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 it's 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

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]

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
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o [redacted]