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December 7, 2021

VIA EMAIL

West Covina Planning Commission
(Planning_Dept@westcovina.org)
City Hall
1444 West Garvey Avenue
West Covina, CA 91790

**RE: AT&T Application for Wireless Telecommunication Facility
3540 East Cameron Avenue**

Dear Planning Commissioners:

I write on behalf of New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T), to respectfully request that the Planning Commission approve AT&T's application for a conditional use permit seeking to place a new stealth wireless communications facility disguised as a eucalyptus tree ("Proposed Facility") on water company property and with landscaping, including planting eucalyptus trees near the Proposed Facility. AT&T's Proposed Facility will provide and improve critical wireless services to the area. This well-designed facility will minimize visual impacts and it is the best available and least intrusive means to close AT&T's significant service coverage gap in this portion of the city.

Specifically, AT&T carefully selected this property and design based on the design and development standards under the West Covina Municipal Code ("City Code"). The Proposed facility is needed to close a significant gap in LTE service coverage in a large portion of the city, and to provide new wireless service to first responders as part of FirstNet, the national first responder network authority. AT&T's application, including additional materials submitted recently, explain the data and details supporting AT&T's needs and service objectives here. This letter also offers context of applicable federal laws that guide the analysis and support the approval of AT&T's application.

AT&T's Proposed Facility

As explained in its application and the administrative record, AT&T has identified a significant gap in service coverage in the vicinity of the Proposed Facility. Because AT&T's existing wireless

infrastructure is insufficient to address this gap, AT&T needs to deploy a new wireless communications facility in this area.¹ Following a review of alternative locations, AT&T identified the proposed site following a comprehensive search for alternative sites throughout the gap area. AT&T's site analysis and selection efforts are summarized in the Alternative Sites Analysis that AT&T prepared and submitted as part of the application record.²

AT&T's project team worked hard to develop the best stealth design possible, consistent with the standards under the City Code. AT&T is particularly proud of the proposed design which will hardly be noticeable as anything other than another eucalyptus tree among other trees and vegetation on this water tank property. As shown by the photosimulations of the Proposed Facility that were submitted with the application, including additional photosimulations prepared and submitted per your request during the October 26, 2021 hearing on AT&T's application, this facility will blend well with its surroundings and will have a minimal visual impact.

AT&T Needs the Proposed Facility to Provide and Improve Wireless Services

AT&T's radio frequency engineers have identified a significant gap in service coverage in West Covina, including a large area that is roughly bordered by East Virginia Avenue to the north, Palomino Drive to east, East Country Hollow Drive to the south, and Barranca Street to the west. AT&T's submitted Radio Frequency Statement explains that this portion of West Covina includes hundreds of homes in several neighborhoods, parks, a high school, and well-traveled roads in the area.

The Proposed Facility will improve critical wireless services to the area, which are needed now more than ever, especially as customers increasingly use their mobile phones as their primary communication devices. The Center for Disease Control and Prevention studies the extent of mobile phone use, and recently found more than 81% of California adults, and more than 98% of Californians under age 18, rely exclusively or primarily on wireless communications in their homes.³ Additionally, customers rely on their mobile phones to do much more than just voice communication, including E911 service, video streaming, GPS, Internet access, and texting.

In fact, in its most recent annual report to the United States Congress, the Federal Communications Commission conservatively estimated that at least 72% of 911 calls are placed by people using wireless phones.⁴ In addition to significantly improving LTE services in this large area, AT&T's Proposed Facility will bring important new wireless services to support

¹ See Attachment A – Radio Frequency Statement

² See Attachment B – Alternative Sites Analysis

³ See *Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2019*, available at https://www.cdc.gov/nchs/data/nhis/earlyrelease/Wireless_state_202108-508.pdf.

⁴ See *Twelfth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges* (Dec. 8, 2020), available at <https://www.fcc.gov/file/20178/download>.

public safety through AT&T's partnership with FirstNet, the national First Responder Network Authority, and will improve public safety by providing advanced communications capabilities to assist public safety agencies and first responders.

Approval of AT&T's Proposal Comports with Federal Law

The federal Telecommunications Act of 1996, 47 U.S.C. § 332 ("Act") provides rights to wireless service providers and establishes limitations upon state and local zoning authorities with respect to applications for permits to construct personal wireless service facilities. The United States Supreme Court has explained that the Act was enacted in part to prioritize and streamline deployment of wireless technologies on a national basis.⁵ Indeed, rapid deployment of wireless telecommunications facilities, like the Proposed Facility, is an important national issue, especially given the trend of Americans eliminating traditional landline telephone service in favor of wireless communications.

The Act defines the scope and parameters of the city's overall review of AT&T's Application. Under the Act, the city's review of AT&T's applications must be based on substantial evidence.⁶ The "substantial evidence" requirement means that a local government's decision must be "authorized by applicable local regulations and supported by a reasonable amount of evidence."⁷ In other words, a local government must have specific reasons that are both consistent with the local regulations and supported by substantial evidence in the record to deny a permit. Local governments, therefore, cannot deny an application on an issue for which the facility complies with the local regulations (e.g., a locality cannot deny an application based on facility height where facility height will comply with the local code). Nor can a local government deny a permit application based on generalized concerns about aesthetics.⁸ And local governments are specifically precluded from considering any alleged effects of radio frequency emissions in making decisions as to the siting of wireless telecommunications

⁵ *City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115-16 (2005) ("Congress enacted the Telecommunications Act of 1996 (TCA), 110 Stat. 56, to promote competition and higher quality in American telecommunications services and to 'encourage the rapid deployment of new telecommunications technologies.' Ibid. One of the means by which it sought to accomplish these goals was reduction of the impediments imposed by local governments upon the installation of facilities for wireless communications, such as antenna towers.").

⁶ 47 U.S.C. § 332(c)(7)(B)(iii).

⁷ *Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 725 (9th Cir. 2005), abrogated on other grounds, *T-Mobile South, LLC v. City of Roswell*, 135 S.Ct. 808 (2015).

⁸ See, e.g., *See California RSA No. 4 v. Madera County*, 332 F.Supp.2d 1291, 1308-09 (E.D. Cal. 2003) (explaining "generalized expressions of concern regarding aesthetics or the effect on property values" fail to meet the substantial evidence threshold under the Act), citing *Omnipoint Corp. v. Zoning Hearing Bd.*, 181 F.3d 403, 409 (3d Cir.1999); *Cellular Telephone Co. v. Town of Oyster Bay*, 166 F.3d 490 (2nd Cir. 1999); *Telespectrum v. Public Service Com'n. of Kentucky*, 227 F.3d 414 (6th Cir. 2000); *Preferred Sites, LLC v. Troup County*, 296 F.3d 1210, 1219 (11th Cir. 2002).

facilities “to the extent such facilities comply with the FCC’s regulations concerning such emissions.”⁹

The Act also prohibits a local government from denying an application for a wireless telecommunications facility where doing so would “prohibit or have the effect of prohibiting the provision of personal wireless services.”¹⁰ Courts have found an “effective prohibition” exists where a wireless provider demonstrates (1) a significant gap in wireless service coverage, and (2) that the proposed facility would provide the “least intrusive means,” in relation to the land use values embodied in local regulations, to provide the service coverage necessary to fill that gap.¹¹ Federal courts hold that the need to provide in-building LTE services to residential areas qualifies as a significant service coverage gap.¹² Under this judicial test, if a wireless carrier satisfies both of these requirements, state and local standards that would otherwise be sufficient to permit denial of the facility are preempted and the municipality must approve the wireless facility.¹³ When a wireless provider presents evidence of a significant gap and the absence of a less intrusive alternative, the burden shifts to the local government to prove that a less intrusive alternative exists. In order to meet this burden (and overcome the presumption in favor of federal preemption), the local government must show that another alternative is available that fills the significant gap in coverage, that it is technically feasible, and that it is less intrusive than the proposed facility.¹⁴

More recently, the FCC has confirmed its rulings that an effective prohibition occurs whenever the decision of a local government materially inhibits wireless services,¹⁵ and last year this material inhibition standard was again upheld by the Ninth Circuit.¹⁶ The FCC explained that the “effective prohibition analysis focuses on the service the provider wishes to provide,

⁹ 47 U.S.C. § 332(c)(7)(B)(iv).

¹⁰ 47 U.S.C. § 332(c)(7)(B)(i)(II).

¹¹ See e.g., *Metro PCS, Inc.*, 400 F.3d at 734-35; *Sprint PCS Assets, LLC v. City of Palos Verdes Estates*, 583 F.3d 716, 726 (9th Cir. 2009).

¹² See, e.g., *T-Mobile W. Corp. v. City of Huntington Beach*, No. CV 10-2835 CAS (Ex), 2012 U.S. Dist. LEXIS 148170 (C.D. Cal. Oct. 10, 2012); *T-Mobile W. Corp. v. City of Agoura Hills*, No. CV-09-9077 DSF (PJWx), 2010 U.S. Dist. LEXIS 134329 (C.D. Cal. Dec. 20, 2010); *MetroPCS v. City & County of San Francisco*, No. C-02-3442 PJH, 2006 U.S. Dist. Lexis 43985 at *33-34 (N.D. Cal. June 16, 2006) (a gap in a provider's in-building coverage that consists of more than a few isolated pockets of inadequate in-building coverage suffices to show a significant gap exists), on remand from 400 F.3d 715 (9th Cir.2005) (“where coverage holes are large or frequent in number and size, or extend to the interior of buildings in urban areas or to a significant number of residences in well-populated areas, such coverage holds are actionable under the [Act].”).

¹³ See *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987, 999 (9th Cir. 2009); *City of Agoura Hills*, *supra*.

¹⁴ *City of Anacortes*, 572 F.3d at 998-999.

¹⁵ See *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, FCC 18-133 (September 27, 2018) (“Infrastructure Order”) at ¶ 35; see also, *In the Matter of California Payphone Association Petition for Preemption, Etc.*, Opinion and Order, FCC 97-251, 12 FCC Rcd 14191 (July 17, 1997).

¹⁶ *City of Portland v. United States*, 969 F.3d 1020, 1034-35 (9th Cir. 2020), *cert. denied*, *City of Portland v. United States*, 141 S.Ct. 2855 (2021).

incorporating the capabilities and performance characteristics it wishes to employ, including facilities deployment to provide existing services more robustly, or at a better level of quality, all to offer a more robust and competitive wireless service for the benefit of the public.”¹⁷ Thus, a local government “could materially inhibit service in numerous ways – not only by rendering a service provider unable to provide existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services.”¹⁸ In fact, the FCC reiterated these conclusions earlier this year, as well as confirming a locality’s reciprocal burden of proof in the effective prohibition analysis.¹⁹

Here, AT&T has demonstrated its significant service coverage gap in the vicinity of the Proposed Facility. AT&T’s radio frequency propagation maps that AT&T has submitted in connection with this application, which are also exhibits to the Radio Frequency Statement, depict the service coverage gap that AT&T is experiencing in this portion of West Covina. The Radio Frequency Statement explains that these maps were prepared using industry-standard modeling software that AT&T’s engineers use to plan and build its wireless network. The statement explains that this program uses multiple data sources, including terrain and clutter databases, to develop real-world depictions of signal strength. These maps show that AT&T lacks adequate in-building LTE wireless service in this significant portion of the city. The proposed service coverage from the Proposed Facility is depicted in the coverage maps. As you can see, placing the Proposed Facility in this location will close AT&T’s significant service coverage gap in this area.

In addition, AT&T has a significant service coverage gap with respect to FirstNet services in this same significant geographic area. AT&T does not currently provide FirstNet services in the gap area, so no comparison of propagation maps is needed here. The FirstNet service, which is deployed over AT&T’s LTE architecture, will provide this new wireless service specifically for first responders in this area.

AT&T has also demonstrated that no less intrusive locations are available and feasible to close the gap. There were no existing collocation opportunities,²⁰ and AT&T and the city were unable to negotiate lease terms for potential sites on multiple city properties.²¹ Open space sites in development are unavailable because the developer would not lease space to AT&T. The only

¹⁷ Infrastructure Order at n. 95.

¹⁸ *Id.* at ¶ 37.

¹⁹ See *In the Matter of Petition for Declaratory Ruling that Clark County, Nevada Ordinance No. 4659 Is Unlawful Under Section 253 of the Communications Act as Interpreted by the Federal Communications Commission and Is Preempted*, Order, DA 21-59, WT Docket No. 19-230 (January 14, 2021), at ¶ 8.

²⁰ West Covina Municipal Code § 26-685.997(3) expresses a preference for collocation.

²¹ West Covina Municipal Code § 26-685.988(a)(1) expresses a preference to place wireless telecommunications facilities on city-owned properties. Note also that the city may not require placement of wireless telecommunications facilities on sites owned by a specific property owner. See Cal Govt Code § 65964(c).

remaining property without a residential use is the proposed site at the Valencia Water Company property.²² The Proposed Facility is not only the best available and least intrusive means, it is the only way for AT&T bring critical wireless services to the area, including in-building LTE and FirstNet services. Approval of AT&T application, therefore, will avoid an unlawful effective prohibition of wireless services.

Response to Criticisms and Requests for Information

Some residents expressed concerns about the Proposed Facility, and the Planning Commission made three specific requests of AT&T in connection with continuing the public hearing on the application. Although AT&T held a community meeting (which no members of the public attended) and submitted a complete application pursuant to the West Covina Municipal Code, AT&T has now submitted additional information, and offers these additional explanations, furthering demonstrating its compliance with local regulations and the need for approval of its application.

Significant Service Coverage Gap

AT&T's gap in its LTE service coverage in this large area of the city is measured using industry-standard network design tools and signal strength propagation maps that depict existing LTE coverage and predicted LTE coverage after the Proposed Facility is constructed and on air. In-building service is vital for customers and a service-level gap in in-building signal strength is an actionable coverage gap. These engineering calculations are based on specific service levels (identified by dbm level on AT&T's propagation maps) of a specific wireless service (LTE). The gap area is significant because it encompasses nearly 1.5 square miles and includes hundreds of homes, parks, and a high school. The gap is also significant because it includes well-traveled roads, including Grand Avenue, Cameron Avenue, and Hillside Drive.

Some members of the public and at Commissioners asked about the number of dropped calls. But dropped calls is only one metric that may or may not trigger need for a particular site. Here, instead, the key metric that triggers the need for the Proposed Facility is the inadequate signal strength throughout the area. The propagation maps clearly show the signal strength throughout the entire gap area is inadequate to support in-building LTE service. It is signal strength that AT&T must improve in order to bring LTE service to the gap area. Denial of the application based on a misapprehension for the basis of the need would clearly violate the Act by materially inhibiting AT&T from providing and improving LTE services.

In addition, there is no existing FirstNet service in the gap area. No data are required to show the complete absence of a service that is not yet offered. This service, which will greatly

²² West Covina Municipal Code § 26-685.984(a)(3) authorizes placing wireless telecommunications facilities on residential-zoned properties without residential uses.

benefit the community by providing services dedicated for first responders, will be new to the area. Thus, AT&T has a complete gap in FirstNet services in the area, and denial of its application will act as an unlawful general ban of those services in the gap area.

Above-Ground Equipment.

The City Code does not mandate undergrounding equipment on non-city property. Nevertheless, AT&T investigated whether its equipment could be vaulted at the site. On the basis of soil samples and site inspection, the engineering conclusion is that a vault is not feasible.²³

This issue initially arose from a Commissioner's concerns about graffiti, which were echoed by others during the Planning Commission hearing. AT&T understands that the water company has not experienced issues with graffiti, and is committed to keeping it that way. Further, AT&T is now proposing climbing vines and other design features to discourage graffiti. And AT&T will accept a condition of approval to remove graffiti within 72 hours of notice.

Photosimulations.

AT&T's application included numerous photosimulations that were prepared based on a balloon test that it conducted to depict the Proposed Facility at the proposed height of 60 feet above finished grade.²⁴ And in response to the Planning Commission's request, AT&T conducted a further balloon test and prepared additional photosimulations depicting the Proposed Facility. As you can see from the photosimulations, the Proposed Facility will look like a eucalyptus tree and it will meet all specifications under the City Code for faux trees.²⁵

As to aesthetics, besides simply appearing as a tree on a hillside near many other trees, the Proposed Facility will blend well into the natural and built environment, reduce visual impacts to the extent feasible, and blend with the character of the property and local area.²⁶ AT&T recognizes that some residents expressed concern over aesthetics, referring mainly to "cell towers" as a whole, without recognizing the stealth nature of the Proposed Facility. These generalized aesthetic concerns are not substantial evidence that can support denial. Still, AT&T is committed to making the Proposed Facility as aesthetic as feasible. Thus, it is proposing to add live eucalyptus trees and landscaping at the site, and it has recently added vines to conceal its equipment.

²³ See Attachment C – DCI Pacific, Inc. Letter (Nov. 30, 2021).

²⁴ West Covina Municipal Code § 26-685.988(c)(1) allows freestanding wireless facilities up to 60 feet above finished grade.

²⁵ See West Covina Municipal Code § 26-685.989(c).

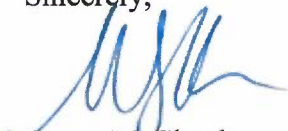
²⁶ See West Covina Municipal Code § 26-685.998.

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Conclusion

AT&T is diligently seeking to upgrade its wireless network to provide adequate quality LTE service and to introduce FirstNet services to this part of West Covina. AT&T's design and proposed solution meets the city's standards, and AT&T has shown that federal law strongly supports (indeed, mandates) approval. I urge the Planning Commission to approve AT&T's conditional use application for the Proposed Facility.

Sincerely,



Aaron M. Shank

Attachment A – Radio Frequency Statement
Attachment B – Alternative Sites Analysis
Attachment C – DCI Pacific, Inc. Letter

cc: David Carmany, West Covina City Manager (dcarmany@westcovina.org)
Camillia Martinez, Assistant Planner (cmartinez2@westcovina.org)

ATTACHMENT A

AT&T Mobility Radio Frequency Statement
3540 East Cameron Avenue, West Covina, CA 91791

I am the AT&T radio frequency engineer assigned to the proposed wireless communications facility at 3540 East Cameron Avenue, West Covina, CA (“Property”). Based on my personal knowledge of the Property and with AT&T’s wireless network, as well as my review of AT&T’s records with respect to the Property and its wireless communications facilities in the surrounding area, I have concluded that the work associated with this permit request is needed to close a significant service coverage gap in LTE service coverage, and to deploy new FirstNet service – the first-ever nationwide first-responder wireless network – in an area roughly bordered by East Virginia Avenue to the north, Palomino Drive to east, East Country Hollow Drive to the south, and Barranca Street to the west. The Proposed Facility will improve coverage to hundreds of homes in several neighborhoods, parks, a high school, and other points of interest in the immediate vicinity.

In addition to improving overall coverage, increasing data speed is critical to providing the mobile experience customers demand and to manage the unprecedented increase in mobile data usage on AT&T’s network. AT&T has experienced an estimated 470,000% increase in mobile data use on its network since the release of the iPhone in 2007. AT&T forecasts its customers’ growing demand for mobile data services to continue. The increased volume of data travels to and from customers’ wireless devices and AT&T’s wireless infrastructure over limited airwaves — radio frequency spectrum that AT&T licenses from the Federal Communications Commission.

Spectrum is a finite resource and there are a limited number of airwaves capable and available for commercial use. To ensure service quality, AT&T must knit together its spectrum assets to address customers’ existing usage and forecasted demand for wireless services, and it must use its limited spectrum in an efficient manner.

AT&T uses high-band (i.e., 2300 MHz, 2100 MHz, and 1900 MHz) and low-band (i.e., 850 MHz and 700 MHz) spectrum to provide wireless service. Each spectrum band has different propagation characteristics and signal quality may vary due to noise or interference based on network characteristics at a given location. To address this dynamic environment, AT&T deploys multiple layers of its licensed spectrum and strives to bring its facilities closer to the customer. The geographic area covered by a given site is determined by factors such as site elevation, local topography and customer usage patterns for the area. Sites must also be located with reference to other sites in the network to provide seamless mobile connectivity while also avoiding interference with one another.

The primary issue that is causing AT&T's significant service coverage gap is that there is inadequate infrastructure in the vicinity of the Property to provide in-building and in-vehicle LTE service to this portion of West Covina. AT&T currently has existing sites in the broader geographical area surrounding the Property but, as Exhibit 1 illustrates, these existing sites do not provide sufficient in-building LTE service in the gap area and does not provide sufficient in-vehicle service along significant routes in the city. The proposed facility is necessary to improve signal strength and signal quality in the area, which will improve overall coverage and increase data rates necessary for customers to receive consistently reliable wireless service. Any areas that do not meet these minimal standards represent a service coverage gap that must be closed.

The proposed facility at the Property will help close the gap in coverage and help address rapidly increasing data usage driven by smart phone and tablet usage. This site is part of an effort to fully deploy 4G LTE technology in the area. Specifically, the proposed facility will close this service coverage gap and provide reliable 4G LTE service for AT&T customers in the affected area. 4G LTE is capable of delivering speeds up to 10 times faster than industry-average 3G speeds. LTE technology also offers lower latency, or the processing time it takes to move data through a network, such as how long it takes to start downloading a webpage or file once you've sent the request. Lower latency helps to improve the quality of personal wireless services. What's more, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience.

The proposed facility at the Property is also a part of AT&T's commitment to supporting public safety through its partnership with FirstNet, the federal First Responder Network Authority. Conceived by the *9/11 Commission Report* as necessary for first responder communications, Congress created the federal First Responder Network Authority, which selected AT&T to build and manage FirstNet, the first-ever nationwide first-responder wireless network. The proposed facility will provide new service on Band 14, which is the nationwide high-quality spectrum set aside by the U.S. government for public safety. Deployment of FirstNet in the subject area will improve public safety by putting advanced wireless technologies into the hands of public safety agencies and first responders.

To meet its coverage objectives, AT&T needs to construct a new wireless communications facility. Wireless telecommunications is a line-of-sight technology, and AT&T's antennas need to be in the gap area and at an elevation capable of propagating an effective signal throughout the gap area. To meet its service objectives for this gap area, AT&T proposes to install a new wireless telecommunications

facility disguised as a eucalyptus tree. Denial of this proposed facility or a reduction in height would materially inhibit AT&T's ability to provide and improve wireless services in this portion of the city.

It is important to understand that service problems can and do occur for customers even in locations where the coverage maps on AT&T's "Coverage Viewer" website appear to indicate that coverage is available. As the legends and links to the Coverage Viewer maps indicate, these maps display approximate outdoor coverage. Actual coverage in an area may differ from the website map graphics, and it may be affected by such things as terrain, weather, network changes, foliage, buildings, construction, signal strength, high-usage periods, customer equipment, and other factors.

It is also important to note that the signal losses, slow data rates, and other service problems can and do occur for customers even at times when certain other customers in the same vicinity may not experience any problems on AT&T's network. These problems can and do occur even when certain customers' wireless phones indicate coverage bars of signal strength on the handset. The bars of signal strength that individual customers can see on their wireless phones are an imprecise and slow-to-update estimate of service quality. In other words, a customer's wireless phone can show coverage bars of signal strength, but that customer will still, at times, be unable to initiate voice calls, complete calls, or download data reliably and without service interruptions due to service quality issues.

AT&T uses industry standard propagation tools to identify the areas in its network where signal strength is too weak to provide reliable in-building service quality. This information is developed from many sources including terrain and clutter databases, which simulate the environment, and propagation models that simulate signal propagation in the presence of terrain and clutter variation. AT&T designs and builds its wireless network to ensure customers will receive reliable in-building service quality. This level of service is critical as customers increasingly use their mobile phones as their primary communication devices. According to the Center for Disease Control and Prevention (CDC), more than 81% of California adults, and more than 98% of Californians under age 18, rely exclusively or primarily on wireless communications in their homes. And California households rely on their mobile phones to do more (E911, video streaming, GPS, web access, text, etc.). In fact, the FCC conservatively estimates that 72% of 911 calls are placed by people using wireless phones.

Exhibit 1 to this Statement is a map of the existing LTE service coverage (without the proposed installation at the Property) in the area at issue. It includes LTE service coverage provided by existing AT&T sites. The green shaded areas of the map depict acceptable in-building coverage. In-building coverage means customers are able to place or receive a call on the ground floor of a building. The yellow shaded areas depict areas within a signal strength range that provide acceptable in-vehicle service

coverage. In these areas, an AT&T customer should be able to successfully place or receive a call within a vehicle. The pink shading and unshaded (white) areas are areas within a signal strength range in which a customer might have difficulty receiving a consistently acceptable level of service. The quality of service experienced by any individual customer can differ greatly depending on whether that customer is indoors, outdoors, stationary, or in transit. Any area in the yellow, pink, or white category is considered inadequate service coverage and constitutes a service coverage gap.

Exhibit 2 is a map that predicts LTE service coverage based on signal strength in the vicinity of the Property if the proposed facility is constructed as proposed in the application. As shown by this map, constructing the proposed facility at the Property closes this significant service coverage gap. Specifically, this map depicts a large new area of in-building service coverage (in green) throughout the defined gap area.

My conclusions are based on my knowledge of the Property and with AT&T's wireless network, as well as my review of AT&T's records with respect to the Property and its wireless telecommunications facilities in the surrounding area. I have a Bachelor Degree in Electronics and Communications from the University of Mysore, India, and have worked as an engineering expert in the wireless communications industry for more than 26 years.

Mahesh Kolur

Mahesh Kolur
AT&T Mobility Services LLC
Network, Planning & Engineering
RAN Design & RF Engineering
December 2021

EXHIBIT 1

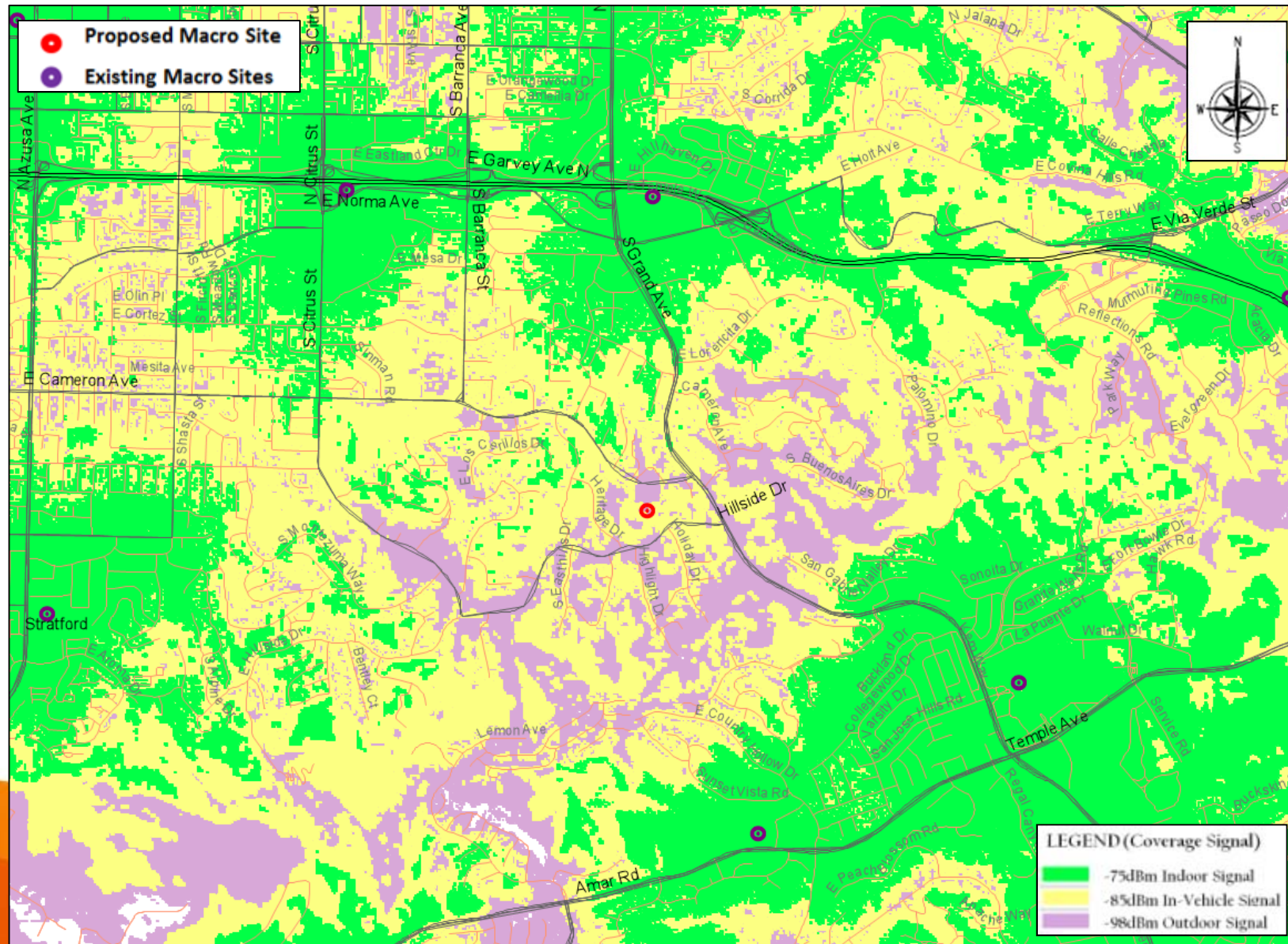
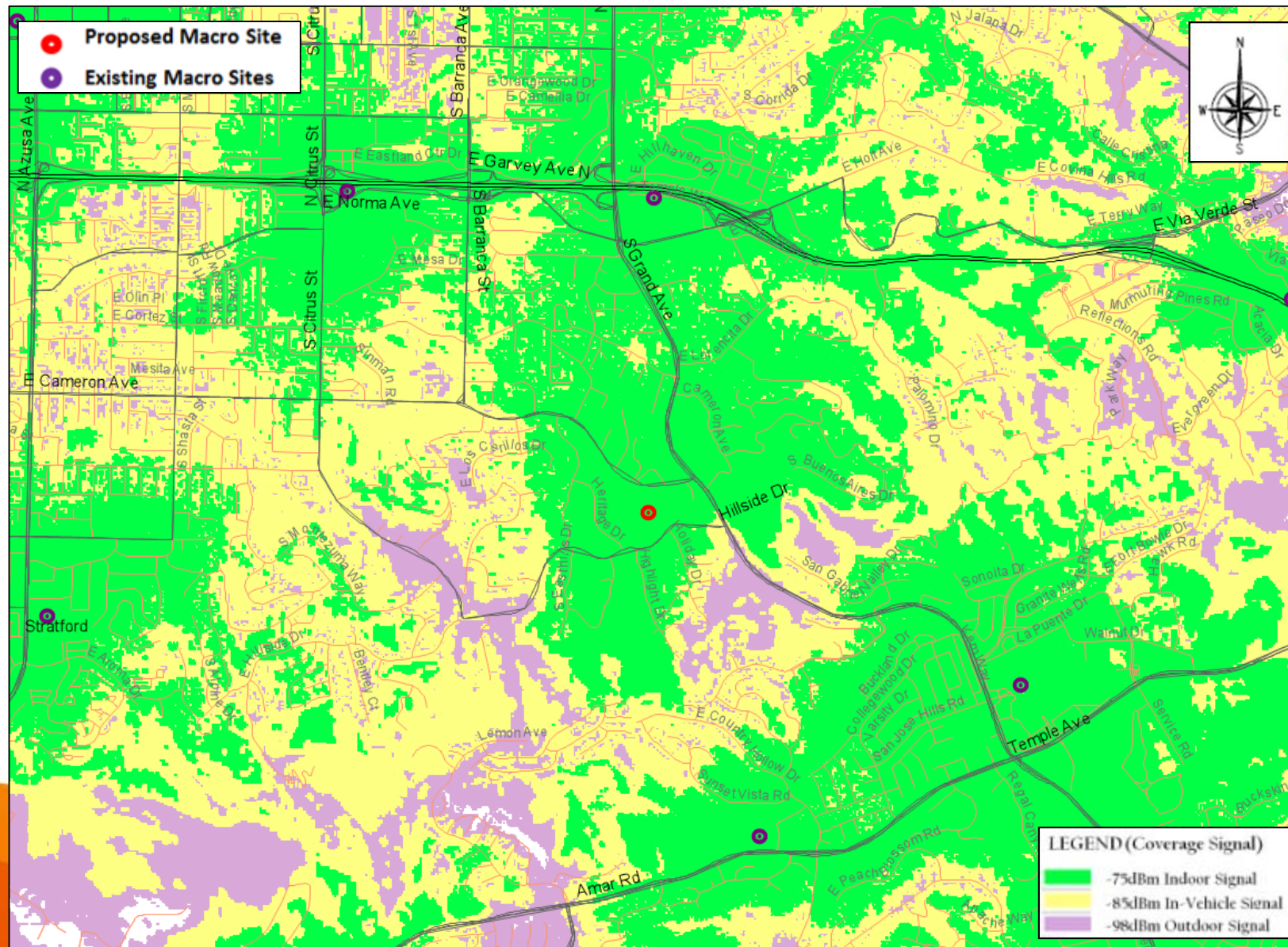


EXHIBIT 2



ATTACHMENT B

Alternative Sites Analysis



AT&T Mobility

Wireless Telecommunications Facility
at
3540 East Cameron Avenue
West Covina, CA 91791

Site ID: CLL05528

Introduction

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (“AT&T”) has a significant gap in its service coverage in the City of West Covina. AT&T proposes to construct a 60-foot tall wireless communications facility (“WCF”) disguised as a eucalyptus tree (“mono-eucalyptus”) (“Proposed Facility”) as a means to fill this gap in coverage. The Proposed Facility consists of twelve panel antennas (three sets of four antennas) with a top height of 58 feet above ground, and topped with an additional two-foot crown of faux branches. The related equipment will be housed in an adjacent equipment area at the base of the mono-eucalyptus and surrounded by a 8-foot tall CMU wall, with climbing vines as additional landscaping. A backup generator will be placed near the existing water tank, and two new live eucalyptus trees will be placed on site to further conceal the equipment and blend in with the mono-eucalyptus. The Proposed Facility is the least intrusive means to fill the significant gap of the alternatives investigated by AT&T as explained below.

Objective

AT&T Mobility has identified a significant gap in its service coverage in the City of West Covina, in an area roughly bordered by East Virginia Avenue to the north, Palomino Drive to east, East Country Hollow Drive to the south, and Barranca Street to the west. The Proposed Facility will improve coverage to hundreds of homes in several neighborhoods, parks, a high school, and other points of interest in the immediate vicinity. The service coverage and objectives, including need to improve signal strength on AT&T’s wireless network, in this portion of West Covina, are described in the accompanying Radio Frequency Statement.

Methodology and Zoning Criteria

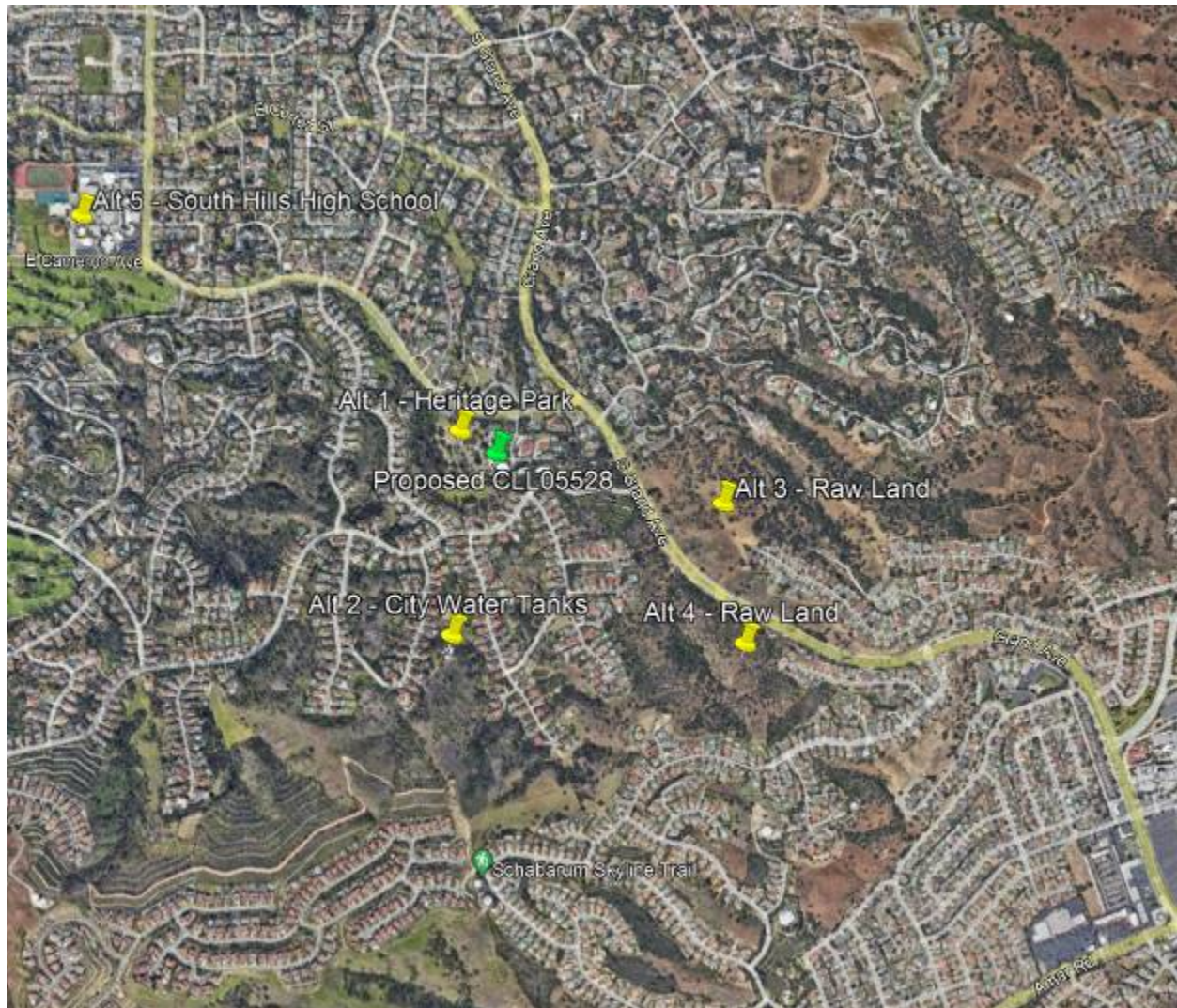
The location of a WCF to fill a significant gap in coverage is dependent upon topography, changes in elevation, zoning, existing structures, collocation opportunities, available utilities, access and a willing landlord. Wireless communication is line-of-sight technology that requires WCFs to be in relatively close proximity to the wireless handsets to be served.

AT&T seeks to fill a significant gap in service coverage using the least intrusive means under the values expressed in the City of West Covina Municipal Code, including Section 26-685.988, providing development standards for wireless telecommunication facilities, Section 26-685.989, providing design standards for wireless telecommunication facilities, Section 26-685.997, regarding application requirements, and Section 26-685.988. providing findings for wireless telecommunication facilities.

Analysis

AT&T developed a search area to identify the area where a new wireless telecommunications facility needs to be located to close AT&T's significant service coverage gap in this portion of West Covina. AT&T searched for, but did not identify, viable collocation opportunities in the gap area. AT&T also searched for sites on city-owned property, but AT&T and the city were unable to agree on lease terms. The following map shows the locations of the Proposed Facility (green pin), and the alternative sites that AT&T investigated (yellow pins).

Location of Candidate Sites



Proposed Facility – Mono-eucalyptus, Valencia Water District, 3540 East Cameron Avenue



Conclusion: Based upon location, a willing landlord and the superior service as shown in the proposed coverage map included in AT&T's Radio Frequency Statement, the Proposed Facility is the least intrusive means for AT&T to meet its service objectives.

The project location is a residential-zoned parcel with a nonresidential use, the water tanks owned and operated by Valencia Water Company. Consistent with City Code Section 26-685.988(c)(1), AT&T proposes a 60-foot tall communications facility disguised as a eucalyptus tree near one of the water tanks on this property. Specifically, the Proposed Facility consists of twelve panel antennas (three sets of four antennas) with a top height of 58 feet above ground, and topped with an additional two-foot crown of faux branches. The related equipment will be housed in an adjacent equipment area at the base of the mono-eucalyptus and surrounded by a 8-foot tall CMU wall, painted desert tan and with climbing vines as additional landscaping. A backup generator will be placed near the existing water tank, and two new live eucalyptus trees will be placed on site to further conceal the equipment and blend in with the mono-eucalyptus. Existing trees will be retained. The Proposed Facility is the least intrusive means to fill AT&T's significant service coverage gap.

Alternative 1 – Heritage Park



Conclusion: Unavailable; more intrusive than Proposed Facility

This city-owned park is located adjacent to the primary candidate. AT&T and the city could not agree to lease terms to place a new WCF in this park.

Alternative 2 – City Water Tanks near Hooper Drive



Conclusion: Unavailable; more intrusive than Proposed Facility

This city property houses city-owned water tanks located approximately one-third of a mile to the south from the Proposed Facility. AT&T and the city could not agree to lease terms to place a new WCF in this park. A wireless telecommunication facility here would be nearer to residents than the Proposed Facility.

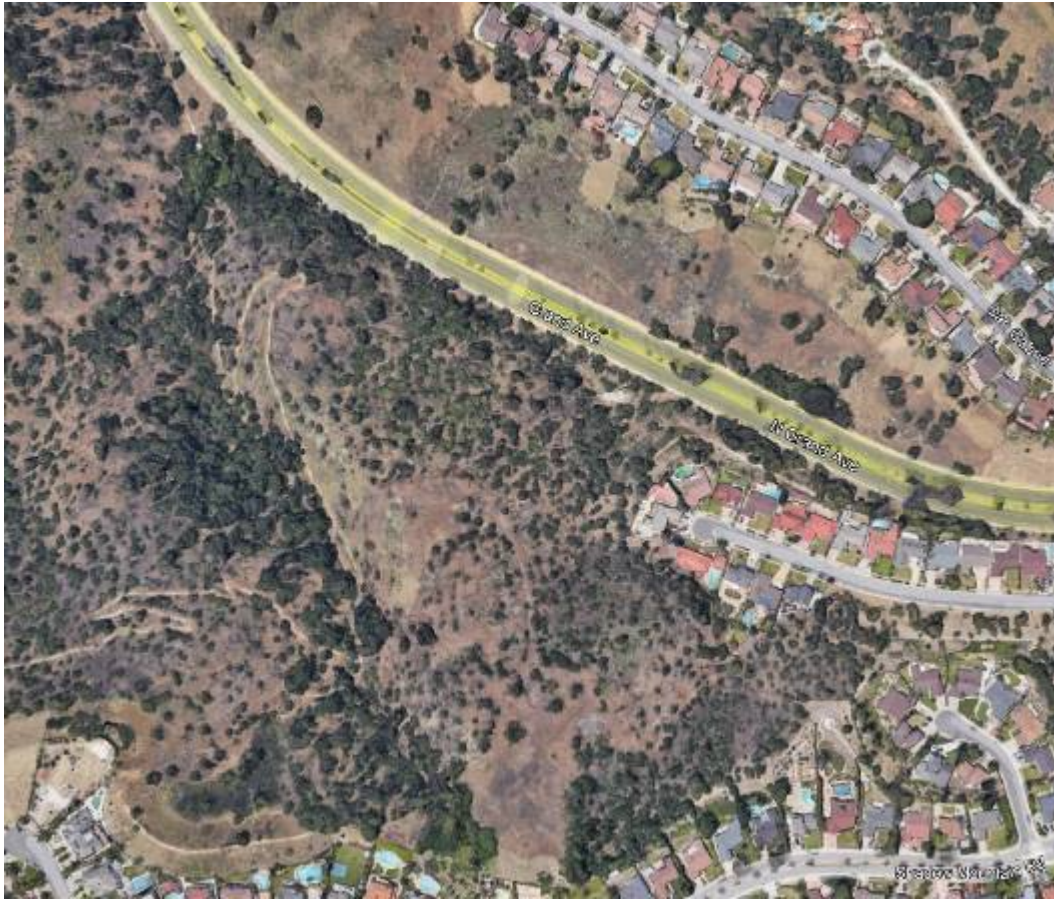
Alternative 3 – Open Space near Grand Avenue



Conclusion: Unavailable

This raw land open space property is located beyond the terminus of San Gabriel Valley Drive, approximately 0.4 mile to the southeast from the Proposed Facility. The property is owned by a developer who declined to lease space to AT&T for a WCF.

Alternative 4 – Open Space near Grand Avenue



Conclusion: Unavailable

This raw land open space property is located beyond the terminus of San Gabriel Valley Drive, approximately half a mile to the southeast from the Proposed Facility. The property is owned by a developer who declined to lease space to AT&T for a WCF.

Alternative 5 – South Hills High School



Conclusion: Unavailable

This high school is located approximately 0.8 mile to the northwest from the Proposed Facility. The school district declined interest in leasing space to AT&T for the Proposed Facility.

Conclusion

The Proposed Facility is the least intrusive means by which AT&T can close its significant service coverage gap. Denial of the site will materially inhibit AT&T from providing and improving wireless service in this portion of the city.

ATTACHMENT C

Engineering Letter

Date : November 30, 2021

Site Number : **CLL05528**

Site Name : **ATT / West Covina Water Tank**

Address : 3540 E. Cameron Avenue
Covina, CA 91791

Subject : **Vault Installation**

The bore log data (See Exhibit 'A') from the soils report prepared by 'Geoboden' shows bedrock starting less than 3' below grade. A vault installation will require 25' deep excavation, 20' of the ground disturbance will be on bedrock. The amount of force during construction will generate substantial impact loads that may affect the adjacent retaining wall (5' east), and thereby affecting the tank (20' east). See Exhibit 'B'.

During the site visit, we noticed the water tank facility is also being utilize for civil works storage. Exhibit 'C' shows two (2) Wheel Loaders parked at the proposed lease area location. Although the prefab vault is designed for traffic load, it may not be designed for continuous dead load from multiple heavy equipment. A small payloador can weigh up to 25,000 lbs, which is 4 times the weight of a standard pickup truck.

With these in mind, we suggest keeping the equipment above grade and avoid the UG vault. This decision will prevent possible structural safety issues in the future.

Sincerely,

(Bok) Johnnoah Yu, LEED AP BD+C
Architect
DCI PACIFIC, Inc.

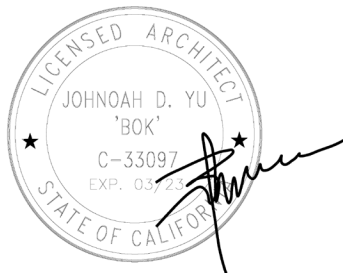


Exhibit A

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES CONTENT (%)
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0.0		CLAYEY SAND (SC): strong brown, moist, ~30% fines [TOPSOIL]										
2.5												
5.0		BEDROCK: CLAYSTONE, strong brown, moist, sandy clay composition	MC R-1		40		113	14				
7.5												
Bottom of borehole at 8 feet below ground surface due to refusal in bedrock. No ground water was encountered at the time of drilling. Boring was backfilled with cuttings. Bottom of borehole at 8.0 feet.												

Exhibit B

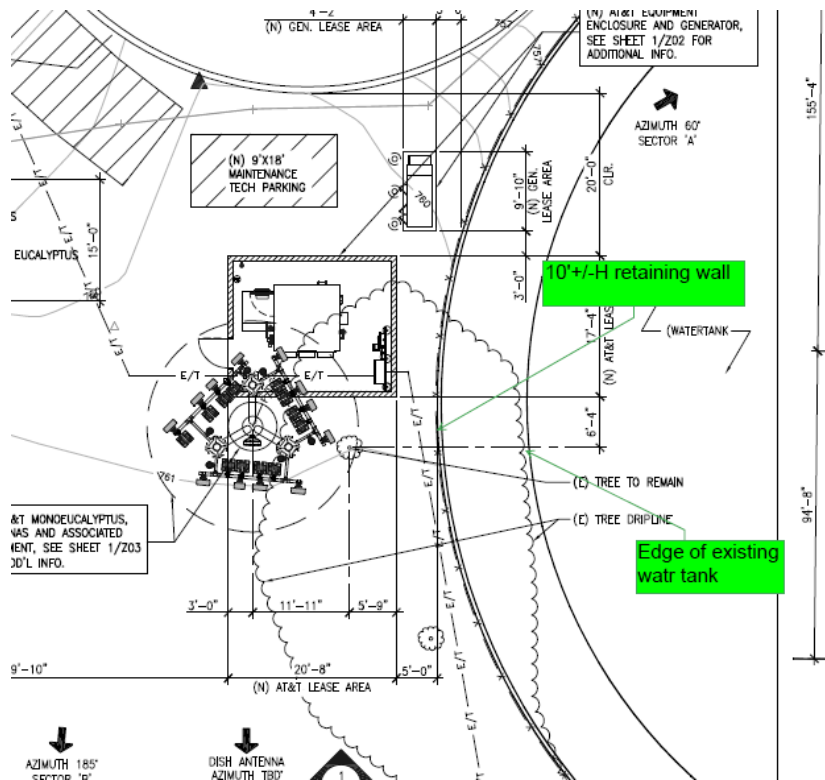


Exhibit C

