended. Brian spoke and said the Alliance was in favor of the administrative permit process and supported the WISP position, and about the importance of these small projects to provide service for rural areas with the coming loss of the copper landlines in the near future.
- g. Barbara Winn from AT&T spoke and asked for a continuance.
- h. Two other people spoke, Gary from CrownCastle and a Michael (I didn't catch the last name).
- i. Some proposed changes to the guidelines includes:
 - i. Addition of a paragraph that clearly states the law specifying that the county is not allowed to take into account health hazards when approving/denying permits, and that the FCC is responsible for that.
 - ii. Each provider needs to provide a plan of its network to the county, including existing wireless communication facilities and anticipated future facilities, and the types of facilities used.
 - iii. Providers must provide two alternative sites that could provide comparable service or explain why there are no alternatives.
 - iv. If they can't co-locate, then include a 3rd party analysis on why
 - v. A preference to use industrial and commercial sites rather than residential sites (they are already "blighted").
- j. Someone asked planning staff – who monitors for compliance after the permits are issued? Unfortunately, the county doesn't have enough staff to investigate regularly so it is "Compliance by complaint"; when the public brings it to their attention then they investigate it.
- k. There were no local WISPs in attendance at the meeting, and that was puzzling because at the initial January 2013 wireless guidelines meeting there was a good turnout of interested providers. We suspect that local providers were not aware of the meeting. We plan to make sure that there everyone is aware of the June 19th meeting.
- l. Trish wondered if there was a way to have existing but un-permitted projects coming into compliance. We don't know as this was not discussed at the Planning Commission meeting.

11. Eric Brown, and Telehealth Network

- a. Jim recently met with Eric Brown, the CEO of the California Telehealth Network (CTN). There is some new money available from the FCC to build out networks and connect rural health clinics, and Eric is looking at various rural areas.
- b. Jim's first question to him was about whether this possible funding is restricted to only the clinics, or whether it can go out to the community, ie, are there 'broadband silo' restrictions that only fund networks to the anchor institutions. Eric assured Jim that there are no such restrictions. The CTN does not want to be a network operator, but to

partner with a local ISP who would come in and lease dark fiber to do last mile deployment. This means it could be available to the community.

- c. Mendocino County could be a good candidate, as there are about 19 health sites, some still on T-1 lines, and estimates are that 50% of the households are under or unserved. Eric will be sending Jim more info on the program. 65% of the grant funding comes from the FCC, and CASF could pick up the other 35% so it could be very feasible.

12. Updates/Future Topics

- a. The Tehama County Administration Office is hosting an “All County” broadband workshop on April 23rd in Red Bluff, and is inviting all elected representatives from the northern California counties to attend. Contact Trish if you need more information.
- b. From the Alliance Dan, Jim, Randy, and Trish plan to attend; County Superintendent Paul Tichinin has also said that he will attend.
- c. This meeting will include CPUC Commissioner Catherine Sandoval, and be facilitated by Cathy Emerson. They have allowed three hours for open conversation and discussion about how to frame the solutions. Cathy wants the content to come from the people who are there and for it to be synergistic.
- d. There was a discussion about what issues to discuss. Randy was very passionate about how to lower barriers to local efforts to success given the current congressional environment where big money has such influence, and where CASF has not succeeded, nor FirstNet. He doesn’t see the Community Service Districts as broadband providers as a real solution, as they don’t have the staff and would have to contract out. So, how can the state play a constructive role?
- e. The California Broadband Cooperative was mentioned as a possibility, as their long-term growth plan is to be available for other statewide organizations.
- f. Jim asked if Cathy anticipates an action plan coming out of this meeting; Cathy said that if we don’t hear plans then she will bring it up.

13. Meeting ended 12:00

Next Meeting: Friday, May 2nd, 16th, 30th