



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **A-0**

March 23, 2022

TO: Yolanda Duarte-White, Chair
Michael R. Hastings, Vice Chair
David W. Louie, Commissioner
Elvin W. Moon, Commissioner
Pam O'Connor, Commissioner

FROM: Mark Pestrella, PE
Director of Public Works

**REGIONAL PLANNING COMMISSION AGENDA
COUNTY OF LOS ANGELES WIRELESS FACILITIES ORDINANCE
AGENDA ITEM 5: PROJECT NO. 2021-002931- (1-5)
ADVANCE PLANNING CASE NO. RPPL2021007939
WIRELESS FACILITY ORDINANCE**

I am submitting this letter in support of the Wireless Facility Ordinance that is being presented for your consideration and approval on the March 23, 2022, agenda. Regional Planning developed this draft Ordinance in collaboration with Public Works, among other County departments who share a dedicated vision to accelerate and streamline the permitting of high-speed internet infrastructure, to help bridge the digital divide in Los Angeles County.

On October 13, 2020, the Board of Supervisors unanimously adopted a comprehensive motion, "Establishing Pathways to Equitable Access to High-Speed Internet and Bridging the Digital Divide," and directed Public Works to lead several initiatives, including streamlining permitting, modeling best practices, and exploring innovative strategies to expand high-speed broadband infrastructure in the County. This multi-faceted mission requires all County partners to contribute towards an equitable expansion and access to high-speed broadband throughout the region.

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Page 2

As the COVID-19 pandemic has shown us, access to high-speed broadband internet and related resources is an essential means to access health services, education, economic resources, and job opportunities. The pandemic also starkly revealed the inequities, disparities, and urgent need to address the digital divide in our communities. With work, school, and health care increasingly or completely accessed online, it becomes a public health and quality of life imperative to ensure broadband access throughout the region.

With this draft Ordinance, we are initiating action to bridge the digital divide. Infrastructure inequities and disparities must be addressed, and through streamlined permitting, high-speed internet infrastructure can be expedited to our communities of greatest need. Public Works encourages your support of the draft Ordinance to accomplish our shared vision and mission.

If you have any questions, please contact me or your staff may contact Deputy Director Rossana D'Antonio at (626) 458-4004 or rdantonio@pw.lacounty.gov.

SH:ja

ja/ltr of support rpc 03.23.2022

cc: Department of Regional Planning (Amy Bodek, Dennis Slavin)



Defining the Voice of Business

On behalf of BizFed Institute, we fully support the proposed Regional Planning Commission resolution recommending approval by the Los Angeles Board of Supervisors regarding revisions to the County's Wireless Facilities Ordinance (WFO). The recommended revisions to standards and regulations will serve to update the County's current ordinance and will greatly assist in advancing the Board's regional digital divide strategy for improving access to broadband services.

The proposed revisions to the WFO establishes application requirements and land use regulations, including zoning and development standards for Small Cell Facilities. Small cells will assist in expanding 5G wireless network service across the county. As noted in a CTIA report, *"...5G is transforming the wireless industry into a full-fledged mobile and fixed broadband solution for homes, enterprises, and communities large and small...new 5G wireless technology offers a future proof and cost-effective option for delivering high-speed broadband, including in rural areas of America. 5G for home broadband services already can offer 100+ Mbps and faster speeds. These speeds are more than enough to simultaneously support the online services used by American families, from video conferencing and streaming and to remote learning and gaming."*

<https://www.ctia.org/news/5gs-power-to-close-americas-digital-divide>

Expanding wireless broadband networks are needed now more than ever to meet the growing demands resulting from the explosion in mobile devices (smartphones, tables, wearables, hotspots) and exponential use of data to power video conferencing, telemedicine, remote learning, hybrid work and for our economic recovery, including small business. And, increasingly, private sector internet service providers (ISPs) are expanding wireless broadband access to homes and small businesses via wireless facilities (note that the federal Advanced Connectivity Program is eligible for most wireless services).

As noted in the staff report, wireless facilities are generally regulated by the FCC and small cells must meet the FCC's RF emission standards. Municipalities are permitted to establish land use regulations, including zoning and development standards. We believe the proposed revisions to County's Wireless Facilities Ordinance appropriately modernizes the ordinance to meet the growing demand for broadband access and encourage your approval.

Staff Report: https://planning.lacounty.gov/assets/upl/project/wcf_rpc-staff-report.pdf

Best Regards,

Kevin Harbour

Kevin Harbour - President, BizFed Institute

March 23, 2022

Los Angeles County Department of Regional Planning
Attn. Chair Duarte-White
320 W Temple St. 13th Floor
Los Angeles, CA 90012

RE: LA County Wireless Facility Ordinance – SUPPORT

Dear Chair Duarte and Commissioners:

On behalf of the Los Angeles County Economic Development Corporation (LAEDC), a non-profit, public benefit organization dedicated to collaboratively advancing opportunity and prosperity for all in Los Angeles County, I am expressing our support for updating the County Wireless Facility Ordinance (WFO) to help facilitate the deployment of wireless broadband infrastructure throughout the region. The LAEDC believes that the modernization of these guidelines will help advance the Board of Supervisors' goals to expand broadband infrastructure, increase affordability, and enhance broadband connectivity across the county.

As co-convenor of the Los Angeles Digital Equity Action (LA DEAL), our organization believes that achieving digital equity requires a long-term, forward-looking view that takes into account the ever-rising demand for bandwidth and new technologies to deliver it. To connect our unserved and underserved county residents to affordable, reliable high-speed internet, the County should explore all possible strategies and technologies to incorporate into their toolkit that would provide the flexibility to implement a multi-pronged approach to solve the digital divide.

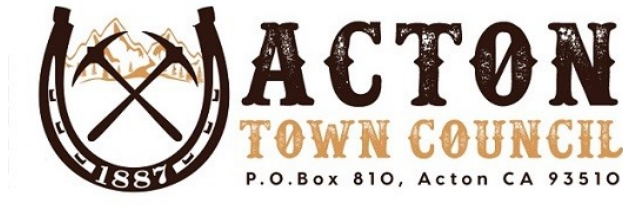
A comprehensive ordinance can expedite the process of deploying the necessary infrastructure to connect all county households and also help provide transparency to our residents who may be hesitant to embrace certain types of broadband deployment. As the Commission looks to continue the process of developing this ordinance, it is important that our communities are educated and informed of the process and related technologies, including Small Cell Facilities which can assist in expanding 5G wireless network service across the county.

For all the above reasons, the LAEDC urges your support for updating the LA County Wireless Facility Ordinance.

Sincerely,



Bill Allen
Chief Executive Officer and President
LAEDC



The Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012

March 22, 2022

Electronic transmission of three (3) pages to:
ordinance@planning.lacounty.gov and
comment@planning.lacounty.gov

Subject: Acton Town Council comments on Proposed Wireless Facility Ordinances
Slated for Planning Commission Hearing March 23, 2022 (Agenda Item #5).

Reference: Solicitation of Public Input on Proposed Wireless Facility Ordinance.
Project No. 2021-002931.
Plan No. RPPL2021007939.

Dear Commission Chair Duarte-White, Vice Chair Hastings, Commissioner Louie,
Commissioner O'Connor, and Commissioner Moon;

The Acton Town Council ("ATC") appreciates the opportunity to provide comments on the Proposed Wireless Facility Ordinance ("Ordinance"). In the interest of time, our comments are summarized briefly below in no particular order. As a preliminary comment, the ATC would like to echo and affirm the concerns raised by the ARTC (Association of Rural Town Councils) in their comments on the Wireless Facility Ordinance that were submitted on March 18, 2022.

We appreciate the concern expressed in the provision of Section 13, Item H "Wireless Facilities" for minimizing impacts to ridgelines, vistas, and historic resources; however, we respectfully request that the ordinance be modified to further increase protections for these finite and delicate resources to ensure they are maintained for generations to come. The ATC also appreciates the guidelines encouraging monopoles to be located with the greatest amount of visual screening; however, we are concerned that the Ordinance does not address the pressing need to control the proliferation of wireless facilities by requiring consolidation and facility sharing to the greatest extent feasible. This is important because communities like Acton are beset by many wireless facilities that are all owned by many carriers; in the past, the ATC has successfully controlled the proliferation of these facilities by directing applicants to demonstrate that proposed facilities are necessary because they are unable to acquire "space" for their equipment on an existing tower. In other words, the ATC would like to see language in the ordinance that prioritizes wireless facility sharing over wireless facility construction as a means of consolidating facilities and reducing their footprint in a community.

The ATC is encouraged by the intent expressed by the ordinance to utilize faux trees "appropriate for the location" and we ask that, before the ordinance is finalized, the Department of Regional Planning ("DRP") prepare a list of the faux trees that are contemplated under this ordinance. We also request that the list of faux trees be limited to only native species as a means of emphasizing the importance of native landscaping within a community.

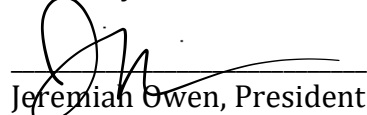
The ATC is greatly concerned by Item "L" under Section 13 pertaining to "Wireless Facilities" because it gives applicants far too much latitude to circumvent protective polices set forth in adopted Planning Documents such as Antelope Valley Area Plan and sidestep development standards established by Community Standards Districts. In particular, we are concerned that the ordinance will facilitate approval of inappropriate wireless facilities because it lowers the compliance bar and allows an applicant to disregard aesthetic concerns and install unsightly facilities in an otherwise pristine viewshed by merely claiming (with little evidentiary support) that an alternative design or location is "technically infeasible" or "effectively prohibits the provision of personal wireless services". Neither the County nor affected communities will have the time or capacity to properly investigate and verify an applicant's superficial claim of "technical infeasibility" or "prohibition of provision of service", and the ATC has every expectation that applicants will continually take advantage of the "loophole" established by Section 13 based on insubstantial explanations consisting of incomprehensible technical jargon which neither DRP nor the public have the wherewithal to substantiate. This is not an opinion, this is a fact pattern that has emerged over the last decade based on the ATC's extensive involvement on several wireless facility projects. Specifically, every time an applicant claims that a recommended alternative is either "technically infeasible" or will not provide "service", we have asked for hard evidence to support this claim, and every time we do, the evidence demonstrates that the recommended alternative is entirely "feasible" and will provide "service".

For instance, in late 2017 AT&T expressed an interest in putting a ninety-foot monopole in the *middle* of the Shannon Valley area of Acton. AT&T said that the only way to provide both "fixed wireless internet access" and "cellular phone service" to this portion of Acton was to have this enormous monopole placed in the middle of a valley that currently has a pristine viewshed. Residents expressed overwhelming concerns regarding the location, size and design, but AT&T insisted that, if a different location or different sized monopole were used, residential service would not be provided. AT&T even "doubled down" and told the ATC and residents that a second AT&T tower proposed for the adjacent community of Agua Dulce was too far away and would thus be incapable of serving Shannon Valley residents. The ATC reviewed the data provided by AT&T and ultimately opposed the monopole in Shannon Valley; as a result, that facility was never constructed. However, the monopole in Agua Dulce was constructed, and when it became operational, it served the residents of both Agua Dulce and Shannon Valley; it continues to serve Shannon Valley residents to this day despite AT&T's claims that it would not be capable of such service. Based on our extensive experience in deconstructing insubstantial wireless provider claims that recommended alternatives and mitigation measures render wireless facility projects "technically infeasible" or result in the "prohibition of service"; the ATC stridently opposes

every aspect of the "loophole" that is created by Item "L" under Section 13 of the draft Ordinance. Our opposition is based on the certainty that Item "L" under Section 13 leaves communities like Acton very vulnerable to an uncountable number of wireless facilities that are constructed with no regard for aesthetics.

If you have any questions or require further clarification regarding the concerns expressed above, please do not hesitate to contact us at atc@actontowncouncil.org.

Sincerely,



Jeremiah Owen, President
The Acton Town Council

Alyson Stewart

From: Jacqueline Ayer <sortacton@gmail.com>
Sent: Wednesday, March 23, 2022 9:21 AM
To: DRP Ordinance Studies; DRP Public Comment; Jacqueline Ayer
Subject: SORT comments on Proposed Wireless Facility Ordinance now being heard by the Planning Commission today, March 23, 2022 (Agenda Item #5)

CAUTION: External Email. Proceed Responsibly.

To DRP;

The Commission Chair just announced an intent to limit speaker time to shorten the hearing on Agenda Item 5 (Wireless Facility Ordinance). If that happens, then the concerns I intend to present on behalf of Save Our Rural Town will not be heard. Accordingly, I am setting forth the statement that I had planned to make below; kindly accept it into the record for consideration before the Planning Commission acts.

Jacqueline Ayer

Statement on Behalf of SORT:

SORT understands that Small Cell Facilities will be permitted by right and only subject to a ministerial review, and that a "Small Cell Facility" is defined as a facility mounted on a structure up to 50 feet in height. This definition is troubling because it does not explicitly state that the structure must be existing, which means that this definition could be construed to mean that a "Small Cell Facility" includes both the structure up to 50 feet in height in addition to the facility itself. It is imperative that this definition be revised to state that "The facility is mounted on an existing structure up to 50 feet in height". If this is not clarified, then the CEQA Exemption that you are relying on to approve this ordinance will not withstand judicial review.

Section E.b of the Development standards states that wireless facilities shall be located in compliance with community standards districts, but then later it says that the maximum height of wireless facilities shall be 75 feet in rural and ag areas. There is a tension between these two conditions because many CSDs (including the Acton CSD) limit heights to 35 or 45 feet. This tension must be resolved by revising the development standards to clearly state that height restrictions in CSDs control, not height restrictions in this ordinance.

SORT is also troubled that the ordinance protects residents in residentially zoned areas by placing a 35 foot height limit on structures, but it does not provide equal protections for rural residents who, arguably, warrant equal protection because the viewsheds in rural areas typically consist of broad scenic vistas that are more susceptible to degradation by wireless facilities. Therefore, it is arbitrary and completely unwarranted to limit cell facility height in urban and suburban residential areas to only 35 feet when rural residential areas are forced to accept structure heights of 75 feet.

Alyson Stewart

From: Amy Huntington <amyatwk@gmail.com>
Sent: Wednesday, March 23, 2022 9:27 AM
To: DRP Ordinance Studies
Subject: Please PAUSE on the proposed Ordinance, amending Title 22

CAUTION: External Email. Proceed Responsibly.

Please PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code.

Why are we rolling out something proven to cause physical harm? What provision has been made for insurance for RF/EMF related harms? What consideration has been given to a bonding requirement, recognizing the hazards of RF/EMF radiation? What process is contemplated to coordinate with the Board of Health to report, investigate, and arrange for compensation of the thousands of victims of RF/EMF radiation exposure over the coming years?

Sincerely,
Amy

Re: March 23 Los Angeles County Planning Board Proposed Changes to County Code Title 22:

I oppose Title 22 Draft Wireless Ordinance as written and urge you to delay approving the ordinance until the problems mentioned below as well in all the other public comments can be addressed and the public's voices can be heard.

For over 30 years you had a well-established and balanced Conditional Use Permit system which included advance public notification and public hearings. I am very much opposed to your "ministerial" process where the County rubber stamps approvals, thereby stripping away our Constitutional property rights, and exposing a large segment of Los Angeles County to Radiofrequency and Electromagnetic Radiation (RF/EMF). In so doing, you are also violating numerous federal, state, and local laws. It is the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution that guarantees that the public has a right to a proper hearing and due process. What legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings? This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles. Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. The 1996 Telecommunications Act contains no provision for local communities to allow telecom purveyors to convert easements to property rights without just compensation to private property owners. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of Children's Health Defense v. FCC.

This decision is premature. Key points (critical points) have not been addressed. Ministerial Site Reviews for small cell and macro cell antennas that can have serious health/legal ramifications for you and the public need to be taken seriously. Other communities like Malibu and Encinitas came up with Ordinances that can help guide this process in a way where best practices are being addressed.

The justification for this rush to this Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. This action will dramatically accelerate the densification of small cell and macro cell facilities in the County. You would expose our most vulnerable populations—children, disabled persons, pregnant women, fetuses, the elderly, minorities, and economically-disadvantaged populations—to unchecked, unmonitored, continuous, and cumulative Radio Frequency/ElectroMagnetic Field (RF/EMF) Radiation with no compensation or insurance available at all for the victims. The risks are so great no reputable insurance company in the world today will offer RF/EMF radiation damage coverage.

You would also eliminate the basic right of self-defense and safeguards under the 2nd Amendment to the U.S. Constitution of people, home, property, and security of families. (The U.S. Supreme Court has noted that “the need for defense of self, family, and property is most acute” in the home.)

Another issue is Fire Hazards. We already have experienced big fires that got started by lightning, smart meters, faulty electrical setups, smart meters and now we want to add many small cell and macro cell facilities. Given the continuous drought, water shortages, the Santa Ana winds, etc. we need to seriously consider the possibility of fires being caused by this new technology. What special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific peer reviewed studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. Before approving a program that will impose pervasive and intensifying fire risks this needs to be addressed.

The following points need to be addressed urgently before you finalize the Title 22 Draft Ordinance:

Has there been any determination relating to the necessity of assessing the environmental impacts of this project through an EIS inter agency consultative

process under the California Environmental Quality Act (CEQA)? Has the BOS complied with its obligations under the federal National Environmental Policy Act (NEPA), including coordinating with other concerned federal agencies?

What special dangers do the proposed amendments pose the airports in Los Angeles County? How can the BOS reconcile the serious conflicts with current FAA regulations?

The proposed amendment stipulates that it must comply with existing federal laws, which include: the Historic Preservation Act, the Endangered Species Act, the Americans with Disabilities Act, the Fair Housing Amendments Act, to name a few. None of these federal statutes are preempted by the 1996 Telecommunications Act. They are entitled to coequal dignity and consideration. The BOS cannot override these federal statutes by some ministerial gimmick, simply because it doesn't want to take the time to devise a reasonable and balanced solution.

What provision has been made for insurance for RF/EMF related harms? What consideration has been given to a bonding requirement, recognizing the hazards of RF/EMF radiation? What process is contemplated to coordinate with the Board of Health to report, investigate, and arrange for compensation of the thousands of victims of RF/EMF radiation exposure over the coming years? What provision is being made to deploy best available community wide radiation monitoring devices and methodologies, recognized by the National Spectrum Management Association, so that the Los Angeles County Health Department will even know the levels of RF/EMF radiation to which County communities are being exposed?

Why does the BOS not take the time to study carefully existing best ordinance practices, such as being implemented in Malibu, Encinitas, and other local communities which include setbacks in residential areas and other protective features?

The Planning Department and BOS are advised to take a bold and innovative additional step by seriously considering providing incentives for a far superior broadband option: optical fiber to the premises (OFTP). Optical fiber broadband

will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide, while optimizing the beneficial uses of wireless and minimizing its hazards. OFTP is faster, safer, and private (Accelerating densification of small cell and macro towers raises serious unexamined questions regarding the encroachment on privacy protected under the CA Consumer Privacy Act. Many of these problems may be avoided under an OFTP framework), more cybersecure, lower latency, energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS. (See: Timothy Schoechle, Reinventing Wires: The Future of Landlines and Networks)

In conclusion, given that the present law and regulations pertaining to RF/EMF are in a state of flux, it would behoove us to remember that the last thing one should do in times of chaos is to plunge in more deeply. The precipitate haste by which Title 22 is being promoted provides a telltale clue to its overall character. The BOS needs to pause and postpone; to think things through clearly and responsibly, especially given the long-term consequences; where necessary to consult with independent, uncompromising experts; to engage the public; and to prevent and correct an imminent folly. Los Angeles County and its Board of Supervisors will never regret taking the time at this critical juncture to discover the path of reasonable balance.

I strongly OPPOSE the proposed changes to LA County Code Title 22; and strongly support due diligence, proper notification, and the Democratic tradition of public hearings.

Respectfully,

Annemarie Weibel
3-22-2022

Alyson Stewart

From: Brenda Trumar <btrumar777@gmail.com>
Sent: Wednesday, March 23, 2022 3:06 AM
To: DRP Ordinance Studies
Subject: Opposing Tittle 22 Draft Wireless Ordinance

CAUTION: External Email. Proceed Responsibly.

To Whom it May Concern:

Will I wake up one day to a macro cell tower being built 20 feet from my door? Will you??

The Proposed Changes to County Code Title 22 are in direct conflict with the law. They eliminate Due Process and our Democratic tradition of timely prior notification and public hearings (please reference the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution).

Contrary to what some may believe, the Telecommunications Act of 1996 does not give the FCC the authority to dismiss and violate the US Constitution or the California Constitution. The FCC is still subject to Federal Consitutional Law, and therefore applying a doctrine of preemption is against the law.

In light of this, it is also useful to remember that we do not need to hurry through this process. Indeed, it would serve all of us well to perform our due diligence in assessing all risks of densification of small cell, and macro cell antennas with a proper Environmental Impact Survey. We need the data on safety concerns, fire concerns, and any other possible risk that comes from this sort of densification. There is actually no real reason for the rush, other than perhaps profits for telecommunication companies.

Additionally, there ARE other, safer options to seriously consider: Optical fiber broadband (OFTP) will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide. OFTP is faster, safer, more private, more cybersecure, has lower latency, is energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS.

In short, I strongly OPPOSE the proposed changes to LA County Code Title 22; and I strongly support due diligence, proper notification, and the Democratic tradition of public hearings.

Respectfully,

Brenda Martinez
Chair of Transportation & Env. Committee
Area 4 Representative, Board member
Planning and Land Use Committee
Homeless Liaison
Public Works Liaison
Boyle Heights Neighborhood Council



Boyle Heights
Neighborhood Council

Brenda.bhnc@gmail.com | 424.261.2430
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Los Angeles, CA 90033
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Alyson Stewart

From: Carmel Boss <carmelsboss@gmail.com>
Sent: Tuesday, March 22, 2022 6:05 PM
To: DRP Ordinance Studies
Subject: RPC Public Hearing Draft Ordinance re 5G Roll-Out without Sufficient Notice and/or Public Input

CAUTION: External Email. Proceed Responsibly.

I understand that the above-referenced Los Angeles County Regional Planning actions scheduled to take place tomorrow morning March 23, 2022, will dramatically accelerate the densification of small cell facilities in L. A. County; that there is to be no advance public notification and no public hearings, which in itself seems outrageous and outside the bounds of authority given to any democratically run government agency bound by duty to operate within the bounds of long-established rules and regulations.

I have been lead to understand that the “long-established” open and public process for issuing conditional use permits for such facilities will be replaced with a non-public "ministerial" process where the County rubber-stamps approvals, stripping away We the People’s Constitutional property rights, and exposing a large segment of Los Angeles County to Radiofrequency and Electromagnetic Radiation (RF/EMF) and, in so doing, this Agency is attempting to violate numerous federal, state, and local laws.

Bureaucrats can get away with these kinds of activities in China and Russia certainly, but this type of action is totally unacceptable in the state of California or the country currently known as America.

I suppose you could get some support attempting to claim a National Emergency of some kind, it’s worked before; and I of course wish you no luck whatsoever in such an endeavor. America will not for long be the America most of us still think, hope and pray we are, as long as these kinds of politically motivated, illegal and dangerous actions continue to be promoted and foisted upon the American people.

I mean, really folks, just do what best serves the public and follow the rules put in place to inform and protect us. Do that much at least, please!

Best,
Carmel Boss
323-356-8364
Santa Monica, CA

Alyson Stewart

From: Christina Ku <cncku7@gmail.com>
Sent: Wednesday, March 23, 2022 9:16 AM
To: DRP Ordinance Studies
Subject: 5G

CAUTION: External Email. Proceed Responsibly.

The negative health effects of 5G is so bad that firemen that serve our communities have obtained the exemption from having 5G towers built near them!!!!!!

This fact speaks for the technology harms!!!

Do not let big telecommunication corps make profit off of making people deathly sick.

Thank you
Chris Ku
Los Angeles

Sent from my iPhone

Alyson Stewart

From: Cindy Koch <ck55@verizon.net>
Sent: Tuesday, March 22, 2022 4:13 PM
To: DRP Ordinance Studies
Subject: 5G kills!! Stop the cell towers.

CAUTION: External Email. Proceed Responsibly.

Hello decision makers,

Am going to be frank w/you! I have no expectations or hope that you will do the right thing and stop the insanity of 5G towers. The world is owned by corporations now and it's profits over people. It's pathetic!

People that have the power (you, in this case) don't even seem to care about their own families futures. Every living thing will be affected by cell towers! EVERYTHING! The only studies that have been done on these have been done by the makers. No independent studies have been done saying these are safe. Hope you are aware of this.

Please, please, please...be different than the psychopaths running/ruining this world and make the right decision and stop these cell towers before it's too late! Listen to the airlines that canceled flights over 5G messing w/their instruments. There's no turning back once 5G is let loose on us and your families!!

Thanks for your time.

Cindy Koch
Long Beach

"When injustice becomes law, resistance becomes duty" ~ Thomas Jefferson

From: Courtney Gilardi <courtneygilardi@yahoo.com>
Sent: Wednesday, March 23, 2022 6:57 PM
To: DRP Public Comment <comment@planning.lacounty.gov>
Subject: Support for small cell setbacks

CAUTION: External Email. Proceed Responsibly.

Dear LA County planners,

I wanted to take the time this evening to write on behalf of those in LA County. Thank you for hearing my comments and entering into the record.

Please take action to address health and safety of everyone in regards to your small cell policy. Cell tower setbacks protect everyone equally. If there were cell tower setbacks, my children, my neighbors and myself would not have become sick with an environmentally induced illness that today- you have the power to prevent.

Children are more susceptible to wireless radiation because our skulls are thinner, our bodies are still growing. **Doctors have shown our brains and vital organs absorb up to 10x as much radiation as an adult does, putting us at higher risk for long term damage, oxidative stress, neurological and reproductive harm.**

We ask that you, the people planning small smalls in California look to what other states have done. The work that the NH Wireless Commission undertook has already established a review of the scientific literature **concluding** that wireless microwave radiation is bioactive and can cause adverse biological health effects.

Now that each of you have been made aware on the record that the findings of the NH Commission report states- "There is clear evidence of biological effects from radio frequency radiation exposure such as that from wireless devices and infrastructure (antennas) - **the work today is to decide to protect your residents by implementing the setbacks that are before you.**

The text of New Hampshire HB 1644 goes on to state that -The World Health Organization, International Agency for Research on Cancer categorized wireless emissions >P'> @I>PP'Z% @>@KLDDBK'K'ZX YY'>CBO' CBSBT KD QEB 'P@BK@B'T LOIAT IAB 'K'ZX Y' -QEB 'S KIBQA 'S Q>BP'IL >QLK>I',KPKQRQB 'LC' B>IE P'IL >QLK>I' 7LUI@L LDV'3 CLDO>J @LJ MIBQA QEB 'S>DBPQPRAV'LC'QP'HKAL'CL@RPBA 'LK'QEB'NRBPQLK'LC' T EBQEBO''T KB BPP@BIR>OU @OLT >SB 'O>AEQLK 'P'@>M>? B 'L'CKAR@KD 'SASBOPB 'EB>IE 'BCB@Q''>Q' MLT BOLRQMRQ'BSBIP'ILT BOE>K'QE>QT EEE 'T LRIA 'EB>Q'PPRB .T EEE 'P'BPMB@B'IV'EU MLOQ>KQ?'B@>RPB " LRO@ROBKQ') & & "J @OLT >SB 'O>AEQLK 'BDR>QLKP 'LKI'MQLQ@Q'>D>KPOQEBOJ >IBUMLPROBP'7EE' { [X " J EHLK 'P@BKQ'@-MBBO'CBSBT BA 'PRAV'LRKA @B>OBSIABK@B'LC'@>@KLDDBK'@KV'>KA " 1 \$ 'A>J >DB'K" >KEJ >IP'COLJ "T KB BPP'@>AEQLK†.

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[House Science, Technology, and Energy](#)

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,C',T'>P'MOLS'FABD'SBO>I'QB'P'Q'J'LKV-I,T'L'RIA'Q'BI'VLR'QE>QU'V'@E'FA'CBK'>KA'>AB'PM'Q'J'
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3 B > PB 'BKQBO' Q' E' B' P' B 'IKHP' 'L' C' B' P' Q' E' J' L' K' E' B' P' ? B I L T 'K' Q' L' 'V' L' R' O' 'B' D > I' C' B' @ L' C' A '† + B' O' B' P' 'L' K' B' " ARK D the Pittsfield Board of Health about what it was like for us to live next to the cell tower and be sick everyday;

[13 year old testifies on health effects from cell tower to Pittsfield, MA Board of Health](#)

This next video comes with a trigger warning. As my daughter was harmed by wireless radiation, other kids from around the world have reached out to her. There was one girl who she didn't know, but her story was published and shared with us. Jenny Fry was Amelia's age, 13 years old, when she became sick due to wireless radiation. Her mother and doctors advocated for two years for protections for her, but nothing was ever implemented. When the physical pain of EHS became too great, and the emotional pain of being ignored became too great, she died at 15 years old, by ~~wyng~~mi by hanging.

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If you can hear this city council testimony, **it speaks directly to why setbacks need to be implemented and why already ~~zyprive~~fi children need to be protected.**

[Amelia's open comments about the cell tower, mental health & being ignored when you reach out for help.](#)

I urge you to implement cell tower setbacks today. **Please, do not delay, do not wait to take this action.**

We were sick for 546 days before our Board of Health helped us by voting to issue a cease and desist for the 877 South Street Pittsfield cell tower. All this suffering could have been avoided. An environmental illness diagnosis could have been completely avoided. People getting sick and having to move away, sleep in cars and find shelter elsewhere could have been completely avoided.

17 + people who have been sick, harmed and displaced by wireless radiation. And our story is not unique.

But today, you can prevent this by keeping macro and micro cells out of residential and vulnerable areas.

California protects its residents. California values health and safety. This should be no different. No amount of industry pressure or reassurance should force you to risk the health of your residents.

[Dr. Sharon Goldberg Testifies at Michigan's 5G Small Cell Tower Legislation Hearing October 4, 2018](#)

The time is always right to do what is right- and that time is now. Now is the time to do what is right to protect your residents from wireless harm.

If you would like to see any of the science or the peer reviewed journals or even speak to our medical doctors, please let us know and we are happy to connect you with world renowned experts in the field of wireless harm.

Please, listen to the voices of those harmed, the doctors who have to try to help treat these injuries and not the industry lobbyists or representatives who simply tell you that people harmed by cell towers do not exist. We do, and we are the evidence of harm.

With gratitude,

Courtney Gilardi on behalf of Pittsfield Injured & Concerned Citizens.

17 Alma Street

Pittsfield, MA 01201

413 418 6925

[Neighborhood residents say Pittsfield cell tower causing health concerns](#)

[Pittsfield cell tower could cause harmful health effects, experts say](#)

<http://www.facebook.com/pittsfieldcell>

https://www.berkshireeagle.com/news/central_berkshires/cease-and-desist-pittsfield-board-of-health-gives-verizon-ultimatum-over-cell-tower/article_ae03b92c-845f-11ec-87d2-cb79809c6f43.html

Los Angeles County Regional Planning Commission

3/23/22 Meeting; 9:00AM

Dick Hogue's comments on the proposed ordinance amending Title 22 of the Los Angeles Planning and Zoning Code

Good morning. My name is Dick Hogue and I reside in Granada Hills. I am an actuarial consultant speaking on behalf of concerned residents of my neighborhood.

I am very surprised and most disappointed that the Department of Regional Planning seems to have learned nothing from the last two years. The government has trampled on the rights of Americans in so many ways but for this morning, I am going to focus on the rights of parents to control the environment in which their children live.

Parents have been treated very unfairly by school boards.

The way the Department of Regional Planning has gone about drafting the ordinance to amend Title 22 of the Los Angeles Planning and Zoning Code is equally unfair to parents living in Los Angeles County as the proposed ordinance was drafted with very limited input from the community. Ad hoc comments from the community are not good enough. What is needed is a working committee of all stakeholders not just representatives of the telecom industry.

The fact that this ordinance was drafted by a law firm with strong ties to the telecom industry shows that the Department of Regional Planning cares more about the interests of the telecom industry than the interests of parents living in LA County. This is highly unfair to not only the parents but also their children.

I would suggest two things:

1. that the Planning Commission reject this draft ordinance and
2. that a working group be formed that involves all the stakeholders of LA County and not just representations of the telecom industry. It is my understanding that this was a very specific request of the Board of Supervisors when they assigned to the Department of Regional Planning the task of drafting an ordinance roughly two years ago. Getting the input of parents is so important as there is a mountain of evidence that their children's wellbeing may very well be adversely affected by this new technology.

I would very much like to participate on such a working group. Thank you.

Alyson Stewart

From: Emily King Quon <emkking@gmail.com>
Sent: Tuesday, March 22, 2022 9:32 PM
To: DRP Ordinance Studies
Subject: LA County Code Title 22

CAUTION: External Email. Proceed Responsibly.

To Whom it May Concern:

Will I wake up one day to a macro cell tower being built 20 feet from my door? Will all of us?

The Proposed Changes to County Code Title 22 are in direct conflict with the law. They eliminate Due Process and our Democratic tradition of timely prior notification and public hearings (please reference the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution).

Contrary to what some may believe, the Telecommunications Act of 1996 does not give the FCC the authority to dismiss and violate the US Constitution or the California Constitution. The FCC is still subject to Federal Constitutional Law, and therefore applying a doctrine of preemption is against the law.

In light of this, it is also useful to remember that we do not need to hurry through this process. Indeed, it would serve all of us well to perform our due diligence in assessing all risks of densification of small cell, and macro cell antennas with a proper Environmental Impact Survey. We need the data on safety concerns, fire concerns, and any other possible risk that comes from this sort of densification. There is actually no real reason for the rush, other than perhaps profits for telecommunication companies.

Additionally, there ARE other, safer options to seriously consider: Optical fiber broadband (OFTP) will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide. OFTP is faster, safer, more private, more cybersecure, has lower latency, is energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS.

In short, I strongly OPPOSE the proposed changes to LA County Code Title 22; and I strongly support due diligence, proper notification, and the Democratic tradition of public hearings.

Respectfully,
Emily Quon

Alyson Stewart

From: Harriet Levinson <hanna@truthpoint.net>
Sent: Tuesday, March 22, 2022 5:51 PM
To: DRP Ordinance Studies
Subject: RPC Public Hearing Draft Ordinance re 5G Roll-Out without Sufficient Notice and/or Public Input

CAUTION: External Email. Proceed Responsibly.

I understand that the above-referenced Los Angeles County Regional Planning actions scheduled to take place tomorrow morning March 23, 2022, will dramatically accelerate the densification of small cell facilities in L. A. County; that there is to be no advance public notification and no public hearings, which in itself seems outrageous and outside the bounds of authority given to any democratically run government agency bound by duty to operate within the bounds of long-established rules and regulations.

I have been lead to understand that the "long-established" open and public process for issuing conditional use permits for such facilities will be replaced with a non-public "ministerial" process where the County rubber-stamps approvals, stripping away We the People's Constitutional property rights, and exposing a large segment of Los Angeles County to Radiofrequency and Electromagnetic Radiation (RF/EMF) and, in so doing, this Agency is attempting to violate numerous federal, state, and local laws.

Bureaucrats can get away with these kinds of activities in China and Russia certainly, but this type of action is totally unacceptable in the state of California or the country currently known as America.

I suppose you could get some support attempting to claim a National Emergency of some kind, it's worked before; and I of course wish you no luck whatsoever in such an endeavor. America will not for long be the America most of us still think, hope and pray we are, as long as these kinds of politically motivated, illegal and dangerous actions continue to be promoted and foisted upon the American people.

I mean, really folks, just do what best serves the public and follow the rules put in place to inform and protect us. Do that much at least, please!

Yours truly,

Harriet A Levinson

Santa Monica, CA 90403

hanna@truthpoint.net; Cell: 310.562.1778

Alyson Stewart

From: Jarrod Quon <jarroddquon@gmail.com>
Sent: Wednesday, March 23, 2022 8:26 AM
To: DRP Ordinance Studies
Subject: I object to changes in Title 22!

CAUTION: External Email. Proceed Responsibly.

To Whom it May Concern:

Will I wake up one day to a macro cell tower being built 20 feet from my door? Will all of us?

The Proposed Changes to County Code Title 22 are in direct conflict with the law. They eliminate Due Process and our Democratic tradition of timely prior notification and public hearings (please reference the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution).

Contrary to what some may believe, the Telecommunications Act of 1996 does not give the FCC the authority to dismiss and violate the US Constitution or the California Constitution. The FCC is still subject to Federal Constitutional Law, and therefore applying a doctrine of preemption is against the law.

In light of this, it is also useful to remember that we do not need to hurry through this process. Indeed, it would serve all of us well to perform our due diligence in assessing all risks of densification of small cell, and macro cell antennas with a proper Environmental Impact Survey. We need the data on safety concerns, fire concerns, and any other possible risk that comes from this sort of densification. There is actually no real reason for the rush, other than perhaps profits for telecommunication companies.

Additionally, there ARE other, safer options to seriously consider: Optical fiber broadband (OFTP) will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide. OFTP is faster, safer, more private, more cybersecure, has lower latency, is energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS.

In short, I strongly OPPOSE the proposed changes to LA County Code Title 22; and I strongly support due diligence, proper notification, and the Democratic tradition of public hearings.

Best,

Jarrodd

Alyson Stewart

From: DRP Public Comment
Sent: Thursday, March 24, 2022 7:13 AM
To: Alyson Stewart
Subject: FW: Project No. 2021-002931-(1-5) / Advance Planning Case No. RPPL2021007939 / Wireless Facility Ordinance

FYI

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

From: DRP Info <info@planning.lacounty.gov>
Sent: Wednesday, March 23, 2022 5:33 PM
To: DRP Public Comment <comment@planning.lacounty.gov>
Subject: FW: Project No. 2021-002931-(1-5) / Advance Planning Case No. RPPL2021007939 / Wireless Facility Ordinance

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

From: Jess Isles <jessicaisles@yahoo.co.uk>
Sent: Tuesday, March 22, 2022 7:26 PM
To: DRP Info <info@planning.lacounty.gov>
Subject: Project No. 2021-002931-(1-5) / Advance Planning Case No. RPPL2021007939 / Wireless Facility Ordinance

CAUTION: External Email. Proceed Responsibly.

To: Los Angeles the County Department of Regional Planning & Los Angeles County Board of Supervisors

Item 5: Project No. 2021-002931-(1-5) / Advance Planning Case No. RPPL2021007939 / Wireless Facility Ordinance Dear Los Angeles County Department of Regional Planning & Los Angeles County Board of Supervisors:

In Malibu, a city that has burned twice in the last 15 years because of telecommunications structural and/or electrical engineering failures, we brought in a team comprised of an attorney, an electrical engineer, and a fire safety consultant. Together they discovered something you need to know about for the fire protection of Los Angeles County, of which Malibu and the surrounding cities are a part. The telecommunications industry is exempt from multiple electric and fire safety codes at the federal, state and Los Angeles County level. Therefore, Malibu accepted the responsibility for requiring electrical and structural engineering rigor at the front end (the application stage) for all cell towers, macro and small cells. We are asking our counterparts in LA County to do the same. With the help of our expert team we came up with what is known as the Electric Fire Safety Protocol and we urge you to utilize the same language that was created for Malibu. That protocol is included in an alternate ordinance that is being offered to Los Angeles County by attorney Julian Gresser. We further urge you to include this protocol along with the following: ☐ Notice and hearing required for all but eligible facilities and backup generators for towers ☐ Need better and fuller application content requirements, even if wrongly treat as ministerial ☐ Must ensure all safety precautions have been made, including fire and

electrical hazards, before permit is granted. ☐ Ensure all required environmental reviews have been conducted and any necessary other permits have been obtained before land use authorization is considered or at least granted ☐ Ensure all required historical reviews have been conducted and any necessary other permits have been obtained before land use authorization is considered or at least granted ☐ Need at least 1500-foot setback from all residential areas and schools; allow your residents and schoolchildren time to escape should a cell tower catch fire, requiring the power to be cut before it can be fought ☐ Ensure proper fall zones (at least 1.20 times the height of any tower) Most cities do not realize that telecom is policing itself when it comes to fire safety. Also, most people don't realize that cell towers can catch fire and when they do, because they are electrical devices, they cannot be fought through conventional means. The power has to be cut and that takes between 10 and 60 minutes. During that time, imagine if there is a Santa Ana wind. People need time to escape and that is why we are attempting to further protect our residential areas in Malibu. We urge the Los Angeles County Planning commission and Board of Supervisors to do the same. NEC, the National Electric Code, is the basis for other electric codes in the state of California. Every County and City is quick to say that they adhere to all applicable electric and fire safety codes. And this is certainly a noble goal. The problem is when there is an exemption within those codes that most often the cities and counties don't know about it. For all intents and purposes telecom is policing telecom and there is no state in this country where fire is a bigger risk and a bigger threat than in California. So please Institute of electrical and structural safety through the Electric Fire Safety protocol so that we can make Los Angeles County a less destructive place to call home. The argument is being made that the small cell buildout is needed so everyone can call 911. The CPUC's redundancy program requires mandatory backup for macro towers. That means when the power is cut the macro towers will still operate. Many of the small cells will get waivers because it is extremely difficult and dangerous to put backup generators with fuel in the public right-of-way. Small cells are not a means to secure communication. The CPUC has already taken care of that with the macro towers. Here's to a safer Los Angeles County!

Many thanks
Jessica Isles

Alyson Stewart

From: Joe Faris <drschwa@gmail.com>
Sent: Wednesday, March 23, 2022 9:00 AM
To: DRP Ordinance Studies
Subject: Wireless Facility Ordinance

CAUTION: External Email. Proceed Responsibly.

The Proposed Changes to County Code Title 22 are in direct conflict with the law. They eliminate Due Process and our Democratic tradition of timely prior notification and public hearings (please reference the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution).

Contrary to what some may believe, the Telecommunications Act of 1996 does not give the FCC the authority to dismiss and violate the US Constitution or the California Constitution. The FCC is still subject to Federal Constitutional Law, and therefore applying a doctrine of preemption is against the law.

In light of this, it is also useful to remember that we do not need to hurry through this process. Indeed, it would serve all of us well to perform our due diligence in assessing all risks of densification of small cell, and macro cell antennas with a proper Environmental Impact Survey. We need the data on safety concerns, fire concerns, and any other possible risk that comes from this sort of densification. There is actually no real reason for the rush, other than perhaps profits for telecommunication companies.

Additionally, there ARE other, safer options to seriously consider: Optical fiber broadband will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide. Optical fiber broadband is faster, safer, more private, more cybersecure, has lower latency, is energy efficient, and climate change friendly. Optical fiber broadband must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS.

In short, I strongly OPPOSE the proposed changes to LA County Code Title 22; and I strongly support due diligence, proper notification, and the Democratic tradition of public hearings.

-- Respectfully, Joe Faris

Alyson Stewart

From: Judith Sherman <judisher@gmail.com>
Sent: Wednesday, March 23, 2022 12:40 PM
To: DRP Ordinance Studies
Subject: Need to pause on small cell ordinances

CAUTION: External Email. Proceed Responsibly.

I oppose Title 22 Draft Wireless Ordinance as written and urge you to delay approving the ordinance until these problems can be addressed and our voices can be heard. By ignoring this request, it would be a total irresponsible action by the County BOS.

[The following points need to be addressed urgently before finalizing the Title 22 Draft Ordinance:](#)

- The scheduling of the proposed public hearing on March 23 of the Planning Commission, whose recommendations the Board of Supervisors (BOS) will give heavy weight, is way too hasty. In fact, impulsive action and a failure to set a proper legal, scientific, and environmental foundation for consideration of Title 22 are the hallmark of this ill-conceived Ordinance.
- In a nutshell, the Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles. The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings, which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.
- It seems the BOS doesn't have legal authority to bypass and strip away due process protections of prior notification and public hearings. Nowhere in the 1996 Telecommunications Act is the authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process.
- The 1996 Telecommunications Act contains no provision for local communities to allow telecom purveyors to convert easements to property rights without just compensation to private property owners.
- Has there been any determination, affirmative or negative, relating to the necessity of assessing the environmental impacts of this project through an EIS interagency consultative process under the California Environmental Quality Act (CEQA)? Has the BOS complied with its obligations under the federal National Environmental Policy Act (NEPA), including coordinating

with other concerned federal agencies, recognizing that there is substantial federal involvement in Los Angeles County? (socalled NEPA “federal handle.”)

- Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County’s authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

- The contention that small cell and macro tower densification is essential for emergency response is bogus. As is well documented by the Resolution of 2 E.g. see “Influence of microwave frequency electromagnetic radiation on terpene emission and content in aromatic plants” 4 the International Association of Fire Fighters, there are far safer well-established alternatives to addressing major fire hazards than by amplifying them.

- What special dangers do the proposed amendments pose for airports in Los Angeles County? How can the BOS reconcile the serious conflicts with current FAA regulations?

- The proposed amendment stipulates that it must comply with existing federal laws, which include: the Historic Preservation Act, the Endangered Species Act, the Americans with Disabilities Act, the Fair Housing Amendments Act, to name a few. None of these federal statutes are preempted by the 1996 Telecommunications Act. They are entitled to coequal dignity and consideration. The BOS cannot override these federal statutes by some ministerial gimmick, simply because it doesn’t want to take the time to devise a reasonable and balanced solution.

- What provision has been made for insurance for RF/EMF related harms? What consideration has been given to a bonding requirement, recognizing the hazards of RF/EMF radiation? What process is contemplated to coordinate with the Board of Health to report, investigate, and arrange for compensation of the thousands of victims of RF/EMF radiation exposure over the coming years? What provision is being made to deploy best available community wide radiation monitoring devices and methodologies, recognized by the National Spectrum Management Association, so that the Los Angeles County Health Department will even know the levels of RF/EMF radiation to which County communities are being exposed?

- Why does the BOS not take the time to carefully study existing best ordinance practices, such as being implemented in Scarsdale, Malibu, Encinitas, and other local communities which include setbacks in residential areas and other protective features?

- The Planning Department and BOS are advised to take a bold and innovative additional step: that is, to consider providing incentives for a far superior broadband option: optical fiber to the premises (OFTP). Optical fiber broadband will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide, while optimizing the beneficial uses of wireless and minimizing its hazards. OFTP is faster, safer, private (Accelerating densification of small cell and macro towers raises serious unexamined questions regarding the encroachment on privacy protected under the CA Consumer Privacy Act. Many of these problems may be avoided under an OFTP framework.), more cybersecure, lower latency, energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS’

forthcoming NEPA/CEQA EIS. (See: Timothy Schoechle, Reinventing Wires: The Future of Landlines and Networks)

In conclusion, given that the present law and regulations pertaining to RF/EMF are in a state of flux, it would behoove us to remember that the last thing one should do in times of chaos is to plunge in more deeply. The precipitate haste by which Title 22 is being promoted provides a telltale clue to its overall character. The BOS needs to pause and postpone; to think things through clearly and responsibly, especially given the long-term consequences; where necessary to consult with independent, uncompromised experts; to engage the public; and to prevent and correct an imminent folly. Los Angeles County and its Board of Supervisors will never regret taking the time at this critical juncture to discover the path of reasonable balance.

Thank you,

Judith Sherman

Culver City

Holly Mitchell, I voted for you and am counting on you to do the right thing!!!!

Alyson Stewart

From: DRP Public Comment
Sent: Thursday, March 24, 2022 7:14 AM
To: Alyson Stewart
Subject: FW: Los Angeles the County Department of Regional Planning & Los Angeles County Board of Supervisors

FYI

From: DRP Info <info@planning.lacounty.gov>
Sent: Wednesday, March 23, 2022 5:33 PM
To: DRP Public Comment <comment@planning.lacounty.gov>
Subject: FW: Los Angeles the County Department of Regional Planning & Los Angeles County Board of Supervisors

From: Kari <karikaos@gmail.com>
Sent: Tuesday, March 22, 2022 11:34 PM
To: Elida Luna <ELuna@planning.lacounty.gov>
Subject: Los Angeles the County Department of Regional Planning & Los Angeles County Board of Supervisors

CAUTION: External Email. Proceed Responsibly.

I am frightened of waking up one day to a powerful cell tower being built in the vicinity of my safe home.

Item 5: Project No. 2021-002931-002031-1-5) / Advance Planning Case No. RPPL2021007939 / WIRELESS FACILITY ORDINANCE ITEM

The proposed changes of County Code Title 22 are in conflict with our laws and is eliminating due process and democratic policy. There needs to be more advance notice for a policy change and also a public hearing for more information. (please reference the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution).

The Telecommunications Act of 1996 doesn't give the FCC authority to pretend the US Constitution or the California Constitution don't exist. The FCC is still subject to Federal Constitutional Law & adopting a doctrine of preemption is against the law.

I feel like they're trying to rush this thru without any concerns for safety or a proper environmental impact survey. It would serve all of us well to assess all the risks of densification of small cell, and macro cell antennas with these surveys. There are also fire concerns. The only reason I can see for the haste in this matter is to line the telecommunications companies pockets.

There are other safer options to consider such as Optical fiber broadband (OFTP) will accomplish the infrastructural goals and can bridge the Digital Divide. OFTP is faster, safer, private, cybersecure, has lower latency, is energy efficient, and climate change friendly. OFTP would be a much better choice in the BOS' forthcoming NEPA/CEQA EIS.

To summarize, I'm very AGAINST the proposed changes to the LA COUNTY CODE TITLE 22, though I do support due diligence, proper advance notifications and public hearings.

On a personal note. I was exposed to a brand new 5G tower while on vacation in another city the day it was installed, and I became quite ill. I had to cut my stay short and return to my safe home. My home that I would like to keep safe.

Sincerely,

Kari French

Alyson Stewart

From: kgildred@aol.com
Sent: Tuesday, March 22, 2022 3:55 PM
To: Elida Luna; DRP Ordinance Studies; DRP Info; firstdistrict@bos.lacounty.gov; HollyJMitchell@bos.lacounty.gov; FourthDistrict@bos.lacounty.gov; Barger, Kathryn
Subject: Why I support a delay in considering Title 22 Draft Ordinance

CAUTION: External Email. Proceed Responsibly.

To the Los Angeles County Planning Department and Board of Supervisors:

Before finalizing the Title 22 Draft Ordinance, there should be a second hearing, or it should be delayed before it goes before the Board of Supervisors.

Here are my reasons:

The Draft Ordinance would eliminate due process protections for the Los Angeles County community of prior notification and an opportunity to be heard in public hearings for the installation of small cell and macro cell antennas on private property, replacing 30 years of the Conditional Use Permit system with an accelerated Ministerial Site Review. This is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

- The 1996 Telecommunications Act contains no provision for local communities to allow telecom purveyors to convert easements to property rights without just compensation to private property owners.
- Has there been an assessment of the environmental impacts of this project through an EIS under the California Environmental Quality Act (CEQA)? Has the BOS complied with its obligations under the federal National Environmental Policy Act (NEPA), including coordinating with other concerned federal agencies, recognizing that there is substantial federal involvement in Los Angeles County?
- Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers, which is highly flammable. With the great fire danger in Los Angeles County, the Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. Los Angeles County has an absolute right and responsibility to take reasonable protections for fire protection and management.
- This technology is harmful, as proven in the over 10,000 peer reviewed scientific studies and the recent win in the FCC lawsuit on the FCC's failure to update their standards and exposure levels in 26 years. The Judge's decision said that the FCC was "arbitrary and capricious" in ignoring the clear evidence of harm, particularly to children. What process is contemplated to coordinate with the Board of Health to report, investigate, and arrange for compensation of the thousands of victims of RF/EMF radiation exposure over the coming years?
- What special dangers do the proposed amendments pose for airports in Los Angeles County? How can the BOS reconcile the serious conflicts with current FAA regulations?
- Why does the BOS not take the time to study existing best ordinance practices, such as being implemented in Malibu, Encinitas, Scarsdale, and other local communities which include setbacks in residential areas and other protective features?
- The Planning Department and BOS are advised to seriously consider providing incentives for optical fiber to the premises (OFTP). OFTP is faster, safer, private, more cybersecure, lower latency, energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS.

Given the long-term consequences of this Ordinance, the BOS needs to pause and postpone, to think this through clearly and responsibly, and where necessary, consult with independent, uncompromised experts, and to engage the public. This

Ordinance will have lasting effects on the health of our residents and our environment, and caution is advised before moving forward.

Thank you,
Kathleen Gildred

Alyson Stewart

From: KM <kellymarcotulli@gmail.com>
Sent: Wednesday, March 23, 2022 8:30 AM
To: DRP Ordinance Studies
Subject: Human Rights not Corporate Takeover

CAUTION: External Email. Proceed Responsibly.

To: Los Angeles County Board of Supervisors

Please, look hard at the 1000s of scientific documents that prove that wireless technology is harmful to humans and the planet. Do not usurp citizens' constitutional rights to have a safe and secure environment. Can you prove that wireless technology is harmless? No, you can't. I ask the Board, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of *Children's Health Defense v. FCC*.

My name is Kelly Marcotulli and I suffer from electro-sensitivity. This means that if I am in a highly pulsed environment, I will suffer headaches, severe tinnitus, heart palpitations, and anxiety. I have strong anecdotal evidence in that my symptoms increase greatly if I spend even a short (1/2 hour) time in a building that has wi-fi, in the neighborhood of a cell tower, or if I am surrounded by people on their cell phones. Just yesterday, I had to go to Best Buy and Costco. When I returned home, my brain was ringing and I felt disoriented. I had a headache and my heart was pounding. In my own home where I have an authentic land line, and an ethernet cable that connects my computer, I do not feel these symptoms as intensely as when I am in commercial settings. In my bedroom, I painted my walls with a special paint that blocks frequencies from entering the room. We also turn off the breaker in our room, again, to create an atmosphere of calm. No cell phones, no tablets, no wireless all contribute to making my home a safe place with limited electromagnetic frequencies. If I cannot enter the general public setting without feeling these debilitating health effects, then I am disabled and should be accommodated. The FDA and the FCC must evaluate the current science that electromagnetic frequencies are harming humans, flora and fauna. They must apply greater controls and regulations on the Telecom industry. Lobbyists pushing for more (5G), RF radiation, don't care about me, nor the other biological beings suffering from their technology. They only care about profits. Please look at the realities of the harm, not the industries profiting from the public's addiction to wireless.

Your responsibility is to the people, not the corporations funneling money in to your campaign coffers. Stop the deceit, and do the right thing for the people.

Kelly Marcotulli

Alyson Stewart

From: contact thepeoplesinitiative.org <contact@thepeoplesinitiative.org>
Sent: Tuesday, March 22, 2022 1:11 PM
To: DRP Ordinance Studies; Elida Luna; DRP Info; firstdistrict@bos.lacounty.gov; hollyjmitchell@bos.lacounty.gov; Sheila; katheryn@bos.lacounty.gov; fourthdistrict@bos.lacounty.gov
Subject: Please REJECT 5G Ordinances that Override Public Input and Rights to Health and Life...

CAUTION: External Email. Proceed Responsibly.

Dear BOS and Planning Committee;

My name is Liz Barris and I represent thousands of others in LA County who do NOT want 5G transmitters put up near their homes or in their neighborhoods. I am very ill today and have been for the past few days or I would have written sooner. My illness is from the newly upgraded 5G transmitter exposure. It leaves me with incredible migraine, loss of energy, vomiting, blood coming out of my kidneys, etc., etc. I am considered to be one of the "lucky ones" who can actually feel the radiation. There are very few of us, but of course ALL DNA is effected...yours too. You just probably will never connect the illness or death that this radiation causes you or your loved ones with what caused it - exposure to this kind of radiation causes that.

There are myriads of reasons to reject the proposed ordinances, besides adversely effecting health, they also strip the little rights citizens have for input as to where these dangerous transmitters are placed.

I was a party in a recent lawsuit against the FCC for failing to consider the science when regulating wireless radiation. We WON that lawsuit and the FCC has been ordered to re-visit their out of date guidelines, consider the science and come back with something that actually protects people and our environment. Here is a link to the results of that lawsuit...<https://thepeoplesinitiative.org/lawsuits/fcc-lawsuit-2020-rf-standards/>
Please do not allow for these 2 ordinances that undermine citizens right to healt and life and property rights. Please allow for more input from the community to get something more fair in place. I would be happy to be a consultant if you wish, as someone who represents those in the community who may not want a 5G transmitter on their front or back doorstep. I have studied at Bau Biology to become an electromagnetic radiation specialist and am familiar with the science.

With gratitude,

Liz Barris

310-455-7530

<https://thepeoplesinitiative.org/>

Alyson Stewart

From: Louis Cangemi <louisgem2@gmail.com>
Sent: Tuesday, March 22, 2022 1:30 PM
To: DRP Ordinance Studies
Subject: Proposed Changes to the County Code Title 22

CAUTION: External Email. Proceed Responsibly.

To Whom It May Concern:

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. **It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings,** which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of *Children's Health Defense v. FCC*.

Another main point: **Fire Hazards.** Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that

continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

We are asking that you put a PAUSE on this proposed ordinance and process.

Sincerely,
Louis Cangemi

Alyson Stewart

From: Marlon Paine <marlon.paine@gmail.com>
Sent: Wednesday, March 23, 2022 5:29 PM
To: DRP Ordinance Studies
Subject: PAUSE on the proposed Ordinance

CAUTION: External Email. Proceed Responsibly.

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. **It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings,** which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of *Children's Health Defense v. FCC*.

Another main point: **Fire Hazards.** Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

We are asking that you put a PAUSE on this proposed ordinance and process.

Sincerely,

Marlon

Alyson Stewart

From: Mary Guillermin <thefemininityproject@gmail.com>
Sent: Tuesday, March 22, 2022 10:00 PM
To: DRP Ordinance Studies
Subject: Comment for the LA County Draft Wireless Ordinances Hearing - Title 22

CAUTION: External Email. Proceed Responsibly.

To Whom it May Concern:

Will I wake up one day to a macro cell tower being built 20 feet from my door? Will you??

The Proposed Changes to County Code Title 22 are in direct conflict with the law. They eliminate Due Process and our Democratic tradition of timely prior notification and public hearings (please reference the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution).

Contrary to what some may believe, the Telecommunications Act of 1996 does not give the FCC the authority to dismiss and violate the US Constitution or the California Constitution. The FCC is still subject to Federal Constitutional Law, and therefore applying a doctrine of preemption is against the law.

In light of this, it is also useful to remember that we do not need to hurry through this process. Indeed, it would serve all of us well to perform our due diligence in assessing all risks of densification of small cell, and macro cell antennas with a proper Environmental Impact Survey. We need the data on safety concerns, fire concerns, and any other possible risk that comes from this sort of densification. There is actually no real reason for the rush, other than perhaps profits for telecommunication companies.

Additionally, there ARE other, safer options to seriously consider: Optical fiber broadband (OFTP) will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide. OFTP is faster, safer, more private, more cybersecure, has lower latency, is energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS' forthcoming NEPA/CEQA EIS.

In short, I strongly OPPOSE the proposed changes to LA County Code Title 22; and I strongly support due diligence, proper notification, and the Democratic tradition of public hearings.

Respectfully, Mary Guillermin (Mrs)

Mary Guillermin LMFT #52868
California Licensed Marriage & Family Therapist

Founder of The Femininity Project
Editor & Co-author of "John Guillermin: The Man, The Myth, The Movies"
Advocate for Mental Health Recovery & Co-President of LAGPA

(310) 422 7915

thefemininityproject.com

johnguillermin.com

lagpa.org

facebook.com/JohnGuillerminBook

facebook.com/Lesbian-and-Gay-Psychotherapy-Association

Alyson Stewart

From: melanie fisher <melanie.fisher@sbcglobal.net>
Sent: Tuesday, March 22, 2022 4:55 PM
To: DRP Ordinance Studies
Subject: Title 22 Draft Wireless Ordinance

CAUTION: External Email. Proceed Responsibly.

To Whom it May Concern:

My family and I oppose this Ordinance as written and urge you to delay approving it until our voices are heard and issues are addressed.

Otherwise, this is in direct conflict with the law.

Sincerely,

Melanie Fisher

Sent from my iPad

Alyson Stewart

From: z-info <info@mzwb.com>
Sent: Tuesday, March 22, 2022 10:47 PM
To: DRP Ordinance Studies
Subject: OPPOSE 5G wireless ordinances Titles 16 and 22

CAUTION: External Email. Proceed Responsibly.

Hello,

I am writing to express my opposition to both the proposed titles. I am a Los Angeles county voter and wish to express the reasons for my discontent with these bills.

The speed with which these bills are being shoved down Angelino's throats is unacceptable. The LA County BOS has been working fast and furiously for the past several years to pass legislation that only benefits governmental bodies, and does not reflect the voice of the living souls within the county boundaries. As with prior legislation, not enough time, consideration, or study has been done to convene this hearing.

I mention prior legislation that has been passed as these two titles bearing a striking commonality - REMOVING POWER OF LOCAL PEOPLE TO ADDRESS THEIR PUBLIC SERVANTS. This is unconstitutional, illegal, and at some point, the living souls of this county will hold their public servants accountable. It is only a matter of time. Justice comes in on donkey; never a Ferrari.

Specifically regarding Titles 16 and 22:

- This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

- The justification for the rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings, which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

CITE THE LEGAL AND CONSTITUTIONAL GROUNDS upon which the BOS CAN BYPASS and STRIP due process protections of prior notification and public hearings.

Don't be the person whose children will look back upon your political legacy with shame.

Melanie Wise

March 21, 2022

To: Planning, LA County.gov
Re: Wireless Facility Ordinances for Titles 16 & 22
of the LA County Code

From: Miriam Lindbeck, President, SafeTechSantaBarbaraCounty.org
(SafeTechSBC)

Dear Office of Regional Planning:

I live in Santa Barbara, but I travel to LA for business and family. I lived in Los Angeles for 14 years, loved it, and it is still critically important to me. Since it is close to Santa Barbara, what you do in LA impacts us here and all points in-between. Hence I write you regarding Titles 16 and 22.

After working diligently and collaboratively for over two years with the Santa Barbara City Council and staff, we, the public, known as SafeTechSBC, along with our outside legal counsel, the city leaders and staff, successfully drafted an excellent Small Wireless Facilities Ordinance which was ratified December, 2021.

In reading both Title 16 and Title 22, I do not find any Regulatory Ordinance language whatsoever. For example:

The use of CPUs;
no towers in residential areas, but if so:
none in front yards and a minimum of 500 foot setbacks, and at least 1500 feet apart;
protection of sensitive areas;
NEPA review on every SWF as required by the FCC;
protections of parks and playgrounds and schools;
protection of hospital zones, day care and elder care facilities;
fall zones;
fire hazard protections;
RF monitoring and signal strength testing twice a year on a random basis paid for by the carrier;
proof of a significant gap in service;
alternate locations;
minimal intrusion;

fiber optics to the premises, to name just the basics.

As compared to the regulatory list above, these two documents are not protective ordinances, they are mere and minimal instructions for the ease of use of your land for site builders and carriers. They address development standards and design of Wireless Communications Facilities, which allows the wireless industry to place, locate, operate and modify these wireless facilities, with no limitation in your PROW and ROW, to place them anywhere they want and in numbers they so desire.

Also, in either of these documents there is absolutely no application of the powers granted to local authorities by Congress via the TeleCommunications Act of 1936 (TCA) in the placement, operation and location of said wireless facilities. See “General Authority” in the TCA.

You may have been told by industry representatives that your “hands are tied” but neither the TCA nor the FCC states that, and indeed, Congress protected your authority precisely so your hands were NOT tied.

In addition, if you are in office to protect the public welfare, property values and the environment as a public servant, then these presented documents fail substantially and utterly. They are instead, an open green light to the wireless industry to serve their aims regardless of these network emissions being untested for safety; to fortify their private profit on your PROW and ROW; and to usher in at warp speed a technically driven society where AI, the IoT (the internet of things), surveillance, data downloads, data uploads and digitized human life will occupy your city for decades to come and all future generations

I urge you to take the time to draft a well thought out, well crafted protective wireless communications ordinance for the sake of the people, the environment, the quiet enjoyment of the street, and property values. What is currently presented is an “ordinance” that protects the industry, not your people and your county.

Miriam Lindbeck
President, SafeTechSBC.org

Alyson Stewart

From: Nancy Rae Stone <nancyraestone@gmail.com>
Sent: Tuesday, March 22, 2022 2:28 PM
To: DRP Ordinance Studies; Elida Luna; DRP Info; firstdistrict@bos.lacounty.gov; HollyJMitchell@bos.lacounty.gov; Sheila; FourthDistrict@bos.lacounty.gov; Barger, Kathryn
Subject: Re: March 23 Los Angeles County Planning Board Proposed Changes to County Code Title 22:

CAUTION: External Email. Proceed Responsibly.

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. **It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings,** which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of *Children's Health Defense v. FCC*.

Another main point: Fire Hazards. Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management,

which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

I am asking that you put a PAUSE on this proposed ordinance and process.

Sincerely,
Nancy Rae Stone
West Side South of Santa Monica HOA
(speaking as an individual and not for the organization)

Alyson Stewart

From: richardcchan@yahoo.com
Sent: Tuesday, March 22, 2022 3:44 PM
To: DRP Ordinance Studies
Subject: Title 22 Draft Ordinance

CAUTION: External Email. Proceed Responsibly.

I oppose Title 22 Draft Wireless Ordinance as written and urge you to delay approving the ordinance until these problems can be addressed and our voices can be heard.

The following points need to be addressed urgently before finalizing the Title 22 Draft Ordinance:

- The scheduling of the proposed public hearing on March 23 of the Planning Commission, whose recommendations the Board of Supervisors (BOS) will give heavy weight, is way too hasty. In fact, impulsive action and a failure to set a proper legal, scientific, and environmental foundation for consideration of Title 22 are the hallmark of this ill-conceived Ordinance.
- In a nutshell, the Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles. The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings, which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.
- It seems the BOS doesn't have legal authority to bypass and strip away due process protections of prior notification and public hearings. Nowhere in the 1996 Telecommunications Act is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process.
- The 1996 Telecommunications Act contains no provision for local communities to allow telecom purveyors to convert easements to property rights without just compensation to private property owners.
- Has there been any determination, affirmative or negative, relating to the necessity of assessing the environmental impacts of this project through an EIS interagency consultative process under the California Environmental Quality Act (CEQA)? Has the BOS complied with its obligations under the federal National Environmental Policy Act (NEPA), including coordinating with other concerned federal agencies, recognizing that there is substantial federal involvement in Los Angeles County? (socalled NEPA "federal handle.")
- Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies² document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire

Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

- The contention that small cell and macro tower densification is essential for emergency response is bogus. As is well documented by the Resolution of 2 E.g. see “Influence of microwave frequency electromagnetic radiation on terpene emission and content in aromatic plants” 4 the International Association of Fire Fighters, there are far safer well-established alternatives to addressing major fire hazards than by amplifying them.
- What special dangers do the proposed amendments pose for airports in Los Angeles County? How can the BOS reconcile the serious conflicts with current FAA regulations?
- The proposed amendment stipulates that it must comply with existing federal laws, which include: the Historic Preservation Act, the Endangered Species Act, the Americans with Disabilities Act, the Fair Housing Amendments Act, to name a few. None of these federal statutes are preempted by the 1996 Telecommunications Act. They are entitled to coequal dignity and consideration. The BOS cannot override these federal statutes by some ministerial gimmick, simply because it doesn’t want to take the time to devise a reasonable and balanced solution.
- What provision has been made for insurance for RF/EMF related harms? What consideration has been given to a bonding requirement, recognizing the hazards of RF/EMF radiation? What process is contemplated to coordinate with the Board of Health to report, investigate, and arrange for compensation of the thousands of victims of RF/EMF radiation exposure over the coming years? What provision is being made to deploy best available community wide radiation monitoring devices and methodologies, recognized by the National Spectrum Management Association, so that the Los Angeles County Health Department will even know the levels of RF/EMF radiation to which County communities are being exposed?
- Why does the BOS not take the time to study carefully existing best ordinance practices, such as being implemented in Scarsdale, Malibu, Encinitas, and other local communities which include setbacks in residential areas and other protective features?
- The Planning Department and BOS are advised to take a bold and innovative additional step: that is seriously to consider providing incentives for a far superior broadband option: optical fiber to the premises (OFTP). Optical fiber broadband will accomplish the infrastructural goals of the proposed Ordinance, including bridging the Digital Divide, while optimizing the beneficial uses of wireless and minimizing its hazards. OFTP is faster, safer, private (Accelerating densification of small cell and macro towers raises serious unexamined questions regarding the encroachment on privacy protected under the CA Consumer Privacy Act. Many of these problems may be avoided under an OFTP framework.), more cybersecure, lower latency, energy efficient, and climate change friendly. OFTP must be a serious option for consideration in the BOS’ forthcoming NEPA/CEQA EIS. (See: Timothy Schoechle, Reinventing Wires: The Future of Landlines and Networks)

In conclusion, given that the present law and regulations pertaining to RF/EMF are in a state of flux, it would behoove us to remember that the last thing one should do in times of chaos is to plunge in more deeply. The precipitate haste by which Title 22 is being promoted provides a telltale clue to its overall character. The BOS needs to whi pause and postpone; to think things through clearly and responsibly, especially given the long-term consequences; where necessary to consult with independent, uncompromised experts; to engage the public; and to prevent and correct an imminent folly. Los Angeles County and its Board of Supervisors will never regret taking the time at this critical juncture to discover the path of reasonable balance.

Thank you,
Richard Chan

Alyson Stewart

From: Rob Beemer <rob@beemer.tv>
Sent: Wednesday, March 23, 2022 2:46 PM
To: DRP Ordinance Studies; Elida Luna; DRP Info; Supervisor Hilda L. Solis; Supervisor Holly J. Mitchell; Sheila; Supervisor Janice Hahn; Barger, Kathryn
Subject: I OPPOSE amending Title 22 (and it violates the law)

CAUTION: External Email. Proceed Responsibly.

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings, which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of Children's Health Defense v. FCC.

Another main point: Fire Hazards. Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire

protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

I am asking that you put a PAUSE on this proposed ordinance and process, conduct fact-finding on alternatives and schedule/publicize public input hearings much further in advance to get an accurate indication of how LA County residents like myself feel about this issue and the range of solutions.

Sincerely,

Rob Beemer
Sherman Oaks, CA

Alyson Stewart

From: shanti Hendricks <shantihendricks@yahoo.com>
Sent: Tuesday, March 22, 2022 3:07 PM
To: DRP Ordinance Studies
Subject: Title 22

CAUTION: External Email. Proceed Responsibly.

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. **It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings,** which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of *Children's Health Defense v. FCC*.

Another main point: Fire Hazards. Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles




County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

We are asking that you put a PAUSE on this proposed ordinance and process.

Sincerely,
Shanti Hendricks

Shanti Hendricks
818-297-6956
ShantiHendricks@yahoo.com

Blessing and gratitude   

Alyson Stewart

From: sdietrich@earthlink.net
Sent: Tuesday, March 22, 2022 5:00 PM
To: DRP Ordinance Studies
Subject: March 23 Planning Commission Hearing for Title 16 and Title 22 Draft ordinances

CAUTION: External Email. Proceed Responsibly.

To Members of the Planning Commission and Board of Supervisors,

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings, which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of Children's Health Defense v. FCC.

Another main point: Fire Hazards. Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS.

There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

We are asking that you put a PAUSE on this proposed ordinance and process.

Sincerely,
Steven Dietrich, PE

Alyson Stewart

From: Susan A. <keleomana@gmail.com>
Sent: Wednesday, March 23, 2022 12:24 AM
To: DRP Ordinance Studies
Subject: Say no to 5G please!!

CAUTION: External Email. Proceed Responsibly.

From Susan A. in Calabasas. I am not an applicant.

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code.

I am horrified by 5G. It is crazy to put it up in this area with all the fire hazards already. And it is scientifically proven in peer-reviewed studies over and over again to be horrible for you:

There are now thousands of studies on the health and environmental hazards of various frequencies of electro-magnetic radiation, especially in the microwave and millimeter-wave frequency bands. The science is settled, and the science is clear: electro-magnetic microwave radiation at levels in common use causes all kinds of harm to people and all other life forms.

Reference to “the precautionary principle” needs to end now. Precaution is for when results or effects are unknown. Hazardous effects of EMR have been known for decades, and are now proven beyond doubt.

Browse through these lists of studies to find exactly what you’re searching for, or use the searchable databases linked here. On this page you will find:

Curated Lists of Peer-Reviewed Research Studies

Effects of Wireless Radiation on Male Fertility

Effects on Offspring / Unborn Babies when Pregnant Mothers were Exposed to Wireless Radiation

Searchable Databases of Peer-Reviewed Research Studies

Specific Studies of High Importance. Some of these have their own pages so you can link to them:

The NTP Study

The Ramazzini Study

The BioInitiative Report

Curated Lists of Peer-Reviewed Research Studies

These curated lists select from thousands of peer-reviewed research studies and reviews of research studies in specific categories. Scroll down for links to more extensive databases containing thousands of peer-reviewed studies.

Environmental Health Trust has an excellent compilation of Peer-Reviewed Scientific Papers in several categories. Hover over their main Science tab to see more categories.

Telecom Industry Influence on Peer-Reviewed EMF Radiation Science

Overview of Science on Health Effects of EMR

(Scroll down on this page to see studies in each of the categories below)

Increased Cancers

Effects on Fertility and Reproduction

Neurotoxic Effects

Impaired Cognition and Memory

Behavioral Issues

Hearing Loss

Headaches

Sleep Issues

Oxidative Stress

Genotoxic Effects

Endocrine System Damage
Disruptions to Heart Functioning
Metal, Braces, Earrings, and Hip Replacements
Synergistic Effect Between Electromagnetic Fields and Toxic Exposures
Key Research Reviews
Exposure Assessments and Vulnerability of the Child or Fetus
Recent Studies on 5G
Key Scientific Lectures
Science for Skeptics
5GCrisis.com Lists 190 of the Most Recent Peer-Reviewed Studies, Presented in These Categories:

Joel M. Moskowitz, PhD is the Director of the Center for Family and Community Health at the School of Public Health at University of California, Berkeley. He oversees the publication of the Electromagnetic Radiation Safety (SaferEMR.com) website, which contains numerous studies and articles about the health hazards of electromagnetic radiation. Dr Moskowitz has published an Annotated Bibliography of Scientific Papers Finding Evidence of harm from Cell Phone Radiation Exposure, Published Between August 2016 and July 2018. The pdf file is 90 pages long, divided into these categories:

Review papers
Human (in vivo) studies
Human cell sample (in vitro) studies
Live (in vivo) animal studies
Animal cell sample (in vitro) studies
PowerWatch has published a curated list (pdf) of 1,670 Peer-Reviewed Papers on Electromagnetic Fields and Biology or Health. This list is a compilation of citations about electromagnetic fields (EMF) published in scientific journals from 1979 through 2018. This is not a comprehensive list of studies. PowerWatch selected these studies from their internal database of 15,000 (approx.) scientific papers, most of which address EMF. This curated list of studies is organized into the following categories:

Mobile and cordless phones (525 papers)
Mobile phone masts (94 papers)
WiFi (38 papers)
Radio Transmitters (43 papers)
Powerline Frequencies (333 papers)
Electrical Sensitivity (88 papers)
EEG and Brain Responses (53 papers)
Radiofrequency EMF Mechanisms (251 papers)
Powerfrequency EMF Mechanisms (256 papers)
Effects of Wireless Radiation on Male Fertility

This selection of studies can be found on the Dad Prep page of The BabySafe Project. The effects include:

Changes to the structure and function of the testes
Lowered sperm count
Lowered sperm motility
Lowered sperm quality (DNA damage)
Sperm apoptosis (cell death)
Long-Term Exposure to 4G Smartphone Radiofrequency Electromagnetic Radiation Diminished Male Reproductive Potential by Directly Disrupting Spck3-MMP2-BTB Axis in the Testes of Adult Rats. Yu, G., et al. *Science of The Total Environment* 698 (2020).
Radiations and Male Fertility. Kesari, K., Agarwal, A. and Henkel, R. *Reproductive Biology and Endocrinology* 16(118) (2018).
The Effect of 2.45 GHz Non-Ionizing Radiation on the Structure and Ultrastructure of The Testis in Juvenile Rats. Šimaiová, V., et al. *Histology and Histopathology* 34(4):391-403 (2018).
Modulatory Effect of 900 MHz Radiation on Biochemical and Reproductive Parameters in Rats. Narayanan, SN., et al. *Bratislava Medical Journal* 119(9):581-587 (2018).
Aloe Arborescens Juice Prevents EMF-Induced Oxidative Stress and Thus Protects from Pathophysiology in the Male Reproductive System In Vitro. Solek, P., Majchrowics, L., and Kozirowski, M. *Environmental Research* 166:141-149 (2018).
Effects of Electromagnetic Waves Emitted from 3G+ Wi-Fi Modems on Human Semen Analysis. Kamali, K., et al. *Urologia* 14.0 (2017).
The Effects of Radiofrequency Electromagnetic Radiation on Sperm Function. Houston, Nixon, et al. *Reproduction* 152(6):263-276 (2016).

Male Fertility and its Association with Occupational and Mobile Phone Tower Hazards: An Analytical Study. Al-Quzwini, Al-Tae, et al. Middle East Fertility Society Journal (2016).

Sperm DNA Damage – The Effect of Stress and Everyday Life Factors. Radwan, M., et al. International Journal of Impotence Research 28(4):148-154 (2016).

Electromagnetic Radiation at 900 MHz Induces Sperm Apoptosis through bcl-2, bax and caspase-3 Signaling Pathways in Rats. Liu, Si, et al. Journal of Reproductive Health 12:65 (2015).

Habits of Cell Phone usage and Sperm Quality – Does It Warrant Attention? Zilverlight, Wiener-Megnazi, et al. Reproductive BioMedicine Online 31(3):421-426 (2015).

2.45 GHz Microwave Irradiation Adversely Affects Reproductive Function in Male Mouse, *Mus musculus* by Inducing Oxidative and Nitrosative Stress. Shahin, S., et al. Free Radical Research 48(5): 511-525 (2014).

Effect of Mobile Telephones on Sperm Quality: A Systematic Review and Meta-Analysis. Adams, J., et al. Environment International 80: 106:112 (2014).

Extremely Low frequency Magnetic Fields Induce Spermatogenic Germ Cell Apoptosis: Possible Mechanism. Lee, Park, et al. BioMed Research International 2014(2014): 567183 (2014).

In Vitro Effect of Cell Phone Radiation on Motility, DNA Fragmentation and Clusterin Gene Expression in Human Sperm. Zalata, El-Samanoudy, et al. International Journal of Fertility and Sterility 9(1):129-136 (2014).

The Effects of Cell Phone Waves (900 MHz-GSM Band) on Sperm Parameters and Total Antioxidant Capacity in Rats. Ghanbari, M. International Journal of Fertility and Sterility 7(1), 21-8 (2013).

Immunohistopathologic Demonstration of Deleterious Effects on Growing Rat Testes of Radiofrequency Waves Emitted from Conventional Wi-Fi Devices. Atasoy, H., et al. Journal of Pediatric Urology. 9(2):223-229 (2013).

Effect of Electromagnetic Field Exposure on the Reproductive System. Gye and Park. Journal of Clinical and Experimental Reproductive Medicine 39(1):1-19 (2012).

Effects of the Exposure of Mobile Phones on Male Reproduction: A Review of the Literature. Vignera, Condorelli, et al. Journal of Andrology 33(3):350-356 (2012).

Use of Laptop Computers Connected to Internet Through Wi-Fi Decreases Human Sperm Motility and Increases Sperm DNA Fragmentation. Avendano, C., et al. Fertility and Sterility 97(1):39-45 (2012).

Effects of Radiofrequency Electro Magnetic Waves (RFEMW) From Cellular Phones on Human Ejaculated Semen: An In Vitro Pilot Study. Agarwal, A., et al. Fertil Steril 4:1318-1325 (2009).

Exposure to Magnetic fields and the Risk of Poor Sperm Quality. Li, Yan, et al. Journal of Reproductive Toxicology 29(1):86-92 (2009).

Mobile Phone Radiation Induces Reactive Oxygen Species Production and DNA Damage in Human Spermatozoa In Vitro. Luliis, Newey, et al. PLoS ONE 4(7) (2009).

Pathophysiology of Cell Phone Radiation: Oxidative Stress and Carcinogenesis with Focus on Male Reproductive System. Desai, N., Kesari, K., and Agarwal, A. Reproductive Biology and Endocrinology 7: 114 (2009).

Radio Frequency Electromagnetic Radiation (Rf-EMR) from GSM Mobile Phones Induces Oxidative Stress and Reduces Sperm Motility in Rats. Mailankot, Kunnath, et al. Clinical Science 64(6):561-5 (2009).

Cell Phones: Modern Man’s Nemesis? Makker, Varghese, et al. Reproductive BioMedicine Online 18(1):148-157 (2008).

Indicative SAR Levels Due to an Active Mobile Phone in a Front Trousers Pocket in Proximity to Common Metallic Objects. Whittow, Panagamuwa, et al. Propagation Conference 149-152 (2008).

Cell Phones and Male Infertility: Dissecting the Relationship. Deepinder, Makker, et al. Reproductive BioMedicine Online 15(3):266-270 (2007).

Evaluation of the Effect of Using Mobile Phones on Male Fertility. Wdowiak, Wiktor, et al. Annals of Agricultural and Medicine 14(1):169-172 (2007).

Effect of Cell Phone Usage on Semen Analysis in Men Attending Infertility Clinic: An Observational Study. Agarwal, Deepinder, et al. American Society for Reproductive Medicine 89(1):124-8 (2008).

Effects on Offspring / Unborn Babies when Pregnant Mothers were Exposed to Wireless Radiation

This selection of studies can be found on the Science page at The BabySafe Project. A few of the effects of wireless radiation on unborn babies include:

- Damage to and destruction of brain cells; DNA breaks in brain cells
- Damage to the parts of the brain involved in memory and learning
- Damage to neurons in the prefrontal cortex
- Higher risk of behavioral problems and hyperactivity
- Effects on liver and kidney
- Damage to spinal cord
- Cranial and post-cranial skeletal variations
- Miscarriage / Spontaneous Abortion
- Association Between Maternal Exposure to Magnetic Field Nonionizing Radiation During Pregnancy and Risk of Attention-

Deficit/Hyperactivity Disorder in Offspring in a Longitudinal Birth Cohort. Li, D. et al. *Jama Netw Open*. 3(3) e201417 (2020).

Comparison of Effects of 2.4 GHz Wi-Fi and Mobile Phone Exposure on Human Placenta and Cord Blood. Bektas., et al. *Biotechnology & Biotechnological Equipment*. 34(1), 154-162 (2020).

Mother's Exposure to Electromagnetic Fields Before and During Pregnancy is Associated with Risk of Speech Problems in Offspring. Zarei, S., et al. *Journal of Biomedical Physics and Engineering* 9(1):61-68 (2019).

Prenatal Exposure to Extremely Low-Frequency Magnetic Field and Its Impact on Fetal Growth. Ren, Y., et al. *Environmental Health* (2019).

The Effects of Radiofrequency Radiation on Mice Fetus Weight, Length and Tissues. Alimohammadi, O., et al. *Data in Brief* 19:2189-2194 (2018).

Effects of Prenatal Exposure to WiFi Signal (2.45 GHz) on Postnatal Development and Behavior in Rat: Influence of Maternal Restraint. Othman, H., et al. *Behavioral Brain Research* 326: 291-301 (2017).

Maternal Cell Phone Use During Pregnancy and Child Behavioral Problems in Five Birth Cohorts. Birks, Guxens, et al. *Environment International* (2017).

Exposure to Magnetic Field Non-Ionizing Radiation and the Risk of Miscarriage: A Prospective Cohort Study. Li, De-Kun, et al. *Scientific Reports* (2017).

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Searchable Databases of Peer-Reviewed Research Studies

PowerWatch has been researching the links between EMF and health risks for more than 25 years. As of October 2018, their internal database contained approximately 15,000 scientific papers, most of which address EMF radiation. The organization, which is completely independent of government and industry, gathers information to help the lay person understand this issue. PowerWatch recently added a search engine to its website which enables the user to search specific fields in their database for specified time periods.

EMF-Portal.org has a searchable database of over 10,000 scientific studies, review papers, reports from conferences (e.g., IEEE), and books on the effects of electro-magnetic radiation. Each entry has at least the citation, and some have links to PubMed and/or the original scientific journal. A search for the word “radiation” yielded 10,263 articles as of April 14, 2020. The website is available in English and German languages.

PubMed comprises more than 30 million citations for biomedical literature from MEDLINE, life science journals, and online books. Citations may include links to full-text content from PubMed Central and publisher web sites. This database is not limited to EMR-related research; rather, it aims to be as comprehensive as possible in referencing all scientific study literature available. The search and advanced search features work pretty well, and the “related articles” alongside search results are often helpful.

The US National Toxicology Program (NTP) Study

The US National Toxicology Program (NTP) reports to the National Institute of Environmental Health Sciences (NIEHS), which is one of 27 Institutes in the US National Institutes of Health (NIH).

The US National Toxicology Program (NTP) Study on Cell Phone Radiation found “clear evidence” of cancer, heart damage and DNA damage in a 14-year, \$30-million study designed to test the basis for federal safety limits (NIEHS 2018). The heart and brain cancers

found in the NTP study rats are the same cell type as tumors that researchers have found to be increased in humans who have used cell phones for over 10 years. Thus, researchers say this animal evidence confirms the human evidence associating the exposure to cancer. (Hardell 2019)

“The findings of highly malignant and quite rare brain tumors and malignant Schwann cell tumors of the heart in the NTP study present a major public health concern because some of these same types of tumors had been reported in epidemiological studies of adult cellphone users. In addition, the NTP reported DNA damage was induced in brain cells of exposed animals.” ~ Ronald Melnick, PhD, Commentary on the NTP Study

May 2016 Draft Report of Partial Findings from the National Toxicology Program Carcinogenesis Studies of Cell Phone Radiofrequency Radiation in Hsd: Sprague-Dawley® SD rats (Whole Body Exposures)

Myth vs Fact on the The National Toxicology Program Cell Phone Cancer Study

Alyson Stewart

From: Theodora Scarato <Theodora.Scarato@ehtrust.org>
Sent: Wednesday, March 23, 2022 11:35 AM
To: DRP Ordinance Studies; Elida Luna; DRP Info; firstdistrict@bos.lacounty.gov; HollyJMitchell@bos.lacounty.gov; Sheila; FourthDistrict@bos.lacounty.gov; Barger, Kathryn
Subject: 5G will not bridge the digital divide. - Submissions to wireless ordinance March 23, 2021

CAUTION: External Email. Proceed Responsibly.

3 and 4G did not bridge the digital divide. Why do you expect 5G will? Are companies being held to such promises?

Links submitted by reference

5G will NOT bridge the digital divide. In fact, it will deepen the digital divide.

Important Reports and Articles

- [Exploring Racial Equity and Social Justice Impacts of Cell Towers and ZTA 19-07](#) - Tech Wise - Montgomery County, MD
- [Myth Fact on 5G TESTIMONY OF ANGELA SIEFER Executive Director of the National Digital Inclusion Alliance to the United States House of Representatives](#)
- [Verizon's 5G Promise Rings Hollow in Sacramento](#) and [Next Generation Wireless That Works for All of Us](#), by the Communications Workers of America
- Sacramento Bee, [To end digital discrimination, California can't let big telecom companies call the shots](#), July 28, 2021
- CNET, [The broadband gap's dirty secret: Redlining still exists in digital form](#), June 28, 2021
- Theodora Scarato [Montgomery County needs affordable broadband, not 5G cell towers, to bridge the digital divide](#), Montgomery Sentinel, July 10, 2021
- [US Government Accountability Office 2020 Report](#) "FCC Needs Comprehensive Strategic Planning to Guide Its Efforts:" "The experts GAO convened also stated that 5G deployment would likely exacerbate disparities in access to telecommunications services, known as the "digital divide." (page 3)
- [June 2020 Report: "FCC Lacks Comprehensive Strategic Planning to Guide Spectrum Policy for 5G Deployment"](#)
- ["The drive to widen the digital divide,"](#) published in California Matters by Larry Ortega, founder of Community Union Inc., a nonprofit corporation that trains consumers living in the digital divide.

Where can I find resources on climate impacts from 5G?

- ["What Will 5G Mean for the Environment?"](#) By Clair Curran of the Henry M. Jackson School of International Studies
- ["Is Wireless Technology an Environmental Health Risk?"](#) Society of Environmental Journalists Journal
- ["Electricity consumption from China's digital sector on track to increase 289% by 2035"](#) Greenpeace
- [Opinion: Allowing Unfettered Access to Build Cell Towers in the Name of 5G Is Bad Policy for Climate Policy in Maryland Matters, by Theodora Scarato](#)
- ["Australia Fires And Technology's Climate Vampire: Why The Environmental Impact Of 5G Expansion Could Be Massive"](#) by Devra Davis in International Business Times
- ["How Green is 5G?"](#) Envirotech Magazine, By Sally Beare
- Marion Edey [Social Justice, Climate, Trees, Birds and Bees: Reasons Why Montgomery County Should Not Vote To Open The Floodgates To Cell Towers in Our Neighborhoods!](#). Montgomery Sentinel July 26, 2021

Theodora Scarato

Executive Director
Environmental Health Trust
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To safeguard human health and the environment by empowering people with state-of-the-art information.

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Alyson Stewart

From: Tiffany Hume <tiffanyhume@gmail.com>
Sent: Tuesday, March 22, 2022 10:47 PM
To: DRP Ordinance Studies
Subject: ***I oppose Title 22 Draft Wireless Ordinance as written and urge you to delay approving the ordinance until these problems can be addressed and our voices can be heard.

CAUTION: External Email. Proceed Responsibly.

It is extremely important that we put a PAUSE on the proposed Ordinance, amending Title 22 of the Los Angeles Planning and Zoning Code. To schedule a hearing on March 23 of the Planning Commission is simply too fast. Key and critical points have not been addressed.

This Ordinance will effectively codify the present illegal practice of bypassing over 30 years of a well-established and balanced Conditional Use Permit Registration system with an accelerated Ministerial Site Review of small cell and macro cell antennas installed on private property. This de facto practice is currently being challenged in the Los Angeles Superior Court in the case of Angela Sherick-Bright v. County of Los Angeles.

The ostensible justification for this precipitous rush to Ordinance is the FCC's shot clock deadlines that aim to accelerate densification of small cell and macro towers antennas emitting Radio Frequency/Electromagnetic Field (RF/EMF) radiation in high and dangerous concentrations within residential communities. **It seems pretty clear that the intention of the proposed Ministerial Site Review Application process, which will effectively replace Conditional Use Permits on new facilities, is to eliminate due process protections for the Los Angeles County community — namely, timely prior notification and an opportunity to be heard in public hearings,** which are guaranteed by the First and Fifth Amendments of the U.S. Constitution and Article I, Section 7 of the California Constitution.

In addition, by what legal authority and on what constitutional grounds can the BOS bypass and strip away due process protections of prior notification and public hearings?

Nowhere in the Telecommunications Act of 1996 is there authority to bypass and to violate the U.S. Constitution or the California Constitution guarantees of due process. To apply the doctrine of preemption as the Board of Supervisors is considering would be to establish the FCC as a supra-constitutional agency. It is not. The shot clock is an excuse. The Los Angeles Planning Authority simply doesn't want to bother to take the time to ensure an opportunity for the public to participate in a meaningful way. The fundamental First Amendment right of the public to be heard was reaffirmed in footnote #6 of the recently decided case of *Children's Health Defense v. FCC*.

Another main point: **Fire Hazards.** Given its record of fire catastrophes, Los Angeles County is justifiably concerned with fire prevention and management. This area is well within the County's authority, jurisdiction, and control. For example, what special protections does the Ordinance provide for fires resulting from combustion of terpenes in conifers? Scientific studies document that continuous RF/EMF radiation exposure is closely tied with increased terpene production in conifers. Terpenes are a combustible organic compound. The Ordinance utterly ignores this risk which would need to be addressed in any CEQA/NEPA compliant EIS. There is no question that Los Angeles County has an absolute right to take reasonable protections for fire protection and management, which are certainly not preempted by the 1996 Telecommunications Act, and addressed in the present Los Angeles Fire Ordinance. Again, from the perspective of the First and Fifth Amendments noted above, is the Board of Supervisors seriously proposing to deny the public its right of timely notification and hearing before approving a program that will impose pervasive and intensifying fire risks?

There is so much more to address here and my hope is that we will have ample time to discuss these points and many more. It is also prudent to add that there are existing Ordinances that are in place and being used in both Malibu and Encinitas that can help us guide this process in a way where best practices are addressed.

We are asking that you put a PAUSE on this proposed ordinance and process.
I oppose Title 22 Draft Wireless Ordinance as written and urge you to delay approving the ordinance until these problems can be addressed and our voices can be heard.

Sincerely,
~Tiffany Hume