

Adrienne Thompson

From: Annemarie <aweibel@mcn.org>
Sent: Wednesday, May 18, 2022 8:31 AM
To: pbscommissions
Subject: public comment U_2017-0036 item 6 d on 5-19-2022

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Dear Commissioners,

Wireless Communication Facilities are obsolete. We have a minimum of 441,449 LOW EARTH ORBIT SATELLITES Operating, Approved and Proposed
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.cellphonetaskforce.org%2fwp-content%2fuploads%2f2022%2f01%2f441449-Low-Earth-Orbit-Satellites.pdf&c=E,1,qrikQtWs1e1rPbwCwTSkNI_a1nP7I7HrqBD836AL1NduPIOQRFNDFBpUc_FwWbFeAP2MO3TyCwgRXd0OYi-KB757-GSLNog9G3h1rTSZp3eQgcyG_OjVlg,,&typo=1

Planning & Building Services

and we have

CELL TOWERS ON THE OCEAN FLOOR

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.cellphonetaskforce.org%2fwp-content%2fuploads%2f2022%2f01%2fCell-towers-on-the-ocean-floor.pdf&c=E,1,5a1I43AXeUHJKP7uC_6xjewal3nP8g8xVz172DsckN_VuVo8fzsgxGj-_vllVu83iyLEs9AVEaJGgwQaEu5DGCfz8_YlofHIDB_V0Rq_DIhtQ,,&typo=1

We also have more and more people suffering from radiation poisoning.

More and more animals and plants are affected.

Please do not process anymore applications until you rewrite the updated Wireless Guidelines; have a workshop about 5G by a well known scientist knowledgeable about this field. This workshop would include potential dangers of this technology. Please also rewrite your bylaws so that citizens are not blocked from appealing a decision if the amount of Commissioners present would prevent this. This happened during the meeting about the Spyrock wireless communication facility in Laytonville.

When will this happen? We asked for these items several times.

Thanks, Annemarie Weibel

On 4-15-2021 I wrote about some of the below mentioned issues:

Since 5-16-2019 I have attended Planning Commission meetings relating to wireless communication facilities and shared my observations with you.

That day a petition against a wireless communication facility in Manchester planned on land belonging to the AT&T Corporation was submitted that was signed by 49 community members who live in the general vicinity. AT&T Mobility decided to postpone their project to a day uncertain. The day has come. On 5-19-2022 the project will be discussed.

Another wireless facility in Potter Valley was temporarily postponed due to a setback issue, but was adopted on 7-3-2019 even though the setbacks were not in accordance with the Wireless Guidelines from 2015 (not relevant anymore!) and the agent refused to lower the facility.

I appealed the wireless communication facility on Navarro Ridge Road in Albion to the Coastal Commission that did not find substantive reasons to deny it. Next AT&T installed 50 poles and cables in the Coastal Zone without a Coastal Development Permit (CDP) to power the site without informing Mendocino County Planning & Building Department

staff or the Mendocino County Planning Commission. The permit came from the Transportation Department. Locals had to shut down this enterprise twice, but the Board of Supervisors were pressured by AT&T's lawyer to allow AT&T Mobility to finish connecting the tower and then apply for the CDP. The Supervisors required that a CDP needed to be applied for within 60 days and that it should be diligently pursued. Not much has happened since 7-8-2021 as far as I can tell.

I followed closely the hearings about the Pine Mountain wireless communication facility in Willits and the appeal. A majority of the neighbors did not want the facility, while AT&T encouraged their staff to write letters in support of the facility. All Commissioners were initially against this facility, but when the new wording for the Resolution was proposed it turned out that one Commissioner had to excuse himself due to a conflict of interest, another was asked to excuse herself as County Council felt that she was biased at the previous hearing. A lawyer, the friends and neighbors of Pine Mountain hired indicated that was not the case. One Commissioner due to medical reasons announced 4 months earlier that she was not able to attend a hearing on that day. According to the bylaws the way they currently are (unless they get changed) all 4 Commissioners needed to vote the same way in order for the public to be able to appeal and for the Special Conditions to remain.

Since 1995 the majority of the neighbors living on Spyrock in Laytonville did not want a wireless communication facility in the neighborhood. It just showed up without permits or anyone knowing about it on a property the size of a third of an acre in a zone where all properties had to be 20 acres or more. For example in 1998 the 15 ft. facility was approved to increase by 30 ft. and none of the local people knew about the hearing. The newspaper announcement was sent to the Willits News instead of the Laytonville News. Similarly in December of 2020 the Willits News got notified instead of the Laytonville News; notices to local people were sent to Point Arena; and the notice to the Spyrock School was sent to the wrong address and returned even though the school is within 1,400 ft. to 1,600 ft. from the facility; and now with increased height in direct view of the tower. Children are especially vulnerable. This is a crime.

With the Potter Valley, Spyrock, and Pine Mountain communities the initial votes by Commissioners were against such a facility or raising the height of the facility; and in support of the majority of the neighbors until it came to a second vote after the rewording of the Resolution.

The Board of Supervisors decided to no longer have special interest groups represented on the Planning Commission, but were interested in finding Alternates. That idea got nixed. At the hearing for the Spyrock tower there were not enough Commissioners present to vote, and therefore the public never got to talk and also could not appeal the project and the raising of the tower. The public was told that the time had run out and the owner/applicant were not willing to waive the timeline when it became clear that there was not a quorum. Why does the public has to suffer when planners do not pay attention to these important details and loose precious time? Even though the setback is less than required according to the Wireless Guidelines this tower will still be built according to the wishes of the owner/applicant at the proposed height.

Also the fact, that the planner responsible for analyzing this tower is a school friend of the applicant did not help the image of the Planning & Building Services Department. This was a conflict of interest.

Public Record Requests took 6 weeks one time for the Spyrock tower and 1 month for another request, and the requester needed to remind the County employee to send them.

Community members realize that Covid did not make things easier and asked to have a moratorium for hearings about towers instead of virtual hearings, but that did not happen so far.

It seems to me that we voted for the Supervisors to represent us and they choose the Planning Commissioners to represent us. What we have observed is that the planners and staff at the Planning and Building Services, the Planning Commissioners, and the Board of Supervisors seem to represent the corporations that want more money and power as long as the Federal Communication Commission (FCC) will insist that there are no health problems related to them. Thanks to the Children's Health Defense and the Environmental Health Trust a successful law suit challenged the

Telecommunications Act from 1996 (way outdated!) and forced the FCC to prove that this technology is safe. They have not done that yet and can't and we know that it is not safe, nor healthy to be living next to a wireless communication facility.

The Mendocino County Code Section 20.196.020(c) describes the protection "That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county." In the case with the wireless communication facility on Pine Mountain in Willits and on Spyrock in Laytonville close neighbors felt strongly that what was adopted constitutes a nuisance/is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use; or is detrimental or injurious to property and improvements in the neighborhood; or to the general welfare of the county."

In this case the deemed approval of the application would have been appealable to the Board of Supervisors however, the Board of Supervisors would lack jurisdiction to hear the appeal. This application is also an eligible facilities request under Federal law, and appears to be deemed approved pursuant to time constraints applicable to eligible facilities requests.

Community members and Commissioners asked for updated Wireless Guidelines, for a workshop about 5G, and for rewriting the bylaws. When will this happen? We asked for that several times.

Contemplating these projects and how they were dealt with I walk away feeling that this process is very undemocratic.

