

The Problem: Close Proximity Microwave Radiation Antennas near Homes

MARCH 6, 2018

SANTA ROSA CITY COUNCIL STUDY SESSION

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The Solution:

Moratorium for six months

Update Municipal Wireless Code

Only in comm. zones & on PG&E poles

Least intrusive means for coverage

Most energy-efficient video data trans.

Accommodate those disabled with EMS

Staff Direction:

- 1. Suspend encroachment permits**
- 2. Cancel MLA due to fraud**
- 3. Roll back Policy 300-04**
- 4. Revise MC 20-44 w/ public input**
- 5. Restart process w/ public input**

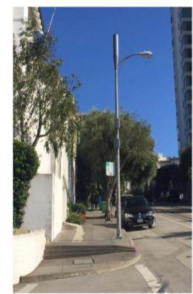
Feb 14, 2017: Council Bamboozled! All Photos of Commercial Areas

PITCH VIDEO

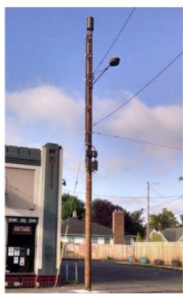
ACTUAL: NEAR HOMES



2:11:40 – CITY STAFF:
"Generally, they look like this and I would argue that most residents would even fail to recognize them when they are deployed. . . site licenses are for 3rd and Santa Rosa and Fourth and Mendo"



Street Light



Utility Pole



Street Light



Utility Pole



Traffic Control Pole with Cabinet



verizon



Feb 14, 2017: Council Bamboozled!

Described use: Commercial Areas

CITY STAFF ON VIDEO:

- **2:12:08** - "Small cells are typically deployed in higher user, higher density areas where you see a lot of people congregating be they at a football stadium or a downtown square or in a rec and parks facility or even on Santa Rosa Ave or Fourth Street."

ACTUAL: NEAR HOMES

- **60 of 72 CPMRA Cell Towers** planned for residential zones (**83%!)**
- All poles equipped with **three radios**
- No proof of **SIGNICANT GAP** in coverage

Feb 14, 2017: Council Bamboozled! Understated Size of Program

2:31:20 ON VIDEO:

- **Council** - "Am I to take from that we are expecting about **16** of these sites around the city?"
- **Verizon**: "Our plans for the next three years, we actually anticipate around **75 locations.**"
- **City Staff**: "the number is **75 on city light poles.**"

ACTUAL PLAN: 200 → 750

- **Verizon**: **30 → 75** on city-owned light poles
- **Verizon**: **42 → 105** on PG&E utility poles
- **Mobilitie**: **26 → ??** on city-owned light poles
- AT&T/Sprint/T-Mobile??

Feb 14, 2017: Council Bamboozled! Under Market Rents

2:35:00 ON VIDEO:

- **Council** - "Other cities and landlords are obtaining between \$100 and \$500 a month in lease fees per pole [**\$1,200 - \$6,000/year**]"
- **3/2/18 NYT Article:** annual pole market-based rental rate of **\$1,995/year** for "small-cell" poles in Lincoln, Nebraska

ACTUAL MLA

- **Verizon pays: only \$350** per year in lease fees for each city light pole
- **Mobilitie pays: only \$350** per year in lease fees for each city light pole

Conclusion:

Fraud in the inducement for

Changes to 300-04

Invasion of residential zones

Master License Agreements

Undermarket lease rates

Liabilities: for creating dangerous
conditions of public property

More Problems with Close Proximity Microwave Radiation Antennas near Homes

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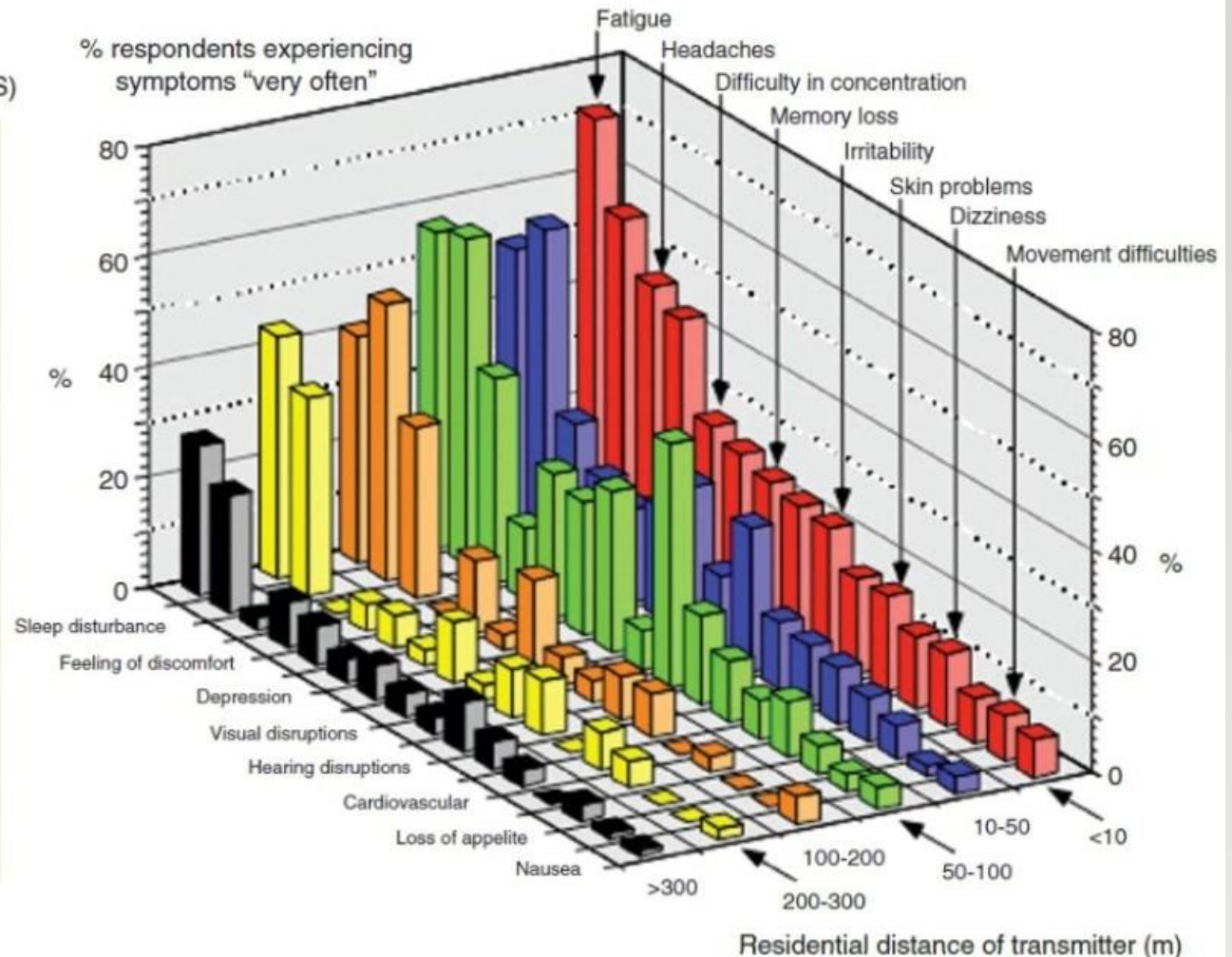
Environmental Effects **DO NOT** Equate to Human Health Effects

- Thousands of independent studies confirm harm **far below** .01% FCC RFR MPE guideline
- **2018 NTP:** Malignant heart tumors, brain tumors and DNA damage
- **1978 US Embassy Personnel in Moscow:** Cardiac, Blood, Neurological, chromosome damages, elevated cancer (**Hazard Pay**)
- **2017 Letters Opposing SB.649:** Dr. Beatrice Golomb, Dr. Martin Pall, Dr. Trevor Marshall

Neurobehavioral Symptoms near Cell Towers

Rapid aging syndrome (RAS)
Electro-Hyper-Sensitivity (EHS)

1. Fatigue
2. Sleep disturbance
3. Headaches
4. Feeling of discomfort
5. Difficulty concentrating
6. Depression
7. Memory loss
8. Visual disruptions
9. Irritability
10. Hearing disruptions
11. Skin problems
12. Cardiovascular
13. Dizziness
14. Loss of appetite
15. Movement difficulties
16. Nausea



Work of Santini et al (France): Pathol Biol. 2002;50:S369-73.

Dr. Trevor Marshall: How Radio Waves Make You Sicker

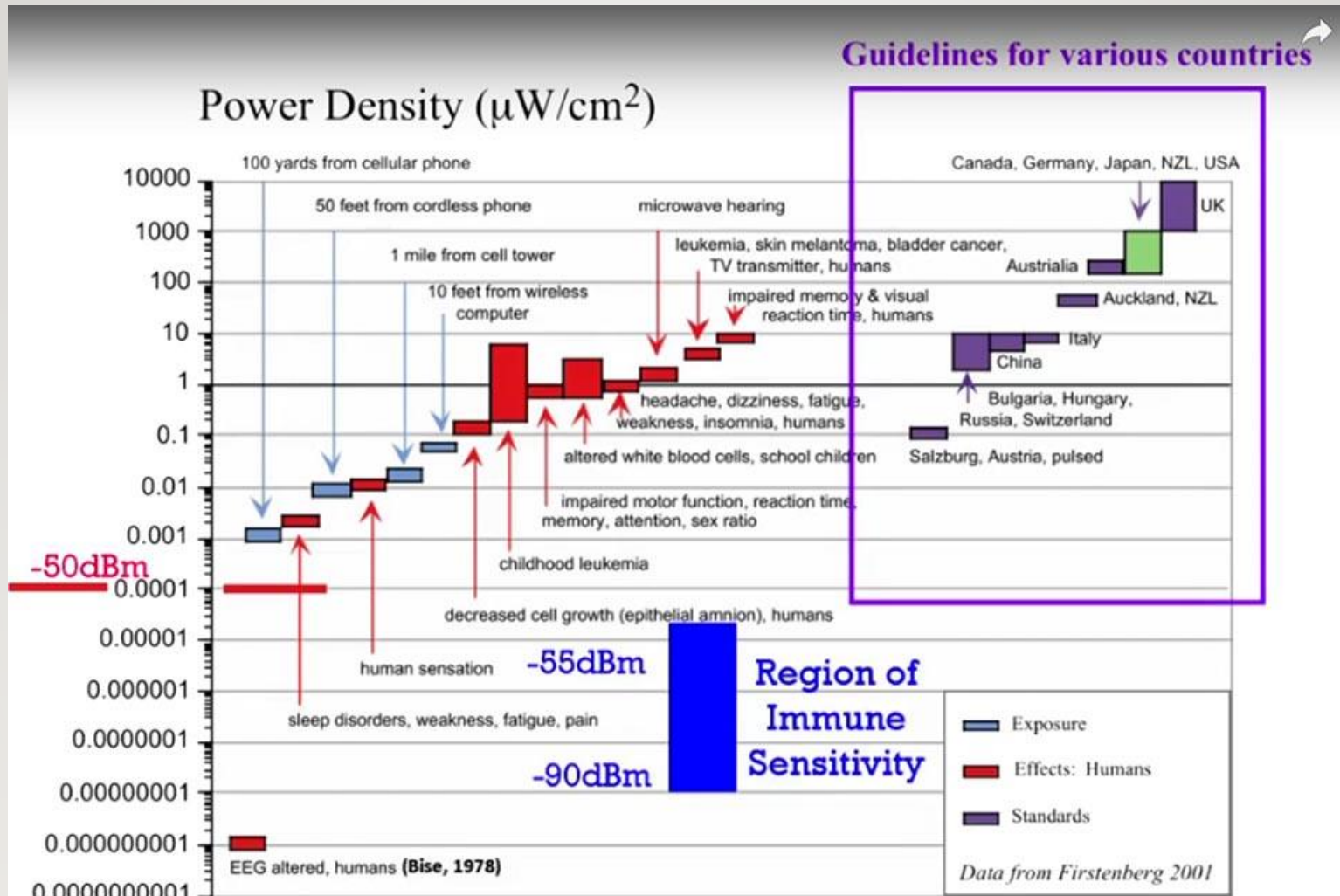
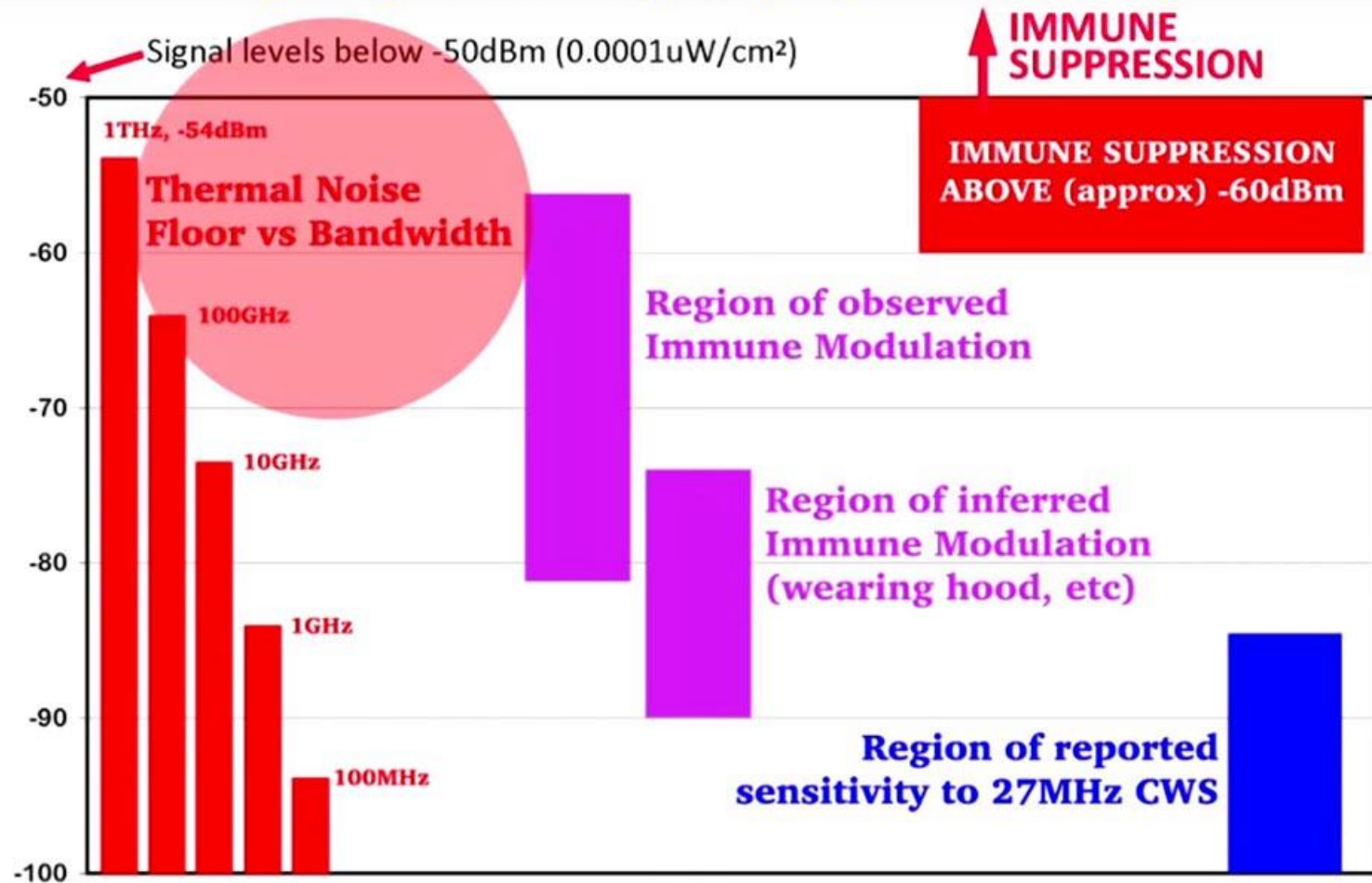
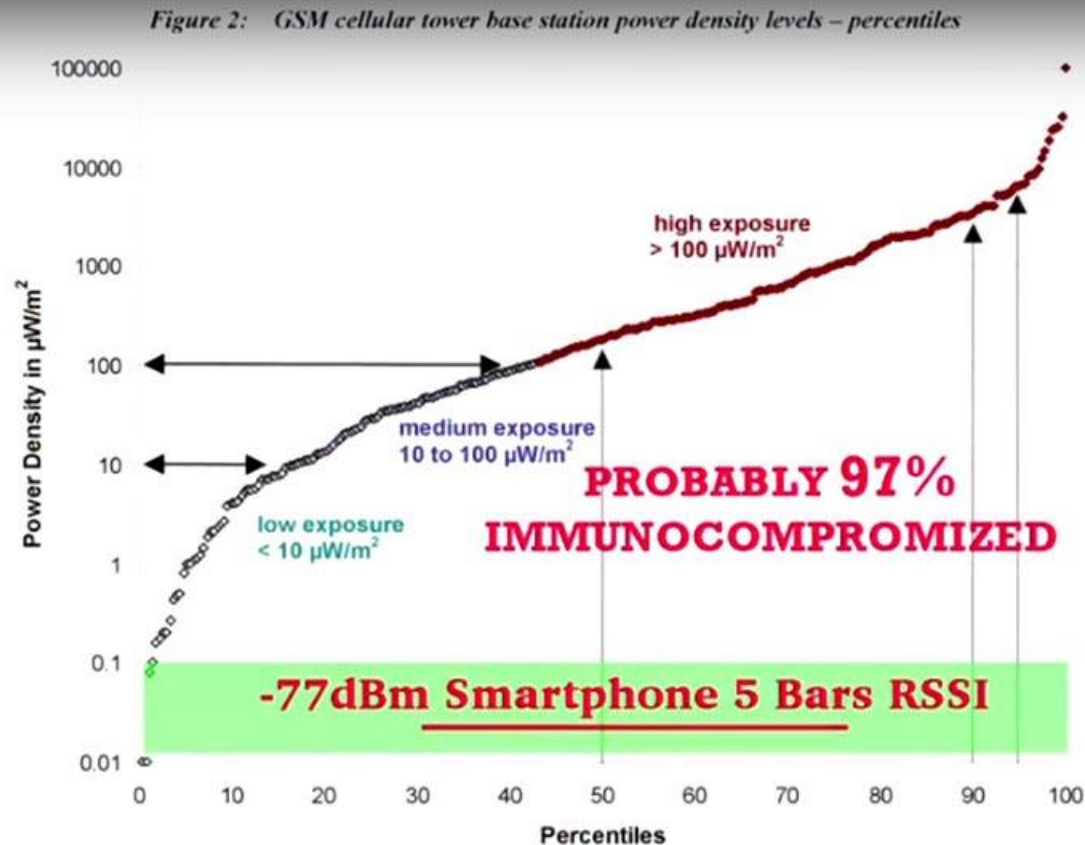


Chart adapted from Magda Havas, Trent University, Canada

The Human Electromagnetic Sensory Response must involve CNS Signaling Mechanisms, perhaps Quantum Criticality?



Dr. Trevor Marshall: How Radio Waves Make You Sicker



Immune dysfunction leads to Autoimmune Disease,
Chronic Fatigue, Idiopathic Pain, MS and Cancers
→ Premature Diseases of the Aging ←

Conclusion:

FCC MPE RFR Guideline does not protect these RFR damages

Early dementia

Infertility & DNA Damage

Heart and Brain Cancer

= Liabilities: dangerous conditions
of public property

Engineering Issues for Close Proximity Microwave Radiation Antennas near Homes

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Engineering Review of 300-04

- To date, lacking Exhibits A or B for any CPMRA. **This is a problem.**
- Categorical CEQA exemption from the CPUC? **This is the City's responsibility.**
- Batteries are commercial nickel cadmium batteries, which are classified as a **class 8 toxin hazard.**
- Batteries are **explosive under dead-short conditions.**
- Batteries require a Hazardous Materials Release Response plan per SB.1082.
- Exempts right of ways from the 'good building practices' specified in City Code 20-44. **Why? This is not a good idea.**
- Seismic codes for the battery cabinet's concrete pad would **not be exempt** in that these are specified in City Code Chapter 16, ASCE 7-10, and NEHRP FEMA 232
- **Conclusion:** If 300-04 allows the battery cabinet to be installed in rights of way without complying with applicable City Codes, such as City Code 20-44, and an incident should occur, (such a vehicle crashing into a battery) **the City could be liable for Regulatory Negligence in the Duty of Care.**

300-04 Conflicts with MC 20-44

If there is a discrepancy between City Code and City Council policy, City Code overrides policy.

Chap. 20-10.050 Applicability of Zoning Code.

Paragraph J. Conflicting requirements.

“Any conflict between different requirements of this Zoning Code, or between this Zoning Code and other regulations, shall be resolved in compliance with **Section 20-12.020 D** (Conflicting Requirements).”

From Review of Records

The Santa Rosa Building dept. / Public Works allowed the plans to be approved **without an electrical engineering stamp** on the electrical portion of the plans, **they broke state law** Professional Engineers Act B&P Code Section 5537.2, 5537.4, and 6737.4 by doing this.

Conflict in 300-04:

Policy 300-04 exempts the City from having to comply with City Codes.

The City Manager cannot execute a license until project complies with City Code.

RF Microwave Issues for Close Proximity Microwave Radiation Antennas near Homes

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20-44.020 Permit requirements

A. Design Review required. Design Review is required for all telecommunication facilities, except those listed by this Chapter as exempt.

B. Minor Conditional Use Permit required. A Minor Conditional Use Permit is required for all minor telecommunication facilities.

C. Conditional Use Permit required. A Conditional Use Permit is required for all major telecommunication facilities.

Each commercial telecommunications facility shall comply with the following regulations.

A. Exempt facilities. The following are exempt from Design Review and Conditional Use Permit requirements:

1. A telecommunications facility that is **not within the public view**
2. **Removal** of transmission equipment.
3. **Replacement** of transmission equipment

B. Minor facilities. The following are subject to Minor Conditional Use Permit and Design Review and shall comply with all applicable provisions of this Chapter.

1. Building or ground-mounted antennas located on **non-residentially used parcels within R or PD zoning districts;**
2. Building or ground-mounted antennas located **within any C, BP, or PI zoning district or within any office, commercial or industrial area of a PD zoning district;**
3. **Minor modifications** to existing legally established minor or major towers in any zoning district;

C. Major facilities. The following facilities are subject to Conditional Use Permit and Design Review and shall comply with all applicable provisions of this Chapter: **All commercial telecommunication facilities, other than exempt or minor facilities.**

Lacking Answer from Verizon

What is the **radius of the circular RF Microwave radiation region** from the Amphenol omnidirectional antennas at two elevations — at **antenna height** and **at ground** — from the source antenna to where the RF Microwave radiation signal degrades to -105 dBm at the following antenna power levels: at 100% (2,200 Watts), at 75% (1,650 Watts), at 50% (1,100 Watts), at 25% (550 Watts) and at at 10% (220 Watts)— **from 20 feet to 2,000 feet in 20-foot increments?**

Lacking Answer from Verizon

Can an RF Engineer base the analysis on **actual** RF Microwave radiation measurements for **both peak and average** RF Microwave radiation exposures from the actual Amphenol antennas being installed in Santa Rosa, and **not just on theoretical values** that are based only on average RF Microwave radiation exposures generated by Hammett's proprietary spreadsheet ?

Key Question

How can we best achieve a balancing of Verizon's commercial goals with the City of Santa Rosa City Council's constitutional duty to protect residents' safety and privacy by ensuring that RF Microwave radiation exposures in residential zones are no higher than -75 dBm, the level that provides five bars on a cell phone?

Santa Rosa Residents Have Rights

- Inalienable **constitutional** rights: Privacy and Safety
- **ADA Accommodations**, forced by HUD/other agencies
- **Public role/review/input** for all “Major Wireless” facilities
- Benefit from **market rents**: \$2,000+/pole per year
- Benefit from **market fees** to use Public Utility fiber
- Recover share of **\$16 Billion** that Californians paid for Copper to Fiber upgrade that **never happened**

The Solution:

Moratorium for six months

Update Municipal Wireless Code

Only in comm. zones & on PG&E poles

Least intrusive means for coverage

Most energy-efficient video data trans.

Accommodate those disabled with EMS