



PUBLIC CORRESPONDENCE

The following is public correspondence received by the City Clerk's Office after the posting of the original agenda. Individual contact information has been redacted for privacy. This may *not* be a comprehensive collection of the public correspondence, but staff makes its best effort to include all correspondence received to date.

To send correspondence to the City Council, on matters listed on the agenda please email PublicComment@losaltosca.gov

From: [Jane Osborn](#)
To: [Public Comment](#); [City Council](#)
Cc: [Jane Osborn](#); [REDACTED]
Subject: Public Comment, June 28, 2022, Agenda #9, Wireless Ordinance
Date: Tuesday, June 28, 2022 2:02:57 AM

Note. This is an edited, expanded version of comments I had planned to make during the last council meeting held on June 14, 2022. My husband and I both had planned to make public comments during that meeting, but made a last minute decision not to do so, since public comments on this item did not even start until shortly after midnight. Aside from feeling demoralized and exhausted by that time, it was very apparent at that late hour that many council members wanted to finish the meeting as soon as possible. We did not feel that making comments under those circumstances would be well received nor would they make one bit of difference.

We have noticed over the years that often the most controversial agenda items are scheduled last or near the end of the agenda. Many times, we have seen that the council did not even begin looking at these controversial agenda items until very late in the evening, such as after 11 PM or later, when most of the public have given up waiting to make comments, and many needed to get to bed. In our opinion, this tendency to consider the most controversial issues later in a council meeting interferes with the ability of the public to give testimony and to participate in local government decisions.

Dear Honorable Mayor, Council Members and City Staff,

We have many concerns about the location criteria in the proposed, soon to be adopted wireless ordinance. In particular, we are concerned about the minimum distances

from residences that are considered acceptable for placing small wireless facilities.

Based on copious amounts of research and literature available on the subject, 10 feet, or 25 feet, or 30 feet, or even 50 feet is much too close for safety and to avoid potential or probable harm from the devices. The exposure to potential harm will be greatly increased at these short distances.

We are especially concerned about potential fire hazards, as well as the exposure to RF emissions and noise emission.

We are aware that the city currently is prohibited from regulating wireless facilities on the basis of suspected health and safety concerns due to RF emissions.

As far as we know, the city is *not* prohibited from regulating wireless facilities based on concerns due to noise exposure or fire safety.

NOISE EXPOSURE AND NON-AUDITORY NOISE EFFECTS:

Environmental noise exposure, especially when it is chronic, has been linked to a number of health effects, including increases in sleep disturbance, release of stress hormones, hypertension, and cardiovascular disease. In addition, it appears to impair cognitive and academic performance, including in school age children. These negative effects are evidenced in a huge body of scientific research reported in the literature.

In 2019, one of our council members measured the sound pressure coming from a small node on her street to be at a dB level of 56.

NON-AUDITORY EFFECTS OF NOISE ON SLEEP. According to the literature, the

most deleterious non-auditory effect of noise is sleep disturbance.

There are copious amounts of research findings reported in the literature that suggest that sleep disturbances and sleep deprivation have very deleterious affects on health and cognitive functioning, in general, including that they are associated with shortened life spans and increased risk of developing dementia.

Noise at pressure levels as low as L(Amax) 33 dB were observed to induce physiological reactions during sleep, including autonomic, motor and cortical arousal. At levels of 30 to 40 dB (L, Aq) at night, measured outside, a number of effects on sleep have been observed at this range, such as body movements, awakening, arousals, and self-reported sleep disturbances. Vulnerable groups, such as children, the chronically ill, and elderly people are more susceptible.

It has been noted that people in general are more sensitive to noise produced in the evening and especially at night. It is reported that when evaluating the effects of noise during a 24 hour period, acoustic experts will add a "...10 dB penalty to the night...", period, with a "...5 dB penalty added to the evening period...."

NON-AUDITORY EFFECTS OF NOISE ON COGNITIVE AND ACADEMIC FUNCTIONING. The literature also suggests that noise emissions have a deleterious effects on cognitive and academic functioning, including with regard to the academic progress of school age children.

The World Health Organization recommends that school children not be exposed to a dB level above 35 when they are in a "teaching" or learning environment. One could assume this would apply also to their homework environment and/or remote learning at home. Increases of 5 dB of sound pressure have been associated with increases in negative academic outcome. Decreases of 5 dB of sound

pressure have been associated with a higher level of academic performance. It was stated in one source that there was no threshold for negative effects. Even an increase of 5 dB had negative effects. The larger the increase in dB level, the larger the negative effects.

It appears that one implication of these research findings is that wireless facilities with noise emitting fans should not be placed so close to homes or classrooms that the fans are heard at sound pressure levels above 35 dB, during the day, or above 33dB at night (in order to minimize sleep disturbance due to noise), including through open windows.

According to the permitting requirements, applicants who want to install wireless facilities, will have to show that the devices will not produce noise in violation of the cities noise ordinance, Chapter 6.16 of the municipal code.

According to the city's noise ordinance, an acceptable level of sound pressure in R1 districts on average is: 55dBA from 7 AM to 10 PM; and 45 dBA from 10 PM to 7 AM.

I am assuming that the city determined what would be acceptable levels of sound pressure based on minimizing "auditory" effects of noise that could harm hearing or cause hearing loss. I am wondering if the city also was considering "non auditory" effects of noise when determining acceptable levels of sound pressure, which also can be harmful to health and cognitive functioning, as noted above.

At the PCC meeting on March 3, 2022, Mr. Zola, consultant for the wireless ordinance, noted that noise produced outside is attenuated by about 15 dB when experienced inside of a house with all the doors and

windows closed. This seems accurate. However, people should not be forced to keep all their windows shut in order to avoid excessive noise from wireless facilities. I know of many people in Los Altos who routinely keep windows or doors open, especially in the evening or at night in the warmer weather. Some neighbors have told me that they do not have air conditioning, and they rely on being able to keep their windows open at night, otherwise their houses would be insufferably hot.

In Los Altos, even the busier streets become very quiet and peaceful at night. The other night I was able to hear an owl hooting at 3:40 AM. People who live on busier streets especially appreciate and welcome this respite from noise that they experience in the evening and at night after traffic dies down. They do not want to lose this peace and quiet due to wireless companies wanting to install noisy facilities near their houses. Audible noise from a fan in the evening or at night would destroy one of the benefits of living in this area.

In view of the research findings on sleep and cognitive functioning, I wonder if perhaps the city should consider re-evaluating its noise ordinance periodically, based on updated research findings, including in the area of "non-auditory" effects, and perhaps consider lowering the level of sound pressure allowed at night, in particular.

FIRE SAFETY:

We are very concerned about the risks of fires, especially for people who end up with a device on or near their property.

According to the LA Times, more than 2,000 fires in about

a three year period in California were started by utility equipment. Also, it is reported that, "Cal Fire determined 17 of 21 California fires in 2018 were attributed to pole issues." There are numerous example of fires in California that were associated with wireless equipment issues and failures, including fires in Malibu, San Diego, and Paradise (i.e., the tragic "Campfire"). It is reported that "pole loading" (extending the height of an existing pole to accommodate wireless facilities) is implicated in many fires in California.

Susan Foster, Utilities and Fire Safety Consultant, has advised cities to allow at least a 500 foot buffer between wireless facilities and homes or schools.

Susan Foster also has reported that when a wireless facility catches on fire, the power must be cut before fire fighters can start putting it out. She has noted that, "It takes the utilities 10 to 30 minutes on a good day to get the power shut off. It can take up to two hours if distribution and or transmission lines are attached to the same mono pole."

In view of the risk of fires associated with wireless facilities, is it a good idea to encourage these facilities to be camouflaged by trees?

I think that most people would not want to risk having a wireless facility fire, such as the one shown in the link below, on their property, in their neighborhood, or anywhere near trees or other vegetation, especially on a windy day. Personally, I would not want to sacrifice safety for the sake of aesthetics, although it is preferable to have

both to the extent that this is possible.

<https://www.yourcentralvalley.com/news/cellphone-tower-catches-fire/>

Similarly, we have concerns that the city ordinance encourages and states a preference for colocation of facilities. One basis for our concern is that some fires apparently have been started by poles being overloaded. Also, we are concerned about co-location in residential areas, in particular, not only due to apparent increase in fire risk, but also due to the presumably increased impact from visual blight, noise emissions and the amount of RF being created at any one location.

I have read the recommendations made by Susan Foster for fire safety measures for wireless facilities in her letter to the council in April 2022. Are any or all of these measures included in the city's safety requirements for such devices? **If not, is it possible for the city to consider including some or all of the recommendations made by Susan Foster, Utility and Fire Safety expert, in the city's permitting requirements for these devices?**

ADDITIONAL REFERENCES (Partial List):

- NEW HAMPSHIRE 5G COMMISSION CONCLUDES THAT THE EVIDENCE FULLY JUSTIFIES A 500M SETBACK FOR CELL TOWERS, RF Info., February 14, 2022.**

<https://rfinfo.co.uk/new-hants-commission/>

Note. The state of New Hampshire passed legislation that created a commission to look at the health effects of 5G. The commission was made up of 13 members who had backgrounds in the areas of physics, toxicology, electromagnetic, epidemiology, occupational health, medicine, public health policy, business and law. After meeting over a period of a year, they issued a final report in November 2020. They concluded that wireless radiation is harmful, and they recommended "...that a reasonable setback for wireless telecommunication facilities be no less than 1,640 feet or 500 meters."

- AUDITORY AND NON-AUDITORY EFFECTS OF NOISE ON HEALTH, Mathias Basner, et. al., The Lancet, April 12, 2014, vol 383, 1325-1332.

[https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(13\)61613-X/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(13)61613-X/fulltext)

Note. This is a comprehensive review of the literature that cites 81 references.

- RE: AB 537 & CELL TOWER FIRE RISK, Susan Foster, Utility and Fire Safety Consultant, April 26, 2021. Letter written by Susan Foster to the California State legislature.

<https://mdsafetech.org/wp-content/uploads/2019/09/ab-537-cell-tower-fire-risks-4-26-21.pdf>

- CALIFORNIANS FOR SAFE TECHNOLOGY: FIRE

RISK IN CALIFORNIA

<https://cal4safetech.org/fire-risk>

Thank you very much for your consideration.

Jane Osborn

Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [REDACTED]
[REDACTED]

From: [KAMEI, ELLEN](#)
To: [Public Comment](#); [Jonathan Weinberg](#); [Lynette Lee Eng](#); [Neysa Fligor](#); [Sally Meadows](#); [Anita Enander](#); [City Council](#); [Administration](#)
Cc: [Robert Chua](#)
Subject: Item #9 - Wireless Telecommunications Facilities Ordinance Public Comment
Date: Tuesday, June 28, 2022 12:36:26 PM
Attachments: [AT&T Comments June 28 2022.pdf](#)
Importance: High

Dear Mayor Enander, Vice Mayor Meadows, and Councilmembers:

Thank you for the opportunity to once again submit public comment related to the City of Los Altos proposed wireless regulations. Please see the attached high level concerns from AT&T.

AT&T again urges the city to take a step back from the proposed wireless ordinance because it focuses on ways to prohibit wireless facilities rather than fostering responsible deployments. Now more than ever, residents need access to a stable network to bridge the digital divide.

We look forward to working with you and building a connected community.

Sincerely,

ELLEN KAMEI, MPA

(She/Her)

External Affairs Area Manager
External and Legislative Affairs

AT&T

430 Bush Street, San Francisco, CA 94108

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From: [Willem De Lange](#)
To: [Public Comment](#)
Cc: [Lynette Lee Eng](#)
Subject: City Council Meeting, June 28, 2022, Wireless Ordinance
Date: Tuesday, June 28, 2022 4:06:45 PM

Honorable Mayor and Council,

Again I would like to express my opposition to giving “free hand” the wireless companies to place repeaters wherever they deem technically feasible and optimal for the signal propagation. Essentially these 5G repeaters will mainly be used by commuters to video stream within their cars. The true internet users within the homes are better off by using the wired connections from At&T, and other internet providers!! So these repeaters are going to be placed EVERYwhere around our community without much benefiting them, but HARMING their health. In light of the new population requirements from the state the cities need to find a lot more housing which also would put more traffic on our cities streets. This is also very much unwelcome in our already busy commuting and school streets in Los Altos. I will repeat to strive for underground tunnels to route Google, Apple, and all other employer’s traffic away from our city streets, please! Compare the infrastructure implementations in cities in the Netherlands and try to get that in Los Altos to improve our quality of life!

Now to 5G I would like to put these quotes out for your consideration at city councils meetings, please:

Since the FCC has never produced adequate scientific evidence that these newer wireless technologies are safe, I urge the council to err on the side of caution, since resident's health and well being may be negatively impacted.

In particular, I would like to ask the council not to allow these facilities to be placed as close together as one every 200 feet. Please stick to the original proposal for a 1000 foot distance between facilities, including facilities from multiple carriers. No one residential block or street or neighborhood should have to endure or be inflicted with this high of a density--basically one in front of every 3 houses.

I would like to point out the recently issued court order to revisit safety Guidelines for RF radiation (like for the planned 5G rollout):

<https://www.fiercewireless.com/wireless/court-orders-fcc-to-revisit-its-safety-guidelines-for-rf-radiation>

To support my concern I would like to be also quoting from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7405337/>

The fifth generation, 5G, of radiofrequency (RF) radiation is about to be implemented globally without investigating the risks to human health and the environment. This has created debate among concerned individuals in numerous countries. In an appeal to the European Union (EU) in September 2017, currently endorsed by >390 scientists and medical doctors, a moratorium on 5G deployment was requested until proper scientific evaluation of potential negative consequences has been conducted. This request has not been acknowledged by the EU. The evaluation of RF radiation health risks from 5G technology is ignored in a report by a government expert group in Switzerland and a recent publication from The International Commission on Non-Ionizing Radiation Protection. Conflicts of interest and ties to the industry seem to have contributed to the biased reports. The lack of proper unbiased risk evaluation of the 5G technology places populations at risk. Furthermore, there seems to be a cartel of individuals monopolizing evaluation committees, thus reinforcing the no-risk paradigm. We believe that this activity should qualify as scientific misconduct.

16. Smith-Roe SL, Wyde ME, Stout MD, Winters JW, Hobbs CA, Shepard KG, Green AS, Kissling GE, Shockley KR, Tice RR, et al. Evaluation of the genotoxicity of cell phone radiofrequency radiation in male and female rats and mice following subchronic exposure. *Environ Mol Mutagen*. 2020;61:276–290. doi: 10.1002/em.22343. [[PMC free article](#)] [[PubMed](#)] [[CrossRef](#)] [[Google Scholar](#)]

Furthermore:

Radiofrequency (RF) radiation in the frequency range of 30 kHz-300 GHz is classified as a ‘possible’ human carcinogen, Group 2B, by the International Agency for Research on Cancer (IARC) since 2011. The

evidence has since then been strengthened by further research; thus, RF radiation may now be classified as a human carcinogen, Group 1. In spite of this, microwave radiations are expanding with increasing personal and ambient exposure. One contributing factor is that the majority of countries rely on guidelines formulated by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), a private German non-governmental organization. ICNIRP relies on the evaluation only of thermal (heating) effects from RF radiation, thereby excluding a large body of published science demonstrating the detrimental effects caused by non-thermal radiation. The fifth generation, 5G, for microwave radiation is about to be implemented worldwide in spite of no comprehensive investigations of the potential risks to human health and the environment. In an appeal sent to the EU in September, 2017 currently >260 scientists and medical doctors requested for a moratorium on the deployment of 5G until the health risks associated with this new technology have been fully investigated by industry-independent scientists. The appeal and four rebuttals to the EU over a period of >2 years, have not achieved any positive response from the EU to date. Unfortunately, decision makers seem to be uninformed or even misinformed about the risks. EU officials rely on the opinions of individuals within the ICNIRP and the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR), most of whom have ties to the industry. They seem to dominate evaluating bodies and refute risks. It is important that these circumstances are described. In this article, the warnings on the health risks associated with RF presented in the 5G appeal and the letters to the EU Health Commissioner since September, 2017 and the authors' rebuttals are summarized. The responses from the EU seem to have thus far prioritized industry profits to the detriment of human health and the environment.

Thank you for your support in keeping Los Altos safe for families!

Willem and Margriet de Lange



From: Jane Osborn
To: Public Comment; City Council; Gabriel Engeland
Cc: Jonathan Shores; Jane Osborn
Subject: Re: Followup/Update #2. Public Comment, June 28, 2022, Agenda Item #9, Wireless Ordinance
Date: Tuesday, June 28, 2022 6:43:24 PM

Dear Honorable Mayor, City Council Members and City Staff,

This is a followup to two previous public comments I submitted on June 13, 2022 (below) and on June 14, 2022 (below). I would like to add to my previous comments and also clarify a couple of the previous comments.

1) Has the city council already considered whether or not to officially support the legislation introduced by Congresswoman Anna Eshoo (HR 530) or by Senator Diane Feinstein, (S 2012), that would restore local control related to wireless facilities? If not, would the council consider doing so?

I referenced this legislation in my initial letter written on June 13th, 2022, below. I have summarized it again for your convenience:

• **On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives,** which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.

• **On June 27, 2019, a similar bill, S 2012, was introduced in the Senate by Senator Diane Feinstein.** This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

2) In my comments submitted on June 13, and June 14, 2022, I gave an example of a device that is used to determine safety of cell phones, i.e. the big plastic head known as SAM. I wanted to clarify that I was using this as an example of the low bar that the FCC and wireless industry use to determine safety standards for wireless technology, in general.

There are many other references given by me and other residents in previous letters in regard to safety and health concerns involving other types of wireless facilities and other forms of wireless technology, which emit non-ionizing radiation, including cell towers and nodes of various sizes.

3) In my initial letter written on June 13, 2022, I made reference to a lawsuit against the FCC-- Environmental Health Trust, et. al. versus the FCC and USA (No 20-1025)--that was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit.

I included a summary of the finding in quotes. I had intended to reference the source I used for this statement. I wanted to clarify that this statement actually was in the Wireless Ordinance. I don't know who wrote this statement that I quoted, but they did a good job of summarizing the key points that were reflected in the majority opinion on this case, which is why I used it and put it in quotes:

The court found that the "...FCC had failed to provide a reasoned explanation for its determination that its existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology." (Wireless Ordinance)

The actual majority opinion was several pages long:

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)

4) In my letter of June 14, 2022, I discussed the apparent fact that the wireless industry has a reputation for using intimidation and other bullying tactics against scientists doing legitimate research in the area of non-ionizing radiation in order to suppress any findings that might be unfavorable to the wireless industry, (Alsters). I had intended to mention one of the tactics that they use, which is to go after the researchers' sources of funding. In his book, Alsters provides some specific examples (Chapter 4). One of the examples involved a highly respected professor of electrical engineering and computer science, Dr. Om P. Gandhi. Apparently, members of the wireless industry tried to pressure him into misrepresenting or manipulating his research data and findings. When he refused to do this, they terminated his funding, which apparently had been provided by one of the wireless companies.

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn

Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [REDACTED]

On Tuesday, June 14, 2022, 6:44:54 PM PDT, Jane Osborn [REDACTED] wrote:

Dear Honorable Mayor and City Council Members,

This is a follow up to the public comments I submitted on June 13, 2022 (below). I would like to add to my previous comments, and also provide some additional reference:

ADDITIONAL COMMENTS:

- **You may be wondering why the FCC has been able to get away with being so negligent and not doing their "due diligence" with regard to setting their standards in 1996 and in regard to not reassessing and updating these outdated standards.**

It is a widely held belief that the FCC is a "Captured Agency," that has a long history of conflicts of interest. Captured agencies have been defined as being "....essentially controlled by the industries they are supposed to regulate."

It has been noted that "...the entire system is greased by the free flow of executive leadership between the FCC and the industries it presumably oversees." (Alster, Chapter 1) There are at least two recent examples of this. More recently, the FCC was headed by Ajit Pai, from January 2017 to January 2021. **Mr. Pai previously was an attorney for Verizon.** Apparently he was well known for being fiercely anti-regulatory, despite the fact that he was heading a supposedly regulatory agency. His predecessor was Tom Wheeler, who was appointed to head the FCC in 2013. **Mr. Wheeler previously had headed two very powerful telecommunications industry lobbyist groups, the CTIA and the NCAA.** Apparently the FCC long has had an open door policy for lobbyist, as opposed to scientists and other non-lobbyists (who typically would have to wait a couple of months to get an appointment). It is reported that industry lobbyists are "...at the FCC's door day and night." (Alster, Chapter 1) Apparently the industry boasts about the fact that it typically has about 500 meetings with the FCC per year. (Alster, Chapter 4)

- **The telecommunication industry does not have a good track record for being concerned about public health and safety.**

I gave one example of this in my public comments at the PC meeting held on March 17, 2022. Earlier this year, the FAA requested that the wireless carriers postpone their roll out of 5G, at least in areas near airports, due to concerns on the part of pilots and the FAA that the 5G transmissions might interfere with the safe operation of the altimeters on planes. Initially, Verizon and AT&T both refused this request. Eventually, they backed down and came to an agreement with the FAA.

The most sinister and consequential example of a lack of concern for public health and safety is the apparent, reported active suppression, discrediting or down-playing of legitimate scientific findings, and attempts to bully scientists. (Alster, Chapter 4) It has been reported that "...war gaming' researchers who come up with unfavorable results have been persistent themes with this industry." (Alster, Chapter 4)

Also, it is well known that this industry uses "intimidation tactics," lawsuits and "bullying tactics," against cities and scientists (for example). It is reported that "This is a very rich industry that does not hesitate to outspend and out bully challengers into submission." (Alster, Chapter 4)

- In a previous comment, I made reference to the fact that a plastic mannequin's head has been used as a tool for testing safety of wireless devices (i.e. cell phones). I would like to provide some additional information. **The plastic mannequin head is referred to as SAM--i.e. Specific Anthropomorphic Mannequin.**

Apparently this device still is in use but has been highly criticized by many scientists due to the fact that it does not duplicate real world conditions of the head and brain. It is filled with a fluid that is supposed to duplicate average electrical properties of the head, and measure specific absorption rate of non-ionizing radiation. Scientists have pointed out that this process "...cannot indicate differential absorption of specific brain tissue, nor absorption in small children and smaller adults." (Gandhi, 2012). One criticism is that it does not duplicate tissue and organs of the head and brain, and does not represent the range of head and brain sizes that exists in the human population. The plastic head (SAM) is a "one size fits all" that was based on the size of a 220 pound man (which represents about 3% of the population)--since originally it was developed decades ago for use by the military with regard to military personnel using radar.

Scientists feel that this process vastly underestimates the real world Specific Absorption Rate (of non-ionizing radiation or SAR) in children and small women. It has been noted that "As head size decreases, the percentage of energy absorbed in the brain increases, so higher SAR in children's brains can be expected. (Gandhi, et. al. 2012).

For example, research done in 1996 with MRI scans in 5 and 8 year old children indicated that the specific absorption rate of non-ionizing radiation is 2 times higher in children compared to adults. (Gandi, et. al., 2012).

• **IN SUMMARY**, in view of the FCC's apparent failure to protect public safety adequately, it seems ironical that according to the city's wireless team consultant, cities supposedly are not allowed to make a finding of negative declaration of environmental impact, including on the human environment, because the FCC has deemed that there is no environmental impact.

Apparently cities are required to defer to an agency that has been found by a court to have failed to show evidence that the devices they regulate are safe. Cities are required to defer to an agency that appears to have been negligent, or possibly even has been guilty of malfeasance, at times. At the same time, cities are obligated ethically and by the State of California to determine that an ordinance will not harm the environment, including humans. Cities appear to have been placed in a no-win, "catch 22" situation. In spite of this, there are cities all over the country who have made a valiant, courageous effort to protect their residents and other inhabitants, which is their ethical duty, by writing ordinances that suggest they are not blindly accepting the FCC standards or totally caving in and deferring to the demands of the wireless carriers.

I would like to repeat my request that the city increase the distance between small wireless facilities. Even a 500 foot distance between devices would be safer and less deleterious than a 200 foot distance, and would appear to be more typical of what is seen in the ordinances of other cities that my husband and I have looked at.

Also, I would like to request that these facilities not be placed as close as 10 or 25 feet from a residential dwelling unit, due to the apparent hazards related to risk of fires, potential (probable) harm from wireless radiation, and deleterious effects on health and cognitive functioning from noise emissions that will be posed by having these devices so close to dwellings where people, including vulnerable children and seniors, are living and sleeping.

ADDITIONAL REFERENCES (Partial):

• CAPTURED AGENCY: HOW THE FEDERAL COMMUNICATION COMMISSION IS DOMINATED BY THE INDUSTRIES IT PRESUMABLY REGULATES; Norm Alsters, Published by Edmund J. Safra Center for Ethics, Harvard University. (Note. I did not find the date of publication, but the author cites references as recent as 2015.)

https://ethics.harvard.edu/files/center-for-ethics/files/capturedagency_alster.pdf

• VERIZON AND AT&T DECLINE REGULATORS' REQUEST TO DELAY NEW 5G SERVICES; New York Times, January 2022

[Verizon and AT&T Decline Regulators' Request to Delay New 5G Services](#)

• AIRLINE INDUSTRY PANIC PROMPTS AT&T AND VERIZON TO BACK DOWN ON 5G, CRITICIZES FAA OVERSIGHT, Fortune Magazine

[Airline industry panic prompts AT&T and Verizon to back down on 5G, criticize FAA oversight](#)

• EXPOSURE LIMITS: THE UNDERESTIMATION OF ABSORBED CELL PHONE RADIATION, ESPECIALLY IN CHILDREN, Om P. Gandhi et. al., Electromagnetic Biology and Medicine, 31(1): 34-51, 2012

<https://ehtrust.org/fcc-and-icnirp-limits-do-not-protect-people-of-the-environment-from-cell-phone-radiation-health-effects/>

• [FCC and ICNIRP Limits Do Not Protect People of the Environment From Cell Phone Radiation Health Effects - Environmental Health Trust](#)

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. Cell: 650-346-6390. Land Line: 650-967-5167 (Preferred Option)

On Monday, June 13, 2022, 3:27:35 AM PDT, Jane Osborn [REDACTED] wrote:

Dear Honorable Mayor and City Council members,

At the May 10th, 2022 council meeting, I had the honor of being able to make a public comment. Below is a written transcript of my comments. In addition, I am making some further comments and providing a partial list of references.

.....
Written Transcript of public comment made to the City Council on May 10th, 2022, in regard to item #9, Wireless Ordinance:

"Honorable Mayor and Council,

Since the FCC has never produced adequate scientific evidence that these newer wireless technologies are safe, I urge the council to err on the side of caution, since resident's health and well being may be negatively impacted.

In particular, I would like to ask the council not to allow these facilities to be placed as close together as one every 200 feet. Please stick to the original proposal for a 1000 foot distance between facilities, including facilities from multiple carriers. No one residential block or street or neighborhood should have to endure or be inflicted with this high of a density--basically one in front of every 3 houses.

My husband and I and many other residents feel that no residents should have to serve as lab rats, and be enrolled in an experiment involuntarily, without their consent--in order for the cell carriers to make even more billions in profits every year.

I agree with Dr. Cindy Russell's assertion that the carriers have created a "manufactured" sense of need for the newer 5G technology. As a psychologist, I have recognized some of their tactics, such as using fear-based emotional manipulation to get people to think they absolutely have to have this latest technology--or they will be left behind.

For the benefit of members of the public who may be new to this issue, I would like to read a statement made by:

Joel Moskowitz, PhD, Director, Center for Family and Community Health, at the UC Berkeley, School of Public Health.

Dr. Moskowitz stated:

" We are guinea pigs in a massive technological experiment that threatens our health. Our government needs to determine what constitutes a safe level of long term exposure to wireless radiation and strengthen the FCC's radio frequency exposure guidelines. In the meantime, the government should impose a moratorium on technologies that increase our exposure to wireless radiation, especially new forms of wireless radiation like 5G cellphone radiation."

These were Dr. Moskowitz' concluding remarks to a presentation during which he discussed the apparent negative biological and health effects of wireless radiation.

Thank you."

.....

If there had been more time, I would have added this comment on May 10th:

I urge you to please take all the time you need to make these decisions. Once these facilities are placed, residents will have to suffer the negative consequences for several years, including possible negative effects on their health and well being.

ADDITIONAL COMMENTS:

There are indications that the FCC has not done their "due diligence," and has been negligent or derelict in their duty to protect the public health, possibly for decades.

• There appears to be a widely held belief that even back in 1996, the FCC did not provide adequate scientific evidence at the time to demonstrate that even the earlier technologies were safe, when they developed their standards for wireless technology. It has been reported that the FCC only considered thermal effects of wireless radiation, and only for short periods of time that did not duplicate "real life" conditions. Among other things, apparently, they did not consider the effects of non-thermal, non-ionizing radiation on the environment, including on the human environment, when they developed their standards for wireless technology in 1996. Furthermore, they did not consider the "real life" effects of "pulsing and modulation of the carrier signal."

Also, it has been reported that the FCC "cherry picked" their evidence; ignored or did not consider significant amounts of available scientific evidence, including evidence based on research done in other countries; and may have "suppressed" evidence. Apparently, they relied on experiments that did not even begin to duplicate "real world" or "real life" conditions. For example, in one of the worst examples, it has been reported that they relied on the results of a study in which a plastic

mannequin head was filled with salt water, and then a cell phone was held up to the plastic head for some period of time (which was not long or sustained) to see if this caused a raise in the temperature of the water inside the plastic head. Would you want to rely on a study with such crude methodology to determine that a technology is safe "in real life," or to determine safety standards?

- It appears the FCC also has ignored requests from government agencies, as well as from members of Congress and the Senate, to reassess their procedures and standards, or to provide evidence that wireless technologies are safe.

For example, in 2012, the Government Accounting Office (GAO) recommended that the FCC reassess their standards and procedures to reflect "real world" use of cell phones, and to be based on the latest scientific evidence. In 2013, the FCC then started an official inquiry into whether or not their wireless standards should be updated. Apparently, they opened a public comment period, during which it is reported that they immediately received thousands of pages of scientific evidence and received comments from at least 80 distinguished scientists from around the world expressing concerns. It is reported that shortly thereafter, the FCC then closed the comment period and terminated any further effort to re-assess or update their standards.

In December 2018, Congresswoman Anna Eshoo, Chair of the House Subcommittee on Health, and Senator Richard Blumenthal, wrote a formal letter requesting that the FCC provide scientific evidence that 5 G wireless technology is safe. Apparently, their request was ignored, and they never received the requested response.

- A lawsuit against the FCC— **Environmental Health Trust, et. al. versus the FCC and USA** (No 20-1025)—was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit. **The court found that the "...FCC had failed to provide a reasoned explanation for its determination that its existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology."**

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)

One implication of this decision is that presumably the FCC will be required to re-assess and update their wireless standards, based on scientific evidence.

A further implication of this court decision is that the FCC had not done its due diligence, and appears to have been remiss or negligent in regard to their obligation to determine appropriate safety standards based on scientific evidence, and to protect the safety of the public.

There currently is legislation pending that would return more local control to cities and states over wireless facilities:

- On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives, which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.
- On June 27, 2019, a similar bill, S.2012, was introduced in the Senate by Senator Diane Feinstein. This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

REFERENCES (Partial List):

- THE LARGEST UNETHICAL MEDICAL EXPERIMENT IN HUMAN HISTORY, Ronald N. Kostoff, Ph.D., Research Affiliate, School of Public Policy, Georgia Institute of Technology, copyright 2020.

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I stumbled on this massive, comprehensive review three days after I made my comments to the council on May 10th, 2022. It is very apropos with regard to my concern that we are lab rats in an experiment to which we never gave informed consent. Among other things, this article provides a very comprehensive look at staggering amounts of research that show negative biological and health effects from wireless radiation. The author provides hundreds of pages of research titles, organized into themes, as well as hundreds of pages of references.

- CELLPHONES, CELL TOWERS, AND WIRELESS SAFETY; Joel Moskowitz, PhD, Director, Center for Family and Community Health, School of Public Health, U. C. Berkeley; Presentation given on February 27, 2019.

<https://uhs.berkeley.edu/sites/default/files/cellphonescelltowerswirelessafety.pdf>

- 5G AND THE FCC: 10 REASONS WHY YOU SHOULD CARE, Sharon Buccino. Attorney and Senior Director for

Natural Resources Defense Council (NRDC), Feb. 13, 2019.

<https://protectnepa.org/5g-fcc-wireless/>

- 5G COMING TO YOUR NEIGHBORHOOD, Sharon Buccino, NRDC, June 10, 2020.

<https://www.nrdc.org/experts/sharon-buccino/5g-coming-your-neighborhood>

- <https://www.actu-environnement.com/media/pdf/news-29640-appel-scientifiques-5g.pdf>
- [https://www.cadc.uscourts.gov/internet/opinions_nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions_nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)

- CONGRESSWOMEN ESHOO AND SPEIER INTRODUCE HR 539 TO BLOCK FCC CELL TOWER PREEMPTION: Physicians for Safe Technology, January 22, 2019.

<https://mdsafetech.org/2019/01/22/congresswomen-eshoo-and-speier-introduce-hr-539-to-block-fcc-cell-tower-preemption/>

Thank you very much for your consideration.

Respectfully,
Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. Cell: 650-346-6390. Land Line: 650-967-5167 (Preferred Option)

From: Jane Osborn
To: Public Comment; City Council; Gabriel Engeland
Cc: Jonathan Shores; Jane Osborn
Subject: Re: Followup/Update #2. Public Comment, June 28, 2022, Agenda Item #9, Wireless Ordinance
Date: Tuesday, June 28, 2022 6:43:24 PM

Dear Honorable Mayor, City Council Members and City Staff,

This is a followup to two previous public comments I submitted on June 13, 2022 (below) and on June 14, 2022 (below). I would like to add to my previous comments and also clarify a couple of the previous comments.

1) Has the city council already considered whether or not to officially support the legislation introduced by Congresswoman Anna Eshoo (HR 530) or by Senator Diane Feinstein, (S 2012), that would restore local control related to wireless facilities? If not, would the council consider doing so?

I referenced this legislation in my initial letter written on June 13th, 2022, below. I have summarized it again for your convenience:

• **On January 14, 2019, HR530, was introduced by Congresswoman Anna Eshoo in the House of Representatives,** which garnered 52 co-sponsors, including Jackie Speier, who was the first representative to sign on as a co-sponsor. This bill seeks to preserve or restore local rights of state and city governments.

• **On June 27, 2019, a similar bill, S 2012, was introduced in the Senate by Senator Diane Feinstein.** This bill seeks to repeal the regulations adopted by the FCC that preempt local control related to installation of small wireless facilities. This bill is supported by the National League of Cities and the League of California Cities.

2) In my comments submitted on June 13, and June 14, 2022, I gave an example of a device that is used to determine safety of cell phones, i.e. the big plastic head known as SAM. I wanted to clarify that I was using this as an example of the low bar that the FCC and wireless industry use to determine safety standards for wireless technology, in general.

There are many other references given by me and other residents in previous letters in regard to safety and health concerns involving other types of wireless facilities and other forms of wireless technology, which emit non-ionizing radiation, including cell towers and nodes of various sizes.

3) In my initial letter written on June 13, 2022, I made reference to a lawsuit against the FCC-- Environmental Health Trust, et. al. versus the FCC and USA (No 20-1025)--that was argued on 1/25/21 and decided on 8/13/21, in a US Court of Appeals, DC Circuit.

I included a summary of the finding in quotes. I had intended to reference the source I used for this statement. I wanted to clarify that this statement actually was in the Wireless Ordinance. I don't know who wrote this statement that I quoted, but they did a good job of summarizing the key points that were reflected in the majority opinion on this case, which is why I used it and put it in quotes:

The court found that the "...FCC had failed to provide a reasoned explanation for its determination that its existing radio frequency (RF) exposure regulations were adequate to ensure public safety in light of evidence presented to the FCC regarding health impacts posed by various technology developments since 1996, including the ubiquity of wireless devices and WiFi, and the emergence of 5G technology." (Wireless Ordinance)

The actual majority opinion was several pages long:

[https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)

4) In my letter of June 14, 2022, I discussed the apparent fact that the wireless industry has a reputation for using intimidation and other bullying tactics against scientists doing legitimate research in the area of non-ionizing radiation in order to suppress any findings that might be unfavorable to the wireless industry, (Alsters). I had intended to mention one of the tactics that they use, which is to go after the researchers' sources of funding. In his book, Alsters provides some specific examples (Chapter 4). One of the examples involved a highly respected professor of electrical engineering and computer science, Dr. Om P. Gandhi. Apparently, members of the wireless industry tried to pressure him into misrepresenting or manipulating his research data and findings. When he refused to do this, they terminated his funding, which apparently had been provided by one of the wireless companies.

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn

Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. [REDACTED]

On Tuesday, June 14, 2022, 6:44:54 PM PDT, Jane Osborn <janeosborn@sbcglobal.net> wrote:

Dear Honorable Mayor and City Council Members,

This is a follow up to the public comments I submitted on June 13, 2022 (below). I would like to add to my previous comments, and also provide some additional reference:

ADDITIONAL COMMENTS:

- **You may be wondering why the FCC has been able to get away with being so negligent and not doing their "due diligence" with regard to setting their standards in 1996 and in regard to not reassessing and updating these outdated standards.**

It is a widely held belief that the FCC is a "Captured Agency," that has a long history of conflicts of interest. Captured agencies have been defined as being "...essentially controlled by the industries they are supposed to regulate."

It has been noted that "...the entire system is greased by the free flow of executive leadership between the FCC and the industries it presumably oversees." (Alster, Chapter 1) There are at least two recent examples of this. More recently, the FCC was headed by Ajit Pai, from January 2017 to January 2021. **Mr. Pai previously was an attorney for Verizon.** Apparently he was well known for being fiercely anti-regulatory, despite the fact that he was heading a supposedly regulatory agency. His predecessor was Tom Wheeler, who was appointed to head the FCC in 2013. **Mr. Wheeler previously had headed two very powerful telecommunications industry lobbyist groups, the CTIA and the NCAA.** Apparently the FCC long has had an open door policy for lobbyist, as opposed to scientists and other non-lobbyists (who typically would have to wait a couple of months to get an appointment). It is reported that industry lobbyists are "...at the FCC's door day and night." (Alster, Chapter 1) Apparently the industry boasts about the fact that it typically has about 500 meetings with the FCC per year. (Alster, Chapter 4)

- **The telecommunication industry does not have a good track record for being concerned about public health and safety.**

I gave one example of this in my public comments at the PC meeting held on March 17, 2022. Earlier this year, the FAA requested that the wireless carriers postpone their roll out of 5G, at least in areas near airports, due to concerns on the part of pilots and the FAA that the 5G transmissions might interfere with the safe operation of the altimeters on planes. Initially, Verizon and AT&T both refused this request. Eventually, they backed down and came to an agreement with the FAA.

The most sinister and consequential example of a lack of concern for public health and safety is the apparent, reported active suppression, discrediting or down-playing of legitimate scientific findings, and attempts to bully scientists. (Alster, Chapter 4) It has been reported that "...war gaming' researchers who come up with unfavorable results have been persistent themes with this industry." (Alster, Chapter 4)

Also, it is well known that this industry uses "intimidation tactics," lawsuits and "bullying tactics," against cities and scientists (for example). It is reported that "This is a very rich industry that does not hesitate to outspend and out bully challengers into submission." (Alster, Chapter 4)

- In a previous comment, I made reference to the fact that a plastic mannequin's head has been used as a tool for testing safety of wireless devices (i.e. cell phones). I would like to provide some additional information. **The plastic mannequin head is referred to as SAM--i.e. Specific Anthropomorphic Mannequin.**

Apparently this device still is in use but has been highly criticized by many scientists due to the fact that it does not duplicate real world conditions of the head and brain. It is filled with a fluid that is supposed to duplicate average electrical properties of the head, and measure specific absorption rate of non-ionizing radiation. Scientists have pointed out that this process "...cannot indicate differential absorption of specific brain tissue, nor absorption in small children and smaller adults." (Gandhi, 2012). One criticism is that it does not duplicate tissue and organs of the head and brain, and does not represent the range of head and brain sizes that exists in the human population. The plastic head (SAM) is a "one size fits all" that was based on the size of a 220 pound man (which represents about 3% of the population)--since originally it was developed decades ago for use by the military with regard to military personnel using radar.

Scientists feel that this process vastly underestimates the real world Specific Absorption Rate (of non-ionizing radiation or SAR) in children and small women. It has been noted that "As head size decreases, the percentage of energy absorbed in the brain increases, so higher SAR in children's brains can be expected. (Gandhi, et. al. 2012).

For example, research done in 1996 with MRI scans in 5 and 8 year old children indicated that the specific absorption rate of non-ionizing radiation is 2 times higher in children compared to adults. (Gandi, et. al., 2012).

- **IN SUMMARY**, in view of the FCC's apparent failure to protect public safety adequately, it seems ironical that according to the city's wireless team consultant, cities supposedly are not allowed to make a finding of negative declaration of environmental impact, including on the human environment, because the FCC has deemed that there is no environmental impact.

Apparently cities are required to defer to an agency that has been found by a court to have failed to show evidence that the devices they regulate are safe. Cities are required to defer to an agency that appears to have been negligent, or possibly even has been guilty of malfeasance, at times. At the same time, cities are obligated ethically and by the State of California to determine that an ordinance will not harm the environment, including humans. Cities appear to have been placed in a no-win, "catch 22" situation. In spite of this, there are cities all over the country who have made a valiant, courageous effort to protect their residents and other inhabitants, which is their ethical duty, by writing ordinances that suggest they are not blindly accepting the FCC standards or totally caving in and deferring to the demands of the wireless carriers.

I would like to repeat my request that the city increase the distance between small wireless facilities. Even a 500 foot distance between devices would be safer and less deleterious than a 200 foot distance, and would appear to be more typical of what is seen in the ordinances of other cities that my husband and I have looked at.

Also, I would like to request that these facilities not be placed as close as 10 or 25 feet from a residential dwelling unit, due to the apparent hazards related to risk of fires, potential (probable) harm from wireless radiation, and deleterious effects on health and cognitive functioning from noise emissions that will be posed by having these devices so close to dwellings where people, including vulnerable children and seniors, are living and sleeping.

ADDITIONAL REFERENCES (Partial):

- CAPTURED AGENCY: HOW THE FEDERAL COMMUNICATION COMMISSION IS DOMINATED BY THE INDUSTRIES IT PRESUMABLY REGULATES; Norm Alsters, Published by Edmund J. Safra Center for Ethics, Harvard University. (Note. I did not find the date of publication, but the author cites references as recent as 2015.)

https://ethics.harvard.edu/files/center-for-ethics/files/capturedagency_alster.pdf

- VERIZON AND AT&T DECLINE REGULATORS' REQUEST TO DELAY NEW 5G SERVICES; New York Times, January 2022

[Verizon and AT&T Decline Regulators' Request to Delay New 5G Services](#)

- AIRLINE INDUSTRY PANIC PROMPTS AT&T AND VERIZON TO BACK DOWN ON 5G, CRITICIZES FAA OVERSIGHT, Fortune Magazine

[Airline industry panic prompts AT&T and Verizon to back down on 5G, criticize FAA oversight](#)

- EXPOSURE LIMITS: THE UNDERESTIMATION OF ABSORBED CELL PHONE RADIATION, ESPECIALLY IN CHILDREN, Om P. Gandhi et. al., Electromagnetic Biology and Medicine, 31(1): 34-51, 2012

<https://ehtrust.org/fcc-and-icnirp-limits-do-not-protect-people-of-the-environment-from-cell-phone-radiation-health-effects/>

- [FCC and ICNIRP Limits Do Not Protect People of the Environment From Cell Phone Radiation Health Effects - Environmental Health Trust](#)

Thank you very much for your time and consideration.

Respectfully,
Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. Cell: 650-346-6390. Land Line: 650-967-5167 (Preferred Option)

On Monday, June 13, 2022, 3:27:35 AM PDT, Jane Osborn <janeosborn@sbcglobal.net> wrote:

Dear Honorable Mayor and City Council members,

At the May 10th, 2022 council meeting, I had the honor of being able to make a public comment. Below is a written transcript of my comments. In addition, I am making some further comments and providing a partial list of references.

Written Transcript of public comment made to the City Council on May 10th, 2022, in regard to item #9, Wireless Ordinance:

"Honorable Mayor and Council,

Since the FCC has never produced adequate scientific evidence that these newer wireless technologies are safe, I urge the council to err on the side of caution, since resident's health and well being may be negatively impacted.

In particular, I would like to ask the council not to allow these facilities to be placed as close together as one every 200 feet. Please stick to the original proposal for a 1000 foot distance between facilities, including facilities from multiple carriers. No one residential block or street or neighborhood should have to endure or be inflicted with this high of a density--basically one in front of every 3 houses.

My husband and I and many other residents feel that no residents should have to serve as lab rats, and be enrolled in an experiment involuntarily, without their consent--in order for the cell carriers to make even more billions in profits every year.

I agree with Dr. Cindy Russell's assertion that the carriers have created a "manufactured" sense of need for the newer 5G technology. As a psychologist, I have recognized some of their tactics, such as using fear-based emotional manipulation to get people to think they absolutely have to have this latest technology--or they will be left behind.

For the benefit of members of the public who may be new to this issue, I would like to read a statement made by:

Joel Moskowitz, PhD, Director, Center for Family and Community Health, at the UC Berkeley, School of Public Health.

Dr. Moskowitz stated:

" We are guinea pigs in a massive technological experiment that threatens our health. Our government needs to determine what constitutes a safe level of long term exposure to wireless radiation and strengthen the FCC's radio frequency exposure guidelines. In the meantime, the government should impose a moratorium on technologies that increase our exposure to wireless radiation, especially new forms of wireless radiation like 5G cellphone radiation."

These were Dr. Moskowitz' concluding remarks to a presentation during which he discussed the apparent negative biological and health effects of wireless radiation.

Thank you."

If there had been more time, I would have added this comment on May 10th:

I urge you to please take all the time you need to make these decisions. Once these facilities are placed, residents will have to suffer the negative consequences for several years, including possible negative effects on their health and well being.

ADDITIONAL COMMENTS:

There are indications that the FCC has not done their "due diligence," and has been negligent or derelict in their duty to protect the public health, possibly for decades.

- There appears to be a widely held belief that even back in 1996, the FCC did not provide adequate scientific evidence at the time to demonstrate that even the earlier technologies were safe, when they developed their standards for wireless technology. It has been reported that the FCC only considered thermal effects of wireless radiation, and only for short periods of time that did not duplicate "real life" conditions. Among other things, apparently, they did not consider the effects of non-thermal, non-ionizing radiation on the environment, including on the human environment, when they developed their standards for wireless technology in 1996. Furthermore, they did not consider the "real life" effects of "pulsing and modulation of the carrier signal."

Also, it has been reported that the FCC "cherry picked" their evidence; ignored or did not consider significant amounts of available scientific evidence, including evidence based on research done in other countries; and may have "suppressed" evidence. Apparently, they relied on experiments that did not even begin to duplicate "real world" or "real life" conditions. For example, in one of the worst examples, it has been reported that they relied on the results of a study in which a plastic

mannequin head was filled with salt water, and then a cell phone was held up to the plastic head for some period of time (which was not long or sustained) to see if this caused a raise in the temperature of the water inside the plastic head. Would you want to rely on a study with such crude methodology to determine that a technology is safe "in real life," or to determine safety standards?

- It appears the FCC also has ignored requests from government agencies, as well as from members of Congress and the Senate, to reassess their procedures and standards, or to provide evidence that wireless technologies are safe.

For example, in 2012, the Government Accounting Office (GAO) recommended that the FCC reassess their standards and procedures to reflect "real world" use of cell phones, and to be based on the latest scientific evidence. In 2013, the FCC then started an official inquiry into whether or not their wireless standards should be updated. Apparently, they opened a public comment period, during which it is reported that they immediately received thousands of pages of scientific evidence and received comments from at least 80 distinguished scientists from around the world expressing concerns. It is reported that shortly thereafter, the FCC then closed the comment period and terminated any further effort to re-assess or update their standards.

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One implication of this decision is that presumably the FCC will be required to re-assess and update their wireless standards, based on scientific evidence.

A further implication of this court decision is that the FCC had not done it's due diligence, and appears to have been remiss or negligent in regard to their obligation to determine appropriate safety standards based on scientific evidence, and to protect the safety of the public.

There currently is legislation pending that would return more local control to cities and states over wireless facilities:

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- 5G AND THE FCC: 10 REASONS WHY YOU SHOULD CARE, Sharon Buccino. Attorney and Senior Director for

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<https://protectnepa.org/5g-fcc-wireless/>

- 5G COMING TO YOUR NEIGHBORHOOD, Sharon Buccino, NRDC, June 10, 2020.

<https://www.nrdc.org/experts/sharon-buccino/5g-coming-your-neighborhood>

- <https://www.actu-environnement.com/media/pdf/news-29640-appel-scientifiques-5g.pdf>
- [https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/\\$file/20-1025-1910111.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/FB976465BF00F8BD85258730004EFDF7/$file/20-1025-1910111.pdf)

- CONGRESSWOMEN ESHOO AND SPEIER INTRODUCE HR 539 TO BLOCK FCC CELL TOWER PREEMPTION: Physicians for Safe Technology, January 22, 2019.

<https://mdsafetech.org/2019/01/22/congresswomen-eshoo-and-speier-introduce-hr-539-to-block-fcc-cell-tower-preemption/>

Thank you very much for your consideration.

Respectfully,
Jane Osborn
Resident of Los Altos

E. Jane Osborn, Ph.D. Nationally Certified School Psychologist, NCSP 24709. Licensed Educational Psychologist, LEP 1610. Cognitive and Developmental Psychology. Cell: 650-346-6390. Land Line: 650-967-5167 (Preferred Option)

From: [Gabriel Engeland](#)
To: [Public Comment](#)
Subject: Fw: wireless utility infrastructure
Date: Wednesday, June 29, 2022 7:26:10 PM

Thanks,

Gabe

Gabriel Engeland
City Manager
City of Los Altos
(650) 947-2740 | www.losaltosca.gov

From: David Roode [REDACTED] <[REDACTED]>
Sent: Wednesday, June 29, 2022 6:07 PM
To: City Council <council@losaltosca.gov>
Subject: wireless utility infrastructure

I have been amazed over the time that the so called "5G" concerns have been discussed by the council that there has been so little accurate context as to what is going on by the various potential applicants. The installations that were held up were in fact for 4G/LTE service, as opposed to 5G. They were undoubtedly held up, but this was only 1 site for Verizon. For AT&T the distributed installations that were held up were for 12 sites. AT&T has an existing distributed installation in Los Altos (1 in Mountain View) for 4 sites but these operate in concert to effectively constitute a single area of service. AT&T also has a set of these involving 4 sites in Los Altos Hills not far from downtown Los Altos. All 8 AT&T pole sites have been in use for quite a while now.

Meanwhile, T-mobile has proceeded to prepare several different locations that are actually likely intended for 5G service--but not primarily for cell phones, but instead for home internet service. These sites are visible at multiple locations along El Monte for at least one branch of new network service. What T-mobile installed involved underground horizontally bored fiber installation connecting several new underground equipment vaults located in the public right of way along the road.

None of the discussions of the past seem to consider the issue of locating equipment where it is potentially quieter, as in below the ground, buried. Of course, there has to be an above ground antenna too, but this makes no noise at all.

For that reason, it seems to me that what has been considered is too restrictive and also not general enough to match the true installations that can be expected in the future.

Besides Tmobile's new installations for 5G it appears that they and their acquisition Sprint have also installed a number of

older cell service sites that are completely undetected by community members. This means they are non intrusive, which is a good thing, compared to the noisier sites from AT&T. How does the proposed ordinance distinguish between the 2 cases--noisy and not noisy?