

**From:** [Chris Jordan](#)  
**To:** [Vency Woo](#); [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** Fwd: Do not buckle under to AT&T and Verizon cell towers appeals pressure  
**Date:** Sunday, October 27, 2019 4:38:46 PM

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Sent from my iPhone

Begin forwarded message:

**From:** Ross Blaufarb <[REDACTED]>  
**Date:** October 27, 2019 at 12:28:18 PM PDT  
**To:** City Council <council@losaltosca.gov>  
**Subject:** **Do not buckle under to AT&T and Verizon cell towers appeals pressure**

Dear City Council,

Thank you for standing up to AT&T and Verizon in their first attempt to bully Los Altos into accepting their unreasonable cell tower proposals.

Both [AT&T](#) and [Verizon](#) have submitted appeals to the City of Los Altos stating that their 13 cell towers should receive an exception despite the stringent urgency ordinance that was passed on August 5th.

Please continue to oppose AT&T's and Verizon's bullying and uphold the stringent urgency ordinance.

Best regards,

Ross Blaufarb

[REDACTED]  
Los Altos, CA 94022

**From:** [Chris Jordan](#)  
**To:** [Vency Woo](#); [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** FW: Input for tonight's meeting: AT&T and Verizon cell node appeals  
**Date:** Tuesday, October 29, 2019 12:40:41 PM

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**From:** Gregory Burns [REDACTED]  
**Sent:** Tuesday, October 29, 2019 11:37 AM  
**To:** City Council <council@losaltosca.gov>  
**Cc:** Gregory Burns [REDACTED]; Chris Jordan <cjordan@losaltosca.gov>  
**Subject:** Input for tonight's meeting: AT&T and Verizon cell node appeals

Honorable Councilmembers,

The Los Altos community was outraged by AT&T and Verizon's poorly planned cell node applications, and your careful review resulted in an ordinance which addressed the many issues of the community and provided clear guidance to wireless providers.

Specifically, I live on [REDACTED] and AT&T's cell node proposal couldn't be more poorly planned: proposing installation on a local street (instead of nearby arterial streets), and less than 500 feet from Egan Jr High School. Many of the other proposals also suffer from equally poor site selection.

It is clear that the carriers put little to no effort into picking cell node sites that are compatible with community. Please deny AT&T and Verizon's cursory appeals and require the wireless providers to develop plans that meet the city's requirements as stated in the cell node ordinance.

Thank you,

Gregory Burns  
[REDACTED]

**From:** [Chris Jordan](#)  
**To:** [Vency Woo](#); [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** FW: Comment for 29 October Public Administrative Hearings on 5G appeals  
**Date:** Tuesday, October 29, 2019 12:39:40 PM  
**Attachments:** [REDACTED]

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**From:** Jim Fenton [REDACTED] >  
**Sent:** Tuesday, October 29, 2019 12:25 PM  
**To:** City Council <council@losaltosca.gov>  
**Subject:** Comment for 29 October Public Administrative Hearings on 5G appeals

Council members,

Although the majority of the public comment seems to be related to the alleged health hazards of additional cell nodes in Los Altos, much of the City's official position seems to relate to the aesthetic aspects of the cell nodes in Los Altos. This is a sensible position, given the dubious scientific basis for the health claims. However, the aesthetic concerns also appear to be on shaky ground. Consider two of the utility poles near my house:



There seems to be very little concern about the aesthetic characteristics of what we already have on our utility poles. I was pleased to see your discussion on making the acoustic standards consistent with our current ordinances, but the visual standards need to be consistent too. Why should we hold wireless carriers to a higher standard?

It appears that the City is already incurring substantial legal fees defending itself with respect to the urgency ordinance it recently passed. Fortunately, in response to the concern I raised at the August 5 council meeting about the costs to the City to defend this action, Richard

Gorman committed to cover the City's legal fees in this defense. I hope and expect that the City is accruing these costs separately so that he can fulfill this commitment.

That said, I am no particular fan of the 5G technology. Reviewing some of the carriers' marketing materials, I find their claims of benefits of 5G to be greatly exaggerated. But Los Altos needs to have high-quality cellular service, and we currently do not, largely because of the City's past denial of applications to install additional cell nodes. This project seems to be the best way to get acceptable cellular service throughout Los Altos.

Jim Fenton



**From:** [Vency Woo](#)  
**To:** [Dennis Hawkins](#)  
**Subject:** FW: Cell Towers 5G  
**Date:** Monday, October 28, 2019 5:24:21 PM

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Hello Dennis,

Below is a public comment that was received after the packaging of the staff report.

Thank you,

Vency Woo  
X2622

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**From:** Chris Jordan <cjordan@losaltosca.gov>  
**Sent:** Thursday, October 24, 2019 5:39 PM  
**To:** [REDACTED]; Jim Sandoval <jsandoval@losaltosca.gov>; Vency Woo <vwoo@losaltosca.gov>  
**Subject:** Fwd: Cell Towers 5G

Sent from my iPhone

Begin forwarded message:

**From:** Julie Lloyd <[REDACTED]>  
**Date:** October 24, 2019 at 5:19:52 PM PDT  
**To:** City Council <council@losaltosca.gov>  
**Cc:** "[los-altos-neighbors+owners@googlegroups.com](mailto:los-altos-neighbors+owners@googlegroups.com)" <[los-altos-neighbors+owners@googlegroups.com](mailto:los-altos-neighbors+owners@googlegroups.com)>  
**Subject:** Cell Towers 5G

Dear Council,

I encourage you to watch this documentary about 5G and the disastrous consequences it will have on all our health and vote against the installation in Los Altos.

<https://youtu.be/WBpZFqR6Qzk>

**From:** [REDACTED]  
**To:** [Dennis Hawkins](#)  
**Subject:** Re: Special Meeting of the City Council - Public Administrative Hearings  
**Date:** Monday, October 28, 2019 11:53:29 PM

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Thank you. However the AT&T map, attachment 14, does not make any indication where they intend to install base stations. They are not mentioned in the legend. There are some blue dots on the map and the legend does not mention the blue dots.

Could you please get AT&T to correct this problem with their map?

Thank you.

--Alexander MacInnis  
[REDACTED]

On Oct 28, 2019, at 9:35 PM, City of Los Altos <[dhawkins@losaltosca.gov](mailto:dhawkins@losaltosca.gov)> wrote:

Good Evening - I have updated the posting of the Closed Session Agenda which will be held Tuesday, October 29, 2019 at 5:00 pm in Los Altos City Hall, Redwood Room. Due to a report from one person that they had received an error message when attempting to view the Agenda, I re-posted the agenda in an abundance of caution in order to minimize or prevent any similar problems.

Earlier today we updated the City's website to include Verizon's re-submittal of their application. Late this afternoon, we also received additional information filed by AT&T. The additional information includes Attachment 13, which is a letter regarding their appeals, and Attachment 14 is a map of the wireless facilities in the City of Los Altos. Lastly, AT&T has provided additional information regarding each of their 12 proposed sites which includes a statement, a PowerPoint presentation, and Coverage Maps.

Thank you,

Dennis Hawkins, City Clerk

## [Special Meeting of the City Council - Public Administrative Hearings](#)

### **Calendar Date:**

Tuesday, October 29, 2019 - 6:00pm

SPECIAL CITY COUNCIL MEETING - Public Administrative  
Hearings: TUESDAY, OCTOBER 29, 2019 – 6:00 P.M. - Los Altos Youth Center  
- 1 North San Antonio Road, Los Altos, California

1. Appeal of Denial of Applications for Small Cell Nodes

## Meeting Information

### Agenda:

REVISED AGENDA - October 29, 2019 Special City Council Meeting - Administrative Hearings (131 KB)

Staff Report (309 KB)

1. a. Application - 155 Almond (13 MB)
1. b. Letter of Denial - Verizon #1 - 155 Almond Av (745 KB)
1. c. Appeal - Verizon #1 (575 KB)
  1. c. 1. Verizon additional appeal information\_Verizon #1\_155 Almond Av (14 MB)
  1. d.. Resubmittal of Verizon #1 Application - 155 Almond Av (28 MB)
2. a. Application - AT&T #1 - 141 Almond Av (21 MB)
2. b. Letter of Denial - AT&T #1 - 141 Almond Av (666 KB)
2. c. Appeal - AT&T #1 - 141 Almond Av (609 KB)
2. d. AT&T #1 - Statement, PowerPoint, and Coverage Map - 10.28.19 (2 MB)
3. a. Application - AT&T #2 - 687 Linden (26 MB)
3. b. Letter of Denial - AT&T #2 - 687 Linden (666 KB)
3. c. Appeal - AT&T #2 - 687 Linden (651 KB)
3. d. AT&T #2 - Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
4. a. Application - AT&T #3 - 421 Valencia (18 MB)
4. b. Letter of Denial - AT&T #3 - 421 Valencia (785 KB)
4. c. Appeal - AT&T #3 - 421 Valencia (650 KB)
4. d. AT&T #3 Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
5. a. Application - AT&T #4 - 33 Pine (22 MB)
5. b. Letter of Denial - AT&T #4 - 33 Pine (665 KB)
5. c. Appeal - AT&T #4 - 33 Pine (653 KB)
5. d. AT&T #4 Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
6. a. Application - AT&T #5 - 49 San Juan (22 MB)
6. b.. Letter of Denial - AT&T #5 - 49 San Juan Ct (582 KB)
6. c. Appeal - AT&T #5 - 49 San Juan (648 KB)
6. d. AT&T #5 - Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
7. a. Application - AT&T #6 - 791 Los Altos Av (24 MB)
7. b. Letter of Denial - AT&T #6 - 791 Los Altos Av (665 KB)
7. c. Appeal - AT&T #6 - 791 Los Altos Av (652 KB)
7. d. AT&T #6 - Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
8. a. Application - AT&T #7 - 98 Eleanor (20 MB)
8. b. Letter of Denial - AT&T #7 - 98 Eleanor (666 KB)
8. c. Appeal - AT&T #7 - 98 Eleanor (652 KB)
8. d. AT&T #7 - Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
9. a. Application - AT&T #8 - 182 Garland Way (22 MB)
9. b. Letter of Denial - AT&T #8 - 182 Garland Way (667 KB)
9. c. Appeal - AT&T #8 - 182 Garland Way (650 KB)
9. d. AT&T #8 - Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
10. a. Application - AT&T #9 - [REDACTED] (668 KB)
10. c. Appeal - AT&T #9 - 491 Patrick (609 KB)
10. d. AT&T #9 - Statement, PowerPoint, and Coverage Map - 10.28.19 (1 MB)
11. a. Application - AT&T #10 - 300 Los Altos Av (21 MB)
11. b. Letter of Denial - AT&T #10 - 300 Los Altos Av (667 KB)
11. c. Appeal - AT&T #10 - 300 Los Altos Av (606 KB)
11. d. AT&T #10 - Statement, PowerPoint, and Coverage Map - 10.28.19 (2 MB)
12. a. Application - AT&T #11 - 130 Los Altos Av (18 MB)





**From:** [Chris Jordan](#)  
**To:** [Vency Woo](#); [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** FW: Tonight's City Council Meeting - Deny Small Cell Node Appeals  
**Date:** Tuesday, October 29, 2019 12:40:10 PM

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**From:** Jaleh Morshed <[REDACTED]>  
**Sent:** Tuesday, October 29, 2019 11:43 AM  
**To:** City Council <council@losaltosca.gov>  
**Cc:** Jaleh Morshed <[REDACTED]>  
**Subject:** Tonight's City Council Meeting - Deny Small Cell Node Appeals

Honorable Councilmembers,

Thank you for the tremendous time and effort you put into developing the small cell ordinance for Los Altos. The time you spent studying the governing federal and state laws; the ordinances of other cities; questioning the wireless providers and lawyers; and debating the noise, health and ascetic issues resulted in an ordinance which truly serves our community.

Please do not allow exceptions to this ordinance. AT&T and Verizon's request to ignore the results of this careful planning should not be granted. Please deny the appeals for their poorly planned site section, and require the wireless providers to develop plans that meet the city's requirements.

Unfortunately I won't be able to attend your meeting tonight. Please don't take my absence as a lack of concern and conviction. I truly appreciate your hard work and persistence on protecting our town and community.

Sincerely,

Jaleh Morshed

**From:** [Administration](#)  
**To:** [Dennis Hawkins](#)  
**Subject:** FW: 5G Wireless Cells  
**Date:** Tuesday, October 29, 2019 8:45:26 AM

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FYI

**From:** Les Poltrack [REDACTED] >  
**Sent:** Tuesday, October 29, 2019 8:43 AM  
**To:** City Council <council@losaltosca.gov>  
**Cc:** Administration <administration@losaltosca.gov>  
**Subject:** 5G Wireless Cells

Mayor Eng, Vice Mayor Pepper and Council Members:

I strongly urge you to APPROVE 5G coverage in Los Altos.

I live at in the area between Almond Elementary School and Los Altos High School.

We have very poor, at best spotty, cell coverage in that area.

This is an unacceptable situation, and because of this:

- I am forced to maintain an AT&T landline. The vast majority of calls received are unwanted telemarketing, which would be politely described as annoying, in addition to hundreds of dollars of expense each year.
- In the last week, I have had two important business calls dropped while attempting to use the current cell service in the area, while on El Monte.
- A few months ago, a call I received from the Los Altos Police Department was dropped because it was to my cell phone. The call was regarding a burglary in Los Altos. I had to drop everything, return to my residence, and the complete the call from our landline.

With all due respect, I believe the objections to 5G are unfounded, and by keeping 5G out, you are decreasing property values. I know that my life in Los Altos is worse for the anti-cellphone policies.

I ask that we move forward into the 21st century.

Respectfully,

Les Poltrack

**From:** [Angel Rodriguez](#)  
**To:** [Dennis Hawkins](#)  
**Subject:** FW: We Have No Reason to Believe 5G Is Safe - Scientific American Blog Network  
**Date:** Tuesday, October 29, 2019 1:10:15 PM

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Here is the what this person will be making copies of and providing to the Council per our chat earlier today.

-AR

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**From:** Deirdre Woo <[REDACTED]>  
**Sent:** Tuesday, October 29, 2019 12:57 PM  
**To:** Angel Rodriguez <arodriguez@losaltosca.gov>  
**Subject:** Fwd: We Have No Reason to Believe 5G Is Safe - Scientific American Blog Network

Hello.  
Thank you for your help.  
Here is the soft copy you requested.

Sent from my iPhone

Begin forwarded message:

**From:** Deirdre Woo <[REDACTED]>  
**Date:** October 21, 2019 at 8:30:01 AM PDT  
**To:** [REDACTED]  
**Subject: We Have No Reason to Believe 5G Is Safe - Scientific American Blog Network**

<https://blogs.scientificamerican.com/observations/we-have-no-reason-to-believe-5g-is-safe/?amp>

— — —  
SmartNews  
<https://bit.ly/smartnews-app>

Sent from my iPhone

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Fwd: [los-altos-neighbors] AT&T & Verizon Appeal Cell Towers  
**Date:** Thursday, October 10, 2019 4:05:50 PM

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Dear Sir/Madam,  
Please do not approve more cell towers.  
Thanks, Devi Ramanan

----- Forwarded message -----

**From:** Los Altan <[REDACTED]>  
**Date:** Thu, Oct 10, 2019 at 3:42 PM  
**Subject:** [los-altos-neighbors] AT&T & Verizon Appeal Cell Towers  
**To:** Los Altos Neighbors <[los-altos-neighbors@googlegroups.com](mailto:los-altos-neighbors@googlegroups.com)>

Dear Los Altos Neighbors,

Both [AT&T](#) and [Verizon](#) have submitted appeals to the City of Los Altos stating that their 13 cell towers should receive an exception despite the stringent urgency ordinance that was passed on August 5th.

The appeals will be discussed at the Los Altos City Council meeting held on October 29th, 2019 (time TBD).

I would encourage you to make an appearance at the city council meeting to voice your opinion as well as write to your city council ([council@losaltosca.gov](mailto:council@losaltosca.gov)) encouraging them to hold steadfast.

Carey

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You received this message because you are subscribed to the Google Groups "Los Altos Neighbors" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [los-altos-neighbors+unsubscribe@googlegroups.com](mailto:los-altos-neighbors+unsubscribe@googlegroups.com).

To view this discussion on the web visit [https://groups.google.com/d/msgid/los-altos-neighbors/\[REDACTED\]@gmail.com](https://groups.google.com/d/msgid/los-altos-neighbors/[REDACTED]@gmail.com).

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** 5g cell towers  
**Date:** Thursday, October 10, 2019 4:53:14 PM

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Please hold firm to our stance on no 5g cell towers in our town and neighborhoods. From research we have seen, we firmly believe they are harmful. But even if you don't believe that yourselves, please do not allow any 5 g towers until additional testing can be concluded with unequivocal results, one way or the other.

Thank you.

Dorothy Metcalf

Sent from my iPhone

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Cell Towers  
**Date:** Thursday, October 10, 2019 9:37:34 PM

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To our esteemed representatives:

I encourage you to oppose the appeals of the cell phone companies until we have much more data on this issue. I don't want myself or my family to become a statistic in which other towns learn from. Let's go slowly and wisely into this new technology.

Thank you,

Erin Sobota

[REDACTED]

■

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Appeals by AT&T and Verizon.  
**Date:** Friday, October 11, 2019 12:03:05 PM

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I am a resident of Los Altos. I am writing to urge you to adhere to your original decision regarding the cell phone towers and not cave to the appeals by AT&T and Verizon.

Thank you  
Tali  
Sent from my iPhone

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** AT&T and Verizon appeals  
**Date:** Friday, October 11, 2019 2:08:02 PM

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Hello,

I understand that AT&T and Verizon are appealing your decision regarding cell tower installations and are asking for an exception. I urge you to hold to the urgency ordinance that was passed on August 5 to continue protecting the Los Altos community and not allow exceptions.

Thank you for your continuing support,  
Carol Whiteley



**From:** [REDACTED]  
**To:** [City Council](#)  
**Cc:** [Jill Tajima](#)  
**Subject:** ATT & Verison request for exception to Cell Tower Ordinance  
**Date:** Friday, October 11, 2019 5:28:44 PM

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As a father of a 9yr old (Almond Student), I applaud the city council's prudent passing of the recent cell tower ordinance to limit the new 5G deployment. I don't think Los Altos has to be the proving grounds for new technology with unknown possible health risks from RF radiation. Let's wait for a few years to see if other communities that allow dense cell tower deployment experience adverse health affects before relaxing our ordinance.

Please do NOT grant the exceptions sought by ATT & Verison to the newly passed ordinance.

Thank you,  
Keith Onodera  
[REDACTED]  
Los Altos, CA 94024

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** No 5G cell towers  
**Date:** Saturday, October 12, 2019 2:55:36 PM

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Hello,

I vehemently oppose the installation of 5G towers in Los Altos (and everywhere else). 5G technology involves from 30 and even up to 300 GHz frequencies, whereas 4G involves frequencies of up to only 6 GHz. There have been **zero** studies on the long-term health effects of 5G frequency on humans. 5G will require numerous closely spaced towers, close to homes, that will be in closer proximity to the ground than current cell towers. A number of countries have already banned 5G technology, and more countries are considering the same.

Ripon, California is an example of a cancer cluster in children attending a school on which a 4G cell tower is located. Exposure to 5G frequency would be exponentially worse. The U.S. Army uses crowd control weaponry with a radio frequency in the 96 GHz range, which causes an instant intolerable sensation of body heat that effectively disperses crowds. The dangerous health effects of 5G technology, including DNA damage, neurotoxicity, cancer, and other damaging health effects, will have the greatest impacts on fetuses, babies, children, and the elderly. Radio wave frequency exposure is cumulative, and the results of long-term high level exposure could place the human population in a health crisis of unprecedented proportions.

The companies promoting 5G technology clearly do not consider the dangerous health effects of 5G on humans; as usual, it is **Profits Over People**, and unfortunately, politicians and government leaders speak the same language. 5G companies plan to spend billions on promoting 5G technology, and regrettably, money usually wins. While 5G would provide speedier Internet and other services, it would also lead to speedier disease and death.

No on 5G.

Sincerely,

Toni Halliwell, RN, PHN  
Los Altos resident

**From:** [Chris Jordan](#)  
**To:** [Vency Woo](#); [Dennis Hawkins](#)  
**Subject:** Fwd: Small Cell Nodes  
**Date:** Friday, October 18, 2019 6:33:25 PM

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Sent from my iPhone

Begin forwarded message:

**From:** JT Ginn [REDACTED]  
**Date:** October 18, 2019 at 5:13:55 PM PDT  
**To:** City Council <council@losaltosca.gov>  
**Subject:** Small Cell Nodes

Hello,

We have owned property at [REDACTED] since 1993. My wife and I will be visiting family in North Carolina on the date of the meeting to review cell node applications. Therefore I am writing to let the city council know that we believe it is necessary for the town to allow adequate cell reception. In the 21<sup>st</sup> century this is not a luxury but a necessity.

JT Ginn  
[REDACTED]

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** AT&T + Verizon cell tower appeals.  
**Date:** Friday, October 11, 2019 9:04:41 AM

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Dear Council Members,

It is my understanding that both [AT&T](#) and [Verizon](#) have submitted appeals to the City of Los Altos stating that their 13 cell towers should receive an exception despite the stringent urgency ordinance that was passed on August 5th.

I urge you to PLEASE hold steadfast and do not cave to their exemption appeals. The health of our residents is far more than the extra dollars they hope to put in their pockets!

Sincerely,  
Joan McNulty

**From:** [REDACTED]  
**To:** [City Council](#); [Chris Jordan](#); [Administration](#); [Vency Woo](#)  
**Cc:** [Dennis Hawkins](#); [Angel Rodriguez](#)  
**Subject:** An abundance of caution: are 5G nodes a fire risk?  
**Date:** Tuesday, October 29, 2019 3:02:16 PM

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Dear Council Members and City Staff,

In what may be an abundance of caution, and asking strictly on my own behalf, I'd like to know whether the City has considered potential fire as a risk associated with 5G nodes?

When I visited the 4G installation at 528 Panchita Way, I immediately noticed it had a fan. I assumed the need for 24/7 cooling meant the node ran hot. I had to have my own air conditioning unit serviced this summer, so I wondered how 5G fans would be maintained. And if a fan failed unexpectedly, would there be a risk of fire, especially near dry trees or in wooded areas.

I understand the nodes are being touted as communications equipment to assist in emergency situations, but with all the recent rolling blackouts, as well as actual fires and smoke, I feel a strong obligation to ask whether the nodes themselves can cause fires. I'm not a firefighter, but I have several basic questions:

- Has the City considered any possible fire exposure and, if so, what is the assessed risk level?
- How are the fans powered? (Electrical via the power lines or solar?)
- Do the nodes have back up generators?
- How are fans addressed in the maintenance plans?

In any case, please share any and all information you may have regarding the potential fire exposure.

Thank you,

Bette Houtchens

**From:** [Chris Jordan](#)  
**To:** [Jim Sandoval](#); [Dennis Hawkins](#); [Christopher Diaz](#); [Gail.Karish@bbklaw.com](mailto:Gail.Karish@bbklaw.com)  
**Subject:** Fwd: Transparency about anti-mobile legal costs  
**Date:** Friday, December 13, 2019 11:57:07 AM

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Sent from my iPad

Begin forwarded message:

**From:** Larry Lang [REDACTED]  
**Date:** December 13, 2019 at 11:40:37 AM PST  
**To:** "[council@losaltosca.gov](mailto:council@losaltosca.gov)" <[council@losaltosca.gov](mailto:council@losaltosca.gov)>  
**Subject:** **Transparency about anti-mobile legal costs**

Dear Council Members,

I write about the upcoming Administrative Public Hearing regarding the Appeals of Denials of Applications for AT&T and Verizon to install new mobile base stations. Clearly substantial legal fees are already accruing as a result of the ordinance adopted to block their installations. Perhaps you will grant the requested exceptions, but if you do not, it seems highly probable that the companies will continue their legal appeals. Since the ordinance blocks installation in over 90 percent of Los Altos, which would seem to have "the effect of prohibiting the provision of personal wireless services" in violation the Federal Communications Act, the companies seem to have substantial grounds for successful appeals. In any case, even more legal fees will accrue.

My request is that council **track and publish the legal fees involved in seeking to prevent the installation of mobile base stations**. The residents should have the ability to review the costs involved. Also, during the public comments leading up to adoption of the ordinance, several residents volunteered to reimburse the city for the legal fees involved. Publishing the costs would allow them to keep that promise.

Thank you,  
Larry Lang

Disclaimer: My company develops mobile telecommunications technology.

TO: CITY ATTORNEY DITZ / COUNCIL MEMBERS

RE: FEDERAL REGULATIONS

PLEASE SEE PAGE 5.

[EXPERT BLOG](#) › [SHARON BUCCINO](#)

# 5G Coming to Your Neighborhood?

December 09, 2019

[Sharon Buccino](#)

## Here's What You Need to Know

The next generation of wireless technology—5G—is dramatically different from previous versions. The 5G technology will enable more data to be carried more quickly, but in many places relies on low waves of the electromagnetic spectrum. As a result, its signal does not travel as far requiring the construction of thousands of new cells to repeat the wireless signals to make 5G work. As companies like AT&T, Verizon and Sprint construct these new small cell wireless facilities in

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infrastructure, many want to know what laws and regulations govern 5G. Here's some information that may help.

**Q: Who is responsible for setting health standards for new cell towers and other wireless infrastructure?**

**A:** The Federal Communications Commission is responsible for setting health standards for radio frequency emissions. As long as proposed wireless service facilities comply with the FCC's radio frequency standards, federal law prohibits state and local governments from regulating them based on "the environmental effects of radio frequency emissions." 47 USC § 332(c)(7)(iv).

**Q: What are the current FCC standards and are they adequate?**

**A:** The FCC has set limits for radio frequency emissions, with specific limits for occupational exposure and general population exposure. These limits are found in the FCC's regulations at 47 C.F.R. § 1.1301.

Unfortunately, the FCC has not updated its guidelines since 1996. Based on 30-year-old studies, today's FCC limits were designed to protect only against the gross effects of heat or burning of human tissue. Since then, extensive research has raised concerns about other serious health effects. The FCC initiated a review of its limits in 2013, but had not completed it until early this week. On December 4, the FCC issued an order ending its inquiry into the adequacy of its radio frequency exposure limits without changing the limits.

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**Q: What can local governments do?**

✓ Accept Cookies



**A:** Local governments can condition approval for new 5G cell construction upon compliance with state and federal requirements for environmental review. While a local government cannot add new requirements for environmental review, **it can require proof that the necessary federal review has been done.** Given the mounting evidence that the FCC's radio frequency limits are inadequate, such federal review should include an evaluation of the adequacy of these limits.

### **Q: What are the requirements for environmental review of new wireless infrastructure?**

**A:** The National Environmental Policy Act (NEPA) requires an analysis of environmental impacts of major federal actions. Such actions include various types of federal approvals including for pipelines, oil and gas wells, dams and wireless infrastructure. If the impacts may be significant, the agency must prepare an Environmental Impact Statement. If an agency is unsure whether the impacts may be significant, it can prepare a shorter Environmental Assessment. Based on the Environmental Assessment, the agency will either move forward to prepare an EIS or instead prepare a Finding of No Significant Impact (FONSI). The only way to avoid an EA or an EIS is if the action qualifies for a categorical exclusion. While some new cell construction may qualify for a categorical exclusion (CE), the FCC has identified circumstances where a CE does not apply. For more information on the difference between an EIS and an EA, as well as information on the use and limits of categorical exclusions, see [The Citizen's Guide to the National Environmental Policy Act](#) prepared by the White House Council on Environmental Quality.

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Anyone wishing to construct a facility that uses an FCC license must submit an Environmental Assessment to the FCC or certification that the facility is categorically excluded. 47 C.F.R. § 1.1307. An Environmental Assessment is required if the proposed construction:

Will be in a wilderness area or wildlife preserve (generally on federal land);

Might affect threatened and endangered species or their habitat (Endangered Species Act);

Might affect properties included or eligible for inclusion in the National Register of Historic Places or Indian religious and cultural sites;

Will be in a flood plain;

Will involve "significant changes in surface features" during construction (e.g., wetlands, water diversion, deforestation);

Will be taller than 450 feet and so might affect migratory birds;

Involves high intensity lighting in a residential area; or

Would cause radio frequency emission exposure in excess of FCC-established limits.

**A company seeking to build a wireless facility that falls into any of the above categories must obtain a Finding of No Significant**

**Impact before building.** "Building without following the requirements at

47 C.F.R. 1.1301-1.1319 can constitute a violation of FCC rules and subject the constructing party to potential enforcement action," the FCC said in its fact sheet on this topic.

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*Even when these conditions do not apply, the public can request and the FCC can order environmental review.*

**Q: What was the effect of NRDC's lawsuit against the FCC regarding the siting of small cell wireless construction?**

**A:** In March 2018, the FCC issued an order that attempted to eliminate environmental review requirements for small cell wireless facilities. NRDC challenged this order in court along with various other groups including the 19 Indian nations, the National Trust for Historic Preservation and the National Association of Tribal Historic Preservation Officers. While some of the construction might be called "small," it can include new cell towers.

In August 2019, the U.S. Court of the Appeals for the District of Columbia struck down the FCC's elimination of review under NEPA and the National Historic Preservation Act. No one appealed the decision to the U.S. Supreme Court. As a result, companies must comply with the environmental review requirements (listed above) that existed prior to the FCC's order attempting to eliminate them.

As a result, companies wishing to construct new small cell wireless facilities must complete an Environmental Assessment or certify that the proposed facility is categorically excluded from review. *Construction cannot proceed without such documentation.*

**Q: Where can I find out more about the environmental review requirements for new cell towers and other wireless infrastructure?**

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**A:** The FCC's Wireless Telecommunications Bureau develops and executes policies and procedures for fast, fair licensing of all wireless services, from fixed microwave links to amateur radio to mobile broadband services. This bureau has developed various materials explaining the environmental reviews required for various types of wireless infrastructure.

**Q:** Is NRDC monitoring the effects of 5G on human health or the environment?

**A:** No. NRDC's work is focused on protecting the right of each of us to have a say in government decisions that affect our lives and communities. We are not monitoring the effects of 5G on human health or the environment. Instead, we are working to hold the FCC accountable to its obligations under NEPA to ensure that the environmental effects of the activities it licenses are adequately evaluated and addressed.

**Q:** What groups are working on the health impacts of 5G?

**A:** Numerous citizen groups have organized across the country to address the impacts of 5G deployment. These groups include:

Napa/Sonoma Neighborhood Association - CA; Our Town, Our Choice - San Francisco, CA; Stop 5G Bellingham - Bellingham, WA; Stop 5G Chicago - Chicago, IL; Safe Tech Forward - Detroit, MI; Pima County 5G Awareness Coalition - Tucson, AZ; Stop 5G Charlotte - Charlotte, NC; 5G Colorado Action - Denver, CO; ElectromagneticHealth.org -

Boulder, CO. More than 100 groups aligned behind a set of principles regarding the implementation of new communications technologies have

created a voluntary association, Americans for Responsible Technology. We use cookies to personalise content and ads, to provide information about your use of our site with our social media advertising and analytics partners. [Privacy and Cookie Policy](#)  [Accept Cookies](#)

The [Environmental Health Trust](#) collects information and helps bring this information to the attention of federal, state and local decision-makers. EHT carries out research, as well as providing policy and public educational materials.

[Physicians for Safe Technology](#) is another useful source of information.

### Q: What can concerned citizens do?

A: Two immediate options are available to citizens concerned about the health and other environmental impacts of proposed new wireless infrastructure in their communities.

First, citizens can contact the FCC's Wireless Telecommunications Bureau and ask for the status of a company's environmental compliance. Put your request in writing. Provide information about the specific proposals being considered in your community including the name of the company planning new construction. Ask if the company has provided the FCC with an Environmental Assessment for the proposed construction or certification that the construction qualifies for a categorical exclusion under NEPA.

Explain your concerns about the adequacy of the existing FCC's radio frequency guidelines.

Second, submit comments to the FCC regarding the adequacy of its existing radio frequency guidelines. The FCC maintains an electronic system for accepting comments [here](#). When

commenting, make sure to include the number of the proceeding (19-226). Comments submitted to the FCC can be viewed [here](#).

Just this week, the FCC issued a notice affirming the adequacy of its guidelines. Following publication in the [Federal Register](#), the [Public Comment Policy](#) public will have 30 days to comment on this action.

## RESOURCES

For more information regarding what local governments can and cannot do related to construction of new small cell wireless infrastructure:

Grant Wilson, *Policy Report – Small Cell Facilities in Boulder, CO: Planning Ahead for an Evolving Legal Regime* (June 4, 2019). This analysis includes examples of what various local governments have done to regulate small cell wireless facilities.

For a collection of research and articles related to Electromagnetic Radiation Safety:

Dr. Joel Moskowitz, *Electromagnetic Radiation Safety*.

## ABOUT THE AUTHORS



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## Why you should consider SafeG™ over 5G

The wireless industry has fired the starting gun for the so-called “race to 5G.” Why 5G? The simple answer is that it comes after 4G. That’s the previous generation of wireless technology, and the industry is desperately seeking a way to increase its slumping profits by selling an expensive and unnecessary “upgrade.” (Seasoned activists may wish to go directly to [this special message](#).)

But, why a race? It’s because the industry is hoping that in the blur of a huge, flashy advertising campaign, you won’t notice any of the following:

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1. Neither the industry nor regulatory agencies such as the Federal Communications Commission and the Food and Drug Administration, have tested new 5G frequencies for safety. Yet, scientists expert in how this type of radiation interacts with biology warn that the new 5G technologies may be far more dangerous than previous generations of wireless technology.
2. A long-term U.S. government study just clearly linked the kind of wireless radiation emitted by cellphones to cancer.
3. The vast number of new antennas required for 5G service will be closely spaced on utility poles right outside of homes in residential neighborhoods. Those antennas will dramatically increase your exposure to wireless radiation. (For more information about this issue, referred to as antenna densification, read [5G: Under the Hood](#). Hint: It's mostly 4G antennas which are on all the time and now much closer to you.)
4. The radiation will be beamed directly into your home (or business) 24/7/365. You will never be able to turn it off.
5. You will be subjected to this radiation **whether you purchase 5G service or not**. The wireless industry is seeking to put antennas that service 5G close to homes in every neighborhood regardless of whether residents want or use the service.

If you have concerns about 5G (and you should), here's what the wireless

companies want you to do in response to the rollout of 5G wireless: Close and accept  
 Nothing. They are hoping you will accept 5G silently and without  
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complaint. But if you have read this far, you are probably not the silent type. You're trying to find out about the dangers of 5G and what you can do to stop it.

This site provides background on the dangers of 5G and on an alternative that not only protects your health but also your security and your privacy. We call that alternative SafeG.

## What is SafeG?

SafeG offers a safe, reliable alternative to the dangerous future which 5G would create. SafeG is not a single product or service, but a framework for an internet and telecommunications system that respects our health, our privacy, our security and our right to choose what is best for ourselves and our communities. We define SafeG as follows:

**SafeG means safe, fast, reliable, secure internet and telecommunications services brought into our homes and businesses by wired technology. It means technology that safeguards our health, privacy and security and that evolves over time with the goal of *reducing* exposure to harmful wireless radiation.**

The critical element that characterizes SafeG—wired connections to the home or business—is already available to a large number people around the world from existing internet and telecommunications providers,

especially in advanced economies. If we focus on extending availability

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and improving speed and capacity, we can have a safe system that keeps up with changes in technology and provides all the services we desire.

## SafeG is About Choice

**SafeG accepts the right of homeowners and businesses to decide for themselves whether to have wired or wireless networks on their premises *without forcing that choice on others.***

We recognize, however, that most wireless systems designed for homes and businesses (often referred to as Wi-Fi) are vastly overpowered and therefore broadcast into neighboring buildings and outdoor areas while needlessly exposing users in the building to extra radiation.

While we favor wired networks in homes and businesses, for those who choose wireless networks, we recommend the use of router cages or “socks” for wireless routers. These reduce the wireless signal to what is needed to serve the premises only. Another possibility is to use a router that allows users to turn down the power, sometimes up to 90 percent. Such routers may also have timers that allow for timed on and off so the router isn’t on when it’s not in use such as in the middle of the night.

Read on to learn more.

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## SafeG vs 5G

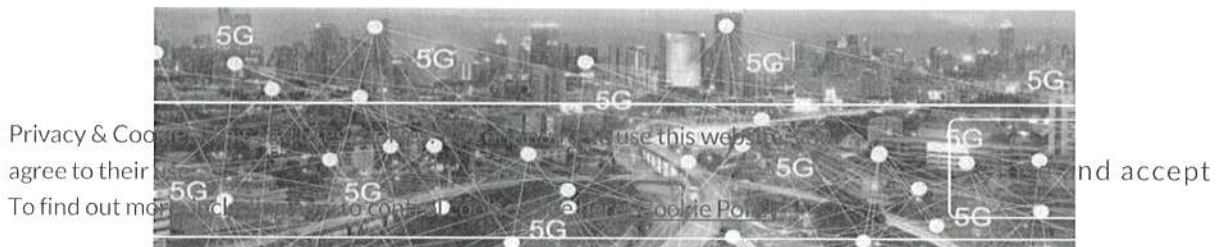
Lurking behind the sparkling commercials about the coming of 5G wireless networks are dangers most people are unaware of. When understood, those dangers have led to a growing rejection of this flawed technology that is both unhealthy and unnecessary. [Read more...](#)

## For Seasoned Activists



We are asking seasoned activists to help us advance an approach we believe can unite those who oppose 5G worldwide. [Read more...](#)

## 5G: The Real Story



The real reason for the so-called “race to 5G” has little to do with national economic prowess and more do with wireless industry profits. The industry faces stagnation. The ugly truth for these companies is that in the world’s advanced economies almost everyone who wants a cellphone already has one. [Read more...](#)

## 5G Dangers

Learn in more detail about the dangers and drawbacks of 5G by clicking “The Trouble with 5G” tab in the navigation menu or click on one of the following topics: [Health Impacts](#), [Privacy & Security Issues](#), [Decline in Property Values](#), [Loss of Local Control](#), [Environmental Harm](#).

## Learn about SafeG



## SafeG is Better

SafeG offers a vision for a safe alternative to the dangerous future which 5G would create. SafeG is not a single product or service, but a

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our health, our privacy, our security and our right to choose what is best for ourselves and our communities. [Read more...](#)

## Spread the Word



## SafeG Resources

SafeG Alliance seeks a better, safer future than the harmful 5G wireless system can offer. Learn more about [SafeG Alliance](#), [“I Support SafeG” Materials](#), [Events](#), [Videos](#) and a [Model Ordinance](#) for municipalities. You can also [subscribe](#) to our email list for news and updates and [contact us](#) with your ideas and comments.

## Support SafeG



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Our mission is to support those who oppose 5G wireless and to promote the SafeG alternative by 1) spreading the SafeG idea far and wide, 2) providing training to citizens and activists, and 3) engaging in strategic litigation.

To help us do this, please consider making a donation. Since SafeG is a program of Citizens for Health Education Foundation, your donation is tax deductible as allowed by law. All of your donation will go exclusively to support the SafeG mission.

You can read more on our [donation](#) page or click the donate button below to go directly to our donation form.

Donate to Support the  
SafeG Mission

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# WHAT IS SAFEG?

SafeG means safe, fast, reliable, secure internet and telecommunications services brought into our homes and businesses by wired technology. It means technology that safeguards our health, privacy and security and that evolves over time with the goal of *reducing* exposure to harmful wireless radiation.

## ABOUT SAFEG ALLIANCE

SafeG Alliance is a nonprofit educational program which seeks to unite those who view 5G as dangerous by giving us a common way to refer to a sane and safe alternative that has greater utility and safeguards our health, privacy and security. We believe that by spreading the SafeG idea broadly, we can create a new conversation worldwide about a better, safer and more robust future for internet and telecommunications services.

## SEARCH

Enter keyword here



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## Mother's Exposure to Electromagnetic Fields before and during Pregnancy is Associated with Risk of Speech Problems in Offspring.

Zarei S<sup>1</sup>, Vahab M<sup>1,2,3</sup>, Oryadi-Zanjani MM<sup>1,2,3</sup>, Alighanbari N<sup>4</sup>, Mortazavi SM<sup>5,6</sup>.

### Author information

#### Abstract

**BACKGROUND:** Rapid advances in technology, especially in the field of telecommunication, have led to extraordinary levels of mothers' exposures to radiofrequency electromagnetic fields (RF-EMFs) prior to or during pregnancy.

**OBJECTIVE:** The main goal of this study was to answer this question whether exposure of women to common sources of RF-EMFs either prior to or during pregnancy is related to speech problems in the offspring.

**MATERIALS AND METHODS:** In this study, mothers of 110 three-to-seven-year-old children with speech problems and 75 healthy children (control group) were interviewed. These mothers were asked whether they had exposure to different sources of EMFs such as mobile phones, mobile base stations, Wi-Fi, cordless phones, laptops and power lines. Chi square test was used to analyze the differences observed between the control and exposed groups.

**RESULTS:** Statistically significant associations were found between the use of cordless phone and offspring speech problems for both before pregnancy and during pregnancy maternal exposures ( $P=0.005$  and  $P=0.014$ , respectively). However, due to high rate of mobile phone use in both groups, this study failed to show any link between mobile phone use and speech problems in offspring. Furthermore, significant associations were observed between living in the vicinity of power lines and speech problems again for both before pregnancy and during pregnancy maternal exposures ( $P=0.003$  and  $P=0.002$ , respectively). However, exposure to other sources of non-ionizing radiation was not linked to speech problems. Moreover, exposure to ionizing radiation (e.g. radiography before and during pregnancy) was not associated with the occurrence of speech problems.

**CONCLUSION:**



Although this study has some limitations, it leads us to this conclusion that higher-than-ever levels of maternal exposure to electromagnetic fields could be linked to offspring speech problems.

**KEYWORDS:** Electromagnetic Fields; Exposure ; Ionizing radiation ; Non-ionizing Radiation ; Pregnancy ; Speech Problem

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**From:** [Chris Jordan](#)  
**To:** [Jim Sandoval](#); [Vency Woo](#); [Dennis Hawkins](#)  
**Subject:** FW: Dec. 17 Special City Council Meeting  
**Date:** Tuesday, December 10, 2019 5:02:59 PM

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

From: Nancy Colace [REDACTED] >  
Sent: Tuesday, December 10, 2019 4:55 PM  
To: City Council <council@losaltosca.gov>  
Subject: Re: Dec. 17 Special City Council Meeting

Dear Los Altos City Council,

I want to continue to show my unwavering support for the stringent ordinance passed on August 5th by the City Council that prevents cell towers being placed in close proximity to our homes and schools. Please uphold our ordinance by denying the appeal from both AT&T and Verizon at the December 17th meeting.

Thank you.

Nancy Colace  
Los Altos Resident

**From:** [Chris Jordan](#)  
**To:** [City Council](#)  
**Cc:** [Gail Karish](#); [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** FW: 5G Installation 1 Block from High School  
**Date:** Monday, December 16, 2019 9:59:52 AM

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**From:** Deirdre Woo <d[REDACTED]>  
**Sent:** Monday, December 16, 2019 7:11 AM  
**To:** Jan Pepper <jpepper@losaltosca.gov>  
**Cc:** cdiaz@losaltosca.gov  
**Subject:** Fwd: 5G Installation 1 Block from High School

Dear Los Altos City Council and City Attorney,

Please be advised that, at this time, further study is required to ascertain that AT&T and Verizon's proposed 5G installations are in compliance with newly defined guidelines specified by the NEPA ( National Environmental Protection Agency) as of August of this year, 2019. I recommend the Council postpone the vote on approval or denial of Said Carriers appeals until AT&T and Verizon certify they are in compliance with these new guidelines as of August 2019, 3 months ago.

Respectfully,  
Deirdre Woo  
[REDACTED]  
Los Altos, 94022

Sent from my iPhone

<https://mdsafetech.org/2019/12/08/nepa-the-nrdc-and-5g-neighborhood-cell-towers/>

**Q: What are the requirements for environmental review of new wireless infrastructure?**

A: The National Environmental Policy Act (NEPA) requires an analysis of environmental impacts of major federal actions. Such actions include various types of federal approvals

including for pipelines, oil and gas wells, dams and wireless infrastructure. If the impacts may be significant, the agency must prepare an Environmental Impact Statement. If an agency is unsure whether the impacts may be significant, it can prepare a shorter Environmental Assessment. Based on the Environmental Assessment, the agency will either move forward to prepare an EIS or instead prepare a Finding of No Significant Impact (FONSI). The only way to avoid an EA or an EIS is if the action qualifies for a categorical exclusion. While some new cell construction may qualify for a categorical exclusion (CE), the FCC has identified circumstances where a CE does not apply. For more information on the difference between an EIS and an EA, as well as information on the use and limits of categorical exclusions, see [The Citizen's Guide to the National Environmental Policy Act](#) prepared by the White House Council on Environmental Quality.

Anyone wishing to construct a facility that uses an FCC license must submit an Environmental Assessment to the FCC or certification that the facility is categorically excluded. 47 C.F.R. § 1.1307. An Environmental Assessment is required if the proposed construction:

- Will be in a wilderness area or wildlife preserve (generally on federal land);
- Might affect threatened and endangered species or their habitat (Endangered Species Act);
- Might affect properties included or eligible for inclusion in the National Register of Historic Places or Indian religious and cultural sites;
- Will be in a flood plain;
- Will involve "significant changes in surface features" during construction (e.g., wetlands, water diversion, deforestation);
- Will be taller than 450 feet and so might affect migratory birds;
- Involves high intensity lighting in a residential area; or
- Would cause radio frequency emission exposure in excess of FCC-established limits.

A company seeking to build a wireless facility that falls into any of the above categories must obtain a Finding of No Significant Impact *before* building. "Building without following the requirements at 47 CFR 1.1301-1.1319 can constitute a violation of FCC rules and subject the constructing party to potential enforcement action," the FCC said [in its fact sheet](#) on this topic.

**From:** [Chris Jordan](#)  
**To:** [Gail Karish](#); [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** FW: FCC Chairman, Ajit Pai, loses another court case as judges overturn 5G deregulation  
**Date:** Monday, December 16, 2019 9:50:41 AM

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FYI

**From:** Los Altos [REDACTED]  
**Sent:** Sunday, December 15, 2019 8:01 PM  
**To:** City Council <council@losaltosca.gov>  
**Subject:** FCC Chairman, Ajit Pai, loses another court case as judges overturn 5G deregulation

Dear Los Altos City Council,

I know we will be discussing the appeals for the AT&T and Verizon applications this coming Tuesday. I want all the Council members to know that we're standing on very firm legal precedent with the recent court case overturning 5G deregulation. I include the link and excerpt below to the extent you're interested in the details.

<https://arstechnica.com/tech-policy/2019/08/ajit-pai-loses-another-court-case-as-judges-overturn-5g-deregulation/>

One of Ajit Pai's attempts to eliminate regulation of 5G deployment has been overturned by federal judges.

The Federal Communications Commission last year [approved](#) an order that "exempted most small cell construction from two kinds of previously required review: historic-preservation review under the National Historic Preservation Act (NHPA) and environmental review under the National Environmental Policy Act (NEPA)," federal judges said in their decision partially overturning the order.

The FCC claimed its deregulation of small cells was necessary to spur deployment of 5G wireless networks. But the commission was sued by the United Keetoowah Band of Cherokee Indians in Oklahoma, the Blackfoot Tribe, and the Natural Resources Defense Council (NRDC). The FCC order was of particular interest to tribal groups because it affected construction on "sites of religious and cultural importance to federally recognized Indian Tribes," the judges noted. "The Order also effectively reduced Tribes' role in reviewing proposed construction of macrocell towers and other wireless facilities that remain subject to cultural and environmental review."

The FCC's opponents argued that the elimination of historic-preservation and environmental review was arbitrary and capricious, that it violated both the NHPA and NEPA, and that the changes to tribes' role in reviewing construction was arbitrary and capricious. A three-judge panel of the US Court of Appeals for the District of Columbia Circuit [issued its unanimous ruling](#) today.

Judges wrote that Pai's order "does not justify the Commission's determination that it was not in the public interest to require review of small cell deployments. In particular, the Commission failed to justify its confidence that small cell deployments pose little to no cognizable religious, cultural, or environmental risk, particularly given the vast number of proposed deployments and the reality that

the Order will principally affect small cells that require new construction."

The FCC also failed to "adequately address possible harms of deregulation and benefits of environmental and historic-preservation review," which means the commission's "deregulation of small cells is thus arbitrary and capricious," judges concluded.

The judges did not vacate the FCC order in its entirety, and they remanded some remaining issues back to the commission.

#### FURTHER READING

[Ajit Pai loses in court—judges overturn gutting of tribal broadband program](#)

"Today's decision confirms that the FCC cannot just scream '5G' to justify ignoring its duties to tribal nations and to the environment," attorney Andrew Jay Schwartzman, who helped oppose the FCC order, said today. "The decision does give the FCC more latitude than we would prefer on some of the mechanisms for tribal review, but we will deal with that on the remand."

Separately, the Pai FCC's attempt to take certain Lifeline broadband subsidies away from tribal residents was [overturned by the same court](#) in February this year.

## “Back to the drawing board”

Last year's FCC vote on the small cell order was 3-2, with both Democrats dissenting. FCC Democrat Jessica Rosenworcel [hailed the judges' ruling](#) today, writing that "the court just vacated a large part of the FCC's 5G deployment strategy" and that "it's time to go back to the drawing board and do better."

Brendan Carr, an FCC Republican, put a positive spin on the ruling, saying it "upheld key provisions." Carr [wrote](#):

Most importantly, the court affirmed our decision that parties cannot demand upfront fees before reviewing any cell sites, large or small. These fees, which had grown exponentially in the last few years, created incentives for frivolous reviews unrelated to any potential impact on historic sites. Those financial incentives are gone, and we expect our fee restrictions to continue greatly diminishing unnecessary and costly delays. I'm also pleased that the court affirmed our accelerated timelines for reviews. Already, these reforms have resulted in significant new builds.

As for the judges remanding parts of the order back to the FCC, Carr said, "We are reviewing the portion of last March's decision that the DC Circuit did not affirm and look forward to next steps, as appropriate."

Carr's statement also claimed that the FCC's deregulatory moves "have enabled the US to leapfrog our global competitors and secure the largest 5G build in the world."

#### FURTHER READING

[Verizon won't speed up 5G buildout despite FCC preempting local fees](#)

But FCC changes haven't had the impact that Carr claims. Another FCC order last year eliminated \$2 billion worth of local fees charged to carriers for deployment of small cells on public rights-of-way. Carr had claimed that this decision was needed to boost 5G construction, but [Verizon said](#) that the



December 11, 2019

Re: Public Safety -- Communications Infrastructure

Dear City Council Members,

As a community we count on our police, EMTs, firefighters and other emergency personnel to be trained and available when an emergency arises. We expect the City Council to prioritize emergency response and ensure that trained responders and resources are in place to act in times of need.

This Council has decided to limit 5G cell towers, despite recommendations from the State Office of Emergency Services and local First Responders to the contrary.

- How will these limitations negatively impact the 5G infrastructure required by trained professionals?
- What is the alternative plan to provide reliable communications infrastructure during an emergency situation?
- What are the implications to interoperability and mutual aid from other agencies?

One has to wonder about the consequences if First Responders do not have the up to date infrastructure they need to do their jobs well. Does it become more difficult for Los Altos to recruit qualified first responders?

What about on the individual level?

- Given the limitations on 5G cell towers, does Council have advice to residents on how to be adequately prepared?
- When selling a home, is disclosure required that the ability of first responders to respond in emergency situations might be in question?
- Should residents notify their insurers of a lower level of emergency communications infrastructure and/or consider additional insurance coverage?

We encourage the Council to sponsor sessions with residents on emergency preparedness in this new environment, what to expect from First Responders, and what, if anything, individuals should do now to complement communications infrastructure.

As Benjamin Franklin said: "If you fail to plan, you are planning to fail."

Respectfully submitted,

Los Altos Community Voices Steering Committee

Robin Abrams, Curtis Cole, Kim Cranston, Cathy Lazarus, Bill Sheppard, Marie Young



## *Observations*

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### **We Have No Reason to Believe 5G Is Safe**

The technology is coming, but contrary to what some people say, there could be health risks

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By Joel M. Moskowitz on October 17, 2019



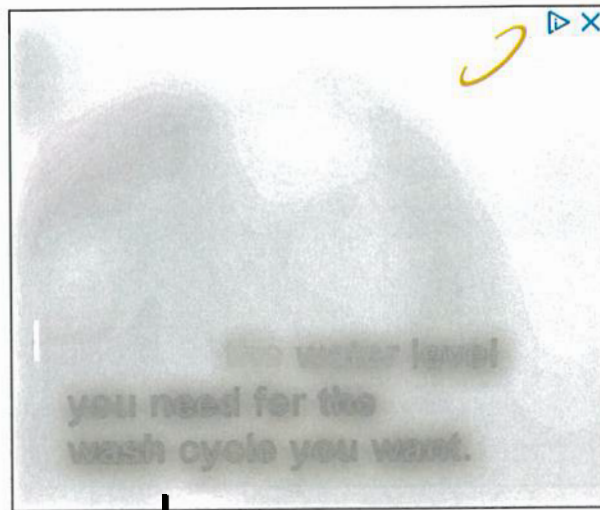
Credit: Bill Oxford *Getty Images*

The telecommunications industry and their experts have accused many scientists who have researched the effects of cell phone radiation of "fear mongering" over the advent of wireless technology's 5G. Since much of our research is publicly-funded, we believe it is our ethical responsibility to inform the public about what the peer-reviewed scientific literature tells us about the health risks from wireless radiation.



The chairman of the Federal Communications Commission (FCC) recently announced through a press release that the commission will soon reaffirm the radio frequency radiation (RFR) exposure limits that the FCC adopted in the late 1990s. These limits are based upon a behavioral change in rats exposed to microwave radiation and were designed to protect us from short-term heating risks due to RFR exposure.

Yet, since the FCC adopted these limits based largely on research from the 1980s, the preponderance of peer-reviewed research, more than 500 studies, have found harmful biologic or health effects from exposure to RFR at intensities too low to cause significant heating.



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Citing this large body of research, more than 240 scientists who have published peer-reviewed research on the biologic and health effects of nonionizing electromagnetic fields (EMF) signed the International EMF Scientist Appeal, which calls for stronger exposure limits. The appeal makes the following assertions:

“Numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines. Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being in humans. Damage goes well beyond the human race, as there is growing evidence of harmful effects to both plant and animal life.”

The scientists who signed this appeal arguably constitute the majority of experts on the effects of nonionizing radiation. They have published more than 2,000 papers and letters on EMF in professional journals.

The FCC's RFR exposure limits regulate the intensity of exposure, taking into account the frequency of the carrier waves, but ignore the signaling properties of the RFR. Along with the patterning and duration of exposures, certain characteristics of the signal (e.g., pulsing, polarization) increase the biologic and health impacts of the exposure. New exposure limits are needed which account for these differential effects. Moreover, these limits should be based on a biological effect, not a change in a laboratory rat's behavior.

The World Health Organization's International Agency for Research on Cancer (IARC) classified RFR as "possibly carcinogenic to humans" in 2011. Last year, a \$30 million study conducted by the U.S. National Toxicology Program (NTP) found "clear evidence" that two years of exposure to cell phone RFR increased cancer in male rats and damaged DNA in rats and mice of both sexes. The Ramazzini Institute in Italy replicated the key finding of the NTP using a different carrier frequency and much weaker exposure to cell phone radiation over the life of the rats.

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Based upon the research published since 2011, including human and animal studies and mechanistic data, the IARC has recently prioritized RFR to be reviewed again in the next five years. Since many EMF scientists believe we now have sufficient evidence to

consider RFR as either a probable or known human carcinogen, the IARC will likely upgrade the carcinogenic potential of RFR in the near future.

Nonetheless, without conducting a formal risk assessment or a systematic review of the research on RFR health effects, the FDA recently reaffirmed the FCC's 1996 exposure limits in a letter to the FCC, stating that the agency had "concluded that no changes to the current standards are warranted at this time," and that "NTP's experimental findings should not be applied to human cell phone usage." The letter stated that "the available scientific evidence to date does not support adverse health effects in humans due to exposures at or under the current limits."

The latest cellular technology, 5G, will employ millimeter waves for the first time in addition to microwaves that have been in use for older cellular technologies, 2G through 4G. Given limited reach, 5G will require cell antennas every 100 to 200 meters, exposing many people to millimeter wave radiation. 5G also employs new technologies (e.g., active antennas capable of beam-forming; phased arrays; massive multiple inputs and outputs, known as massive MIMO) which pose unique challenges for measuring exposures.



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Millimeter waves are mostly absorbed within a few millimeters of human skin and in the surface layers of the cornea. Short-term exposure can have adverse physiological effects in the peripheral nervous system, the immune system and the cardiovascular system. The research suggests that long-term exposure may pose health risks to the skin (e.g., melanoma), the eyes (e.g., ocular melanoma) and the testes (e.g., sterility).

Since 5G is a new technology, there is no research on health effects, so we are "flying blind" to quote a U.S. senator. However, we have considerable evidence about the harmful effects of 2G and 3G. Little is known the effects of exposure to 4G, a 10-year-old technology, because governments have been remiss in funding this research. Meanwhile, we are seeing increases in certain types of head and neck tumors in tumor registries,

which may be at least partially attributable to the proliferation of cell phone radiation. These increases are consistent with results from case-control studies of tumor risk in heavy cell phone users.

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5G will not replace 4G; it will accompany 4G for the near future and possibly over the long term. If there are synergistic effects from simultaneous exposures to multiple types of RFR, our overall risk of harm from RFR may increase substantially. Cancer is not the only risk as there is considerable evidence that RFR causes neurological disorders and reproductive harm, likely due to oxidative stress.

As a society, should we invest hundreds of billions of dollars deploying 5G, a cellular technology that requires the installation of 800,000 or more new cell antenna sites in the U.S. close to where we live, work and play?

Instead, we should support the recommendations of the 250 scientists and medical doctors who signed the 5G Appeal that calls for an immediate moratorium on the deployment of 5G and demand that our government fund the research needed to adopt biologically based exposure limits that protect our health and safety.

*The views expressed are those of the author(s) and are not necessarily those of Scientific American.*

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## ABOUT THE AUTHOR(S)

### Joel M. Moskowitz

Joel M. Moskowitz, PhD, is director of the Center for Family and Community Health in the School of Public Health at the University of California, Berkeley. He has been translating and disseminating the research on wireless radiation health effects since 2009 after he and his colleagues published a [review paper](#) that found long-term cell phone users were at greater risk of brain tumors. His [Electromagnetic Radiation Safety](#) website has had more than two million page views since 2013. He is an unpaid advisor to the [International EMF Scientist Appeal and Physicians for Safe Technology](#).

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**From:** [Chris Jordan](#)  
**To:** [Jim Sandoval](#); [Dennis Hawkins](#); [Christopher Diaz](#); [Gail.Karish@bbklaw.com](mailto:Gail.Karish@bbklaw.com)  
**Subject:** Fwd: Transparency about anti-mobile legal costs  
**Date:** Friday, December 13, 2019 11:57:07 AM

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Sent from my iPad

Begin forwarded message:

**From:** Larry Lang [REDACTED]  
**Date:** December 13, 2019 at 11:40:37 AM PST  
**To:** "[council@losaltosca.gov](mailto:council@losaltosca.gov)" <[council@losaltosca.gov](mailto:council@losaltosca.gov)>  
**Subject:** **Transparency about anti-mobile legal costs**

Dear Council Members,

I write about the upcoming Administrative Public Hearing regarding the Appeals of Denials of Applications for AT&T and Verizon to install new mobile base stations. Clearly substantial legal fees are already accruing as a result of the ordinance adopted to block their installations. Perhaps you will grant the requested exceptions, but if you do not, it seems highly probable that the companies will continue their legal appeals. Since the ordinance blocks installation in over 90 percent of Los Altos, which would seem to have "the effect of prohibiting the provision of personal wireless services" in violation the Federal Communications Act, the companies seem to have substantial grounds for successful appeals. In any case, even more legal fees will accrue.

My request is that council **track and publish the legal fees involved in seeking to prevent the installation of mobile base stations**. The residents should have the ability to review the costs involved. Also, during the public comments leading up to adoption of the ordinance, several residents volunteered to reimburse the city for the legal fees involved. Publishing the costs would allow them to keep that promise.

Thank you,  
Larry Lang

Disclaimer: My company develops mobile telecommunications technology.

**From:** [REDACTED]  
**To:** [City Council](#); [Chris Jordan](#); [Administration](#); [Vency Woo](#)  
**Cc:** [Dennis Hawkins](#); [Angel Rodriguez](#)  
**Subject:** An abundance of caution: are 5G nodes a fire risk?  
**Date:** Tuesday, October 29, 2019 3:02:16 PM

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Dear Council Members and City Staff,

In what may be an abundance of caution, and asking strictly on my own behalf, I'd like to know whether the City has considered potential fire as a risk associated with 5G nodes?

When I visited the 4G installation at 528 Panchita Way, I immediately noticed it had a fan. I assumed the need for 24/7 cooling meant the node ran hot. I had to have my own air conditioning unit serviced this summer, so I wondered how 5G fans would be maintained. And if a fan failed unexpectedly, would there be a risk of fire, especially near dry trees or in wooded areas.

I understand the nodes are being touted as communications equipment to assist in emergency situations, but with all the recent rolling blackouts, as well as actual fires and smoke, I feel a strong obligation to ask whether the nodes themselves can cause fires. I'm not a firefighter, but I have several basic questions:

- Has the City considered any possible fire exposure and, if so, what is the assessed risk level?
- How are the fans powered? (Electrical via the power lines or solar?)
- Do the nodes have back up generators?
- How are fans addressed in the maintenance plans?

In any case, please share any and all information you may have regarding the potential fire exposure.

Thank you,

Bette Houtchens

**From:** [Chris Jordan](#)  
**To:** [Jim Sandoval](#); [Dennis Hawkins](#)  
**Subject:** FW: Input for today's meeting: AT&T and Verizon cell node appeals  
**Date:** Tuesday, December 17, 2019 11:34:27 AM

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

From: Gregory Burns [REDACTED]  
Sent: Tuesday, December 17, 2019 11:33 AM  
To: City Council <council@losaltosca.gov>  
Cc: Gregory Burns <gburns@mac.com>; Chris Jordan <cjordan@losaltosca.gov>  
Subject: Input for today's meeting: AT&T and Verizon cell node appeals

Honorable Councilmembers,

The Los Altos community has been clear about our displeasure with AT&T and Verizon's poorly planned cell node applications. Your careful review resulted in an ordinance which addressed the many issues of the community and provided clear guidance to wireless providers. Seeing our neighbors in Los Altos Hills last week also establishing school and residence setbacks for small cell nodes again re-enforces how communities see the need to carefully manage placement of these facilities.

Unfortunately, the carriers have not made any attempt to comply with the Los Altos ordinance. Specifically, I live on Linden Ave, where AT&T proposes installation on a local side street, less than 500 feet from the classroom buildings at Egan Jr High School (687 Linden ave).

Please deny AT&T and Verizon's cursory appeals and require the wireless providers to return with plans that meet the city's requirements as stated in the small cell node ordinance.

Thank you,  
Gregory Burns