

Attachment C – Notes from Aug. 21, 2019 Work Session and other Comments

Wireless Communications Facilities Work Session Notes

1. Can jurisdictions include the historical and environmental reviews? Could application submittal requirement include reference to NEPA and historic reviews -- having completed that process before being deemed complete? Yes. Most cases won't involve these factors.
2. Take a closer look at the 30% setback requirement for Red Feather Lakes Business zoning district. That may not work where buildings are closer together. Should certain types of WCFs be required or prohibited there?
3. Clarify when shot clock stops relative to our processes and complete applications.
4. Include a quantitative threshold of public engagement (nay-sayers) for when to send a Public Site Plan (PSP) (e.g., when 30% of public comments are expressing concern) to BCC.
5. Clarify the small cell definition relative to towers (and in the purpose statement). Small cells should not be defined as a subset of towers.
6. Clarify the reference to the colocation on a residential structure on a lot. What's meant by it (clarify it's for the principle use, not sheds, etc.)
7. Can we better organize the regulations to have Tables A (zoning) and B (procedures) closer together?

Two planning commissioners provided notes at the end of the meeting addressing:

- language inconsistencies in the Abandonment and Removal section and the later submittal requirements related to abandonment and removal and asked about possible cash bond.
- How to enforce the abandonment language. Should there be some sort of annual registration for facilities so county can keep tabs on active facilities?

Written Comments Pertinent to Draft Regulations

- Email from Weins, 08.18
- Email from Morgan, 08.19
- Email from Peck, 08.21
- Email from Temmer, 08.21
- Email from Peck, 08.25
- Email from Dann, Loveland Fire, 08.27
- Email from Weins, 08-26
- Comments from Commissioner Kefalas and Planning Commissioner Johnson

Comments Provided in Survey Monkey Questionnaire

As another means to provide comments, the county hosted an online comment form from August 19 through 28th. We received 17 sets of responses of which 15 were duplicates cut and pasted. To save paper while ensuring that all unique comments are included for review, the attached version includes the 6 responses containing some levels of differences.



Lesli Ellis

Wireless Regulations Study Session Update August 21

John Weins <

To: ellislk

Cc:

Sun, Aug 18, 2019 at 10:15 AM

To Leslie Ellis and Frank Haug:

August 18

I'm looking forward to reviewing the most recent updated Wireless Regulations before the August 21 Study Session

Considering the recent lawsuit filed against the tobacco industry to strengthen the warning labels on the cigarette packages, and the inherent dangers in deploying the new 5G technology, I'm confident that Larimer County has planned an extensive educational program to educate the Larimer County citizens about the inherent risks and dangers they will be confronted with the roll out of the 5G technology.

I'm sure this educational program would include the WHO's (World Health Organization) 2011 decision to classify wireless radiation as a Class 2B Carcinogen. Also included would be the recent landmark \$25 million Government NTP Study that established a link between brain and heart cancer cells and wireless radiation. Also included would be the fact that the most vulnerable segments of the population to the detrimental health effects of wireless radiation include pregnant women, children, and senior citizens. Also included would be a list of the most common symptoms that many Larimer County citizens will likely be experiencing as a result of the 5G roll out: sleep problems, fatigue, exhaustion, lack of energy, restlessness, heart palpitations, blood pressure problems, muscle and joint pain, headaches, depression, difficulty concentrating, forgetfulness, anxiety, urinary urgency, anomia (difficulty finding words), dizziness, tinnitus and sensations of pressure in the head and the ears, tightness in chest, hyperactivity, irritability, noise sensitivity, burning sensation in the eyes and skin conditions.

Of course it would be unthinkable not to include in the 5G study material that significant health problems are now exploding among adults in their mid and late twenties, the population that has grown up amidst wireless radiation.

You must already know how many Larimer County families are willing to sacrifice one of their loved ones, a beloved son or daughter, a husband or wife, a mother or father, or a grandmother or grandfather, in exchange for the benefits of the 5G technology.

Sincerely,

John Weins

Larimer County resident



International Experts Perspective on the Health Effects of EMF and EMR.docx

42K



Wireless communication facilities regulations

Roger Morgan <>

Mon, Aug 19, 2019 at 1:47 PM

To: "ellisk">

Cc: ">

Lesli—

I have been assisting my neighbors in the possible leasing of a free standing stealth cell tower site on their dairy farm. The proposed free standing facility meets the design goals of camouflage and concealment and contemplates collocation of wireless service providers. In doing some research last week I became aware that Larimer County is in the process of revising the county Wireless Communication regulations.

The current code permits the stealth tower on their farm, however the proposed regulations change the permitted use in the RE- Rural Estate zone and would not allow a free standing stealth tower. This situation arises due to a historical quirk in the Larimer County zoning district titles.

The Larimer county RE- Rural Estate zone is a farming area roughly 5.5 miles by 1.5 miles, bounded by Hwy 287 on the south and county road 62E on the north and by N. Shields Street on the east and the western boundary ½ mile west of Taft Hill Road. This area is one of the last irrigated farm segments north of Fort Collins. The permitted land uses in RE closely parallel the uses in the FA and FA-1 zoning classifications, the principal difference is that RE zoning density is 10 acres per dwelling unit, where FA and FA-1 are one unit per 2.33 acres with septic and .5 acres per unit in the case of FA with public sewer. Essentially the RE zone is an agricultural zoning district with less intensive residential density than FA and FA-1. I would further note that the above described area is basically the only place in the Larimer County where the RE zoning district is applied.

I believe the proposed Wireless Communication regulations should continue to permit free standing stealth cell towers in the RE zoning classification. The new wireless communication regulations should permit the above described RE- Rural Estate area to have the same cell tower uses as the proposed regulation contemplates for the FA and FA-1 zoning classifications.

Appreciate your assistance as the new regulation development proceeds. If I can offer additional input please call on me.

Thanks

Roger Morgan

Sent from [Mail](#) for Windows 10

August 21, 2019

Citizen Comment for Joint Study Session of Larimer County Commissioners

Comments on Attachment A – Land Use Code DRAFT Regulations

16.0 Wireless Communications Facilities

Page A-1

A. Purpose

2. Promote and protect the public health,.....

The regulations proposed address only visibility and structural integrity of WCFs in the public ROW. We ask if a policy statement can be issued by the County to address the County's desire to meet all legal requirements of federal and state law, and citizens have deep concerns on the health and environmental effects of 24/7 RF exposures, particularly near their homes. The County has been prohibited by federal law to address the health effects of RF at this time. But recent court ruling in the case of the NRDC vs. FCC has restored environmental and historical reviews. It is a tumultuous legal regime on this subject nationwide creating challenges for local governments. Should future federal and state laws or court ruling open up the opportunity the County will address the concerns of citizens therein to RF exposures and update the Land Use Code. Furthermore, the ruling by the D.C. Court of Appeals in favor of the NRDC vs. FCC case will allow the County to include environmental and historical reviews. Too new a ruling at this time, the regulation draft does not now include these options.

A policy statement issued in conjunction with the Land Use Code would guide County staff and the maintenance of the Master License Agreements (MLA) in consistent policy fashion. It would inform the public that their concerns have been heard and acted upon to the best of the ability of the County to do so.

Purpose (Cont.)

6. Encourage the location of towers in non-residential areas in a manner that minimizes the total number of towers needed throughout the community.

8. Encourage owners and users of antennas and towers to locate them, to the extent possible in areas where the adverse impact to the community is minimized.

The important distinction here is the word “towers” and therefore Item 6 of purpose above omits all poles and structures under 40’ in height and the wide range of antenna installations that can be located on existing infrastructure like street lights, telephone poles, sides of buildings.

While Item 8 calls for antennas to be located where the adverse impact to the community is minimized, there is no item found in the regulations that appears to result in such actions. The use of preferred locations in the regulations rather than mention in the MLA would be regulatory not contract.

Questions and Comments on Definitions pg. A-16 – A.19

Definitions in the Land Use Code for the equipment of WCFs is very important to understand and apply so the public and applicants will clearly know what type of WCF is being allowed in each zoning district, the review procedures for each type of equipment and the public notice given for each. The definitions section needs to be expanded to include missing definitions, and each definition used in the MLA in the same manner.

We ask our Commissioners to use a clear understanding of each definition in the review of the proposed Land Use Code. All WCF equipment listed in the definitions are combined, configured, mounted and placed throughout the community for a wireless network. They all contain powerful antennas transmitting RF 24/7. In years past, transmitting antennas such as these were located in industrial and commercial areas and kept away from our homes where we rest and restore.

Page A-16 defines **Antennas**

Page A-17 defines **Monopoles, Pole-Mounted Small Cell Facility, Colocation**

Page A-18 defines **Small Cell Facility**

Page A-19 defines **Wireless Communications Facility (WCF)**

Page A-19 defines **Towers**

Table 16.A Zoning Districts Where SCFs are Allowed (pg. A-3) and **Table 16.B Review Procedures and Requirements for Different Facility Types** (pg. A-10) force the reader to flip back and forth between the two and apply definitions of the type of WCF equipment in the header column of Table 16. A (i.e. “attached facility on existing structure”, “small cell facility”, “alternative tower structured (concealed)” and “Tower non-concealed” to the type of review (SP, PSP, MS, SR etc.) in order to then examine Table 16. B to figure out which “decision” i.e. review type) will occur and the public notice and options for appeal therein. One has to flip back and forth to figure the application, decision (review), public notice and appeal process for each type of WCF equipment.

If the tables retain these descriptions as the header on Table 16.A, then two definitions should be added to the definitions beginning on pg. A-16.

- Attached Facility on Existing Structure (including eligible facilities)
- Alternative Tower Structure (Concealed)

Definitions missing but contained in the draft of the Land Use Code and the MLA are:

- MLA, pg. 29 (11):
- macro base station,
- macros wireless tower,
- macro wireless communication facility.

Definitions in the MLA should be consistent with the regulations. At this time, they are not, perhaps just an edit issue in the final drafts still to come. The public appreciates the disclosure of the MLA by the County.

The Most Salient Concern of Citizens in the Land Use Code as drafted in Attachment A

The important concern in definitions and their application to the Land Use Code and each term used in Table 16.A and 16.B and meeting the Purpose of the Land Use Code described in Item 6. and 8 above is to interpret clearly where the wireless network equipment will be deployed and how it impacts the places we sleep and restore. Currently the only equipment encouraged to be located out of residential areas is a tower over 40' high. There is nothing in the regulations to encourage or keep WCFs away from the front of our house and on the stations of our first responders.

So, if an antenna is on the light post out in front of a home, it makes since to the wireless provider to have a stronger signal at the level of the second story because it would allow for a stronger RF signal for more people – clearing the roof line[s] most likely. But the big negative for humans in the house 30 ft away is that the power density, would be outrageous because it's just past the antenna's near field and just into the beginning of the far field. In RF terminology – that is when the two parts (the electric part and the magnetic part) of the transmission separate to such a degree that RF wave travels thru the air – hence the electromagnetic radiation term. Field strength is related to the distance (the inverse square) so the farther you are from the signal source (the antenna/transmitter) the lower the power density of the radiated frequency.

Setbacks allow the power density to decrease given sufficient distance from the home. There are no setbacks in the ROW. Pg. A-4 A.; Pg. 29, MLA (10). There are no setbacks for anything that is not a tower.

The illustration below of this near field exposure on an actual child's bedroom in a CA city where 4G/5G has been deployed in residential areas made this house uninhabitable without vacating the front bedrooms and installing RF shielding paint. The child developed severe microwave illness and the other family members experienced a number of symptoms associated with microwave illness. We are asking to address this scenario in the Land Use Code, to implement significant setbacks regardless if the WCF is in the public right of way (ROW) or not.





Larimer County has police powers under HB 17-1193 and we are asking you to explore all options to exercise police powers to protect the homes where we rest and recover in and to protect our first responders fire stations (See Citizen Comment, May 28, 2019, Appendix 10: Firefighters Brain Study on RF Exposure and Job Functioning; Public Comment by Susan Foster FCC Docket 13-84)

There are serious consequences when humans are located in the near field of RF emissions. Links to only a few effects from the US National Library of Medicine National Institute of Health Pub Med.gov, the access source for the scientific community to peer reviewed scientific papers.

- Biological Effects from RF Radiation <https://bioinitiative.org/rf-color-charts/>
- The microwave syndrome or electro-hypersensitivity: historical background. <https://www.ncbi.nlm.nih.gov/pubmed/26556835>
- Microwave frequency EMFs produce widespread neuropsychiatric effects including depression. <https://www.ncbi.nlm.nih.gov/pubmed/26300312>
- Europaem EMF Guideline 2016 for the prevention, diagnosis and treatment of EMF-related health problems and illnesses. <https://www.ncbi.nlm.nih.gov/pubmed/27454111>
- Role of Mitochondria in the Oxidative Stress Induced by EMFs: Focus on Reproductive Systems. <https://www.ncbi.nlm.nih.gov/pubmed/30533171>

Responses to County Staff Questions of Commissioners on pg. 6 of the Memorandum August 14, 2019.

i. Should the county provide a map of existing facilities to inform public about location of small cell facilities. (not something for the regulations but may address public comments and concerns)? **YES.**

Electro hypersensitivity (EHS) is a federally recognized disability by the U.S. Access Board since 2002 <https://smartmeterharm.files.wordpress.com/2017/01/federal-access-board-final-rule-2002.pdf>. EHS persons must know where WCFs are located, and be provided adequate notification PRIOR to their installation to take protective measures for their health and well-being. Therefore, the map maintained by the county should include existing and pending applications of WCFs, not matter the type.

ii. Should county consider periodic monitoring of radio frequency at wireless sites to ensure compliance with FCC standards? **ABSOLUTELY YES.** See Citizen Comment, May 29, 2019 pg. 21 and Appendix 4: *Industry White Paper Potential for RF Exposure Rules to Limit 5G Deployment*. These comments and the wireless industry concerns about exceeding regulatory limits for RF exposure explain the need to monitor. Pg. 21 provides the example of Syracuse, NY's MLA which put the cost of monitoring on the provider with defined consequences when found to exceed FCC limits.

b. Location and design standards. Should the county further explore setback requirements? **YES.** There are no setbacks in the ROW for residential areas. It can be as close to a bedroom window they want as long as it is on a structure in the ROW.

ii. Further review heights in various zoning districts? **Neutral**

ii. Treat Growth Management Areas differently for certain standards as suggested by Fort Collins (i.e., heights, concealed towers, landscaping)? **Neutral.**
Question: Why does Fort Collins have more stringent regulations than Larimer County, and what could Larimer County learn from Fort Collins and apply in the Land Use Codes?

iv. Modify spacing or location of small cell facilities or locational preferences, such as a preference for arterials and avoidance of locating facilities on local residential streets – note there are federal limitations? **YES, ABSOLUTELY. Use your police powers** under HB 17-1193.

v. Include additional security measures such as function of cameras on towers? **NO**. In fact if cameras must be allowed for the wireless provider then strict limits on the use of the camera for non-subpoena surveillance should be enforced. 4G/5G is a backbone for a surveillance society, clearly documented in both industry, media and technical reports. We ask you to think ahead, the technology companies are way ahead of public policy. A subject for another study session.

vi. Add any other camouflage requirements or other concealment mechanisms? **NEUTRAL**

vii. Add fire protection measures for wireless facilities, for instance in the wildfire hazard area? (note: seeking input from fire districts) **ABSOLUTELY**. Cell towers catch fire every day. Vulnerable locations should be required to have their own fire suppression supplies at the WCF. Example, Poudre Canyon.

c. Review procedures – Should there be any further changes? **YES**. Combine Tables 16.A and 16.B for a clear illustration of the type of facility, the type of review (noted as “type of decision” in Table 16.B), the public notice and appeals process; please post for public comment before the Planning Commissioners meeting on September 11, 2019. As these tables seem to read now, nearly all facilities over 60’ high and located wherever are under only administrative review. Notice to the public is very limited and in many cases the public is notified after the review is complete and granted. Notice to the public should be at least 1500 ft., for all WCFs regardless if it is an adjoining property or not. Notice costs should be reimbursed by the applicant.

SITE VISITS are paramount by County staff for all WCFs. One cannot assess interruption of traffic line of site, proximity to bedroom windows or other important factors unless they go to the site. What is the training of the administrator or designee to review and approve applications? Other counties use a consultant paid for by the applicant under certain criteria. Ken Fellman serves as such a consultant for other Front Range cities, perhaps he could explain under what conditions an applicant pays for review.

d. Application and submittal requirements - Should the county request any additional information from applicants? **YES.** In the MLA pg. 11, 5.2 (5.2.2) insurance coverage should include indemnification of the County for “all future claims of harm or injury as a result of RF exposures”.

e. Are there clarifications to any other sections, or is there input regarding Master License Agreement? **YES.** The MLA is used to define many important regulatory items such as setbacks, preferred locations, installation of pole (type) and RF emissions requirements, measurements and consequences. These should be clearly spelled out in the regulations where they cannot be changed by administrative decision at a future date in the MLA.

Furthermore, the MLA should be guided by the policies determined by the Commissioners in the policy statement noted above. For example, what term do you want to put on any MLA? This is a good question for legal counsel, given the changing legal regime nationally and potentially at the state level? What period of term and what language needs to be carefully examined in the MLA to allow the County to quickly update WCFs to come into current compliance and not leave WCFs out there “grandfathered” in when laws change? Particularly as it pertains to RF exposures and environmental and health effects.

Signage for concealed antennas in pedestrian walkways, positions close to public seating and in parks should be required. Many frequencies have not been fully tested for interference and malfunction of certain medical devices, vulnerable populations should not sit down in near fields of antennas, pregnant women, children etc. EHS persons avoid close field RF exposures. Citizens should have the knowledge they need to make a choice on RF exposures for their own well-being. We are not aware that requiring signage for concealed antennas violates any state or federal law. In fact, the City of Berkeley required signage on the boxes for the sale of cell phones and won the case all the way to the Supreme Court. The ordinance now stands in Berkeley.

2. Do you have all the information you need to be ready to move toward the Planning Commission hearing for the draft regulations on Sept. 11?

(1) Attachment C. of the MLA pg. 3. Does the county want to prohibit the installation of new wood poles? Given the decade coming and WCFs

proliferation this would be much better aesthetically. And there is no law prohibiting your ban on new wood poles is there?

(2) Make definitions in MLA consistent with definitions in the Land Use Code.

(3) Avoid any language granting a license in perpetuity

(4) Improve public notice:

- Public notice is limited to towers higher than 60'
- Public notice is not provided until after administrative review has been approved for all other WCF applications.
- Notification for public notice is only 500 ft or to adjacent property owners depending on the type of facility. It should be 1500', and posted on the County website noted above.
- As a whole the public notice and comment during the review process is exclusionary of public comment unless it is a tower over 60' high.



Lesli Ellis <ellislk@co.larimer.co.us>

Larimer County wireless regulations study session

'Greg Temmer' v

Wed, Aug 21, 2019 at 10:10 AM

Reply-To:

To: "

Dear Larimer County Planning Commission,

I am saddened, extremely dismayed, and in state of constant anxiety of what Larimer County will turn into with the over proliferation of antennas everywhere by the growth of small cells in Larimer County.

I have Electro-hypersensitivity (EHS) which causes me severe health issues caused by 3G, 4G, WiFi, and smart meters. My symptoms include dizziness, the inability to concentrate and think, and feeling physically anxious. In fact, I was excused from jury duty because of this issue. The Larimer County building has wireless technology everywhere in the court room, and on top of the building. This is no place to have jury trials when people need to be able to think and give the defendant a fair trial. No one can have a fair trial these days with the current configuration of the court house.

With 5G, life will get even worse and I may have to move away. You will lose my economic value to the community as a tax payer.

In this 8 minute video, Jolie Jones (daughter of singer Quincy Jones) talks about her EHS, and interviews a key researcher in the field. <https://youtu.be/SWyT2qRIGZc>
Jolie Jones' website (<https://www.jolietalks.com>)

This is a serious issue for all of us, and any profits gained by 5G technology will have devastating health consequences and financial consequences for everyone. Any perceived profits of 5G will be a 100 fold loss in health, economic productivity, immeasurable costs, and finally death for many if not all.

I am beginning to wonder if all of you are sociopaths with absolutely no empathy or rationalism over this issue. I am also beginning to wonder if all of you are even human, and maybe you are all aliens that have plans to take over the planet Earth. You have the power to say NO to all of this. The financial issue of getting sued by Big Telecom will be nothing in comparison to the economic loss and loss to lives. Big Telecom can't possibly sue every county or city in the United States of America.

What are you going to do when Big Telecom gets sued, because all those law suits are coming. Because with all the research I have done, I see lots of conflicts of interest.

And I absolutely believe you are violated your own policies:

POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.5 POLICY TITLE: BOARD MEMBERS' CODE OF CONDUCT

The Board of County Commissioners shall operate in an ethical and businesslike manner. Accordingly:

1.5.1. Members of the Board of County Commissioners must represent unconflicted

loyalty to the interests of the citizens of the entire County. This accountability supersedes any conflicting loyalty such as that to any advocacy or interest groups, or membership on other Boards or staffs. This accountability also supersedes the personal interest of any Board member acting as an individual consumer of the County government's services.

1.5.2. Members of the Board of County Commissioners must avoid any fiduciary conflict of interest, ex-parte communication or nepotism conflicts.

1.5.3. Members of the Board of County Commissioners will act in accordance with the Colorado Revised Statutes as they relate to the Board's responsibilities and authorities.

Attached is the latest scientific research of 139 Scientific Studies On How 5G Affects Health: Here are the main points that will effect everyone including all of the Planning Commision and their families. This issues are not to be taken lightly.

1. Attack our nervous systems including our brains leading to widespread neurological/neuropsychiatric effects and possibly many other effects. This nervous system attack is of great concern.
2. Attack our endocrine (that is hormonal) systems. In this context, the main things that make us functionally different from single celled creatures are our nervous system and our endocrine systems – even a simple planaria worm needs both of these. Thus the consequences of the disruption of these two regulatory systems is immense, such that it is a travesty to ignore these findings.
3. Produce oxidative stress and free radical damage, which have central roles in essentially all chronic diseases.
4. Attack the DNA of our cells, producing single strand and double strand breaks in cellular DNA and oxidized bases in our cellular DNA. These in turn produce cancer and also mutations in germ line cells which produce mutations in future generations.
5. Produce elevated levels of apoptosis (programmed cell death), events especially important in causing both neurodegenerative diseases and infertility.
6. Lower male and female fertility, lower sex hormones, lower libido and increased levels of spontaneous abortion and, as already stated, attack the DNA in sperm cells.
7. Produce excessive intracellular calcium $[Ca^{2+}]_i$ and excessive calcium signaling.
8. Attack the cells of our bodies to cause cancer. Such attacks are thought to act via 15 different mechanisms during cancer causation.

I want to remind all of you of the Colorado Constitution from Article II, Section 3.

Section 3. *Inalienable rights.* All persons have certain natural, essential and inalienable rights, among which may be reckoned the right of enjoying and **defending their lives and liberties**; of acquiring, possessing and **protecting property**; and of **seeking and obtaining their safety and happiness**.

All this wireless stuff violates our Colorado Constitutional rights because per the other attached research article "Microwave frequency electromagnetic fields (EMFs) produce

widespread neuropsychiatric effects including depression". If microwave frequencies cause these effects, then wireless technology is making people unsafe, unhappy, and depressed than clearly our Colorado Constitutional Rights are being violated.

And finally:

Per Memorandum page 6, my preferences are the following:

Item 1. a. (i). Should the County wants to maintain a public site of all WCFs and antennas. **YES**

- Item 1. b. (iv). Modify spacing or location for small cell facilities or locations preferences such as a preference for arterials and avoidance of locating facilities on local residential streets. **YES**
- Item 1. (b) (v.) Include additional security measures such as function of cameras on towers **NO**, it is start of a surveillance backbone. In fact call for line items in the regulations or MLA that prohibit additional mounting of cameras for any surveillance.

I also request local police powers be used to:

1. keep antennas and wireless facilities away from the front of our homes and off fire stations and protect our first responders from another possible carcinogen. Firefighters have one of the highest cancer rates of any profession, need their sleep and rest. Site Appendix 10 of the Citizen Comment submitted May 28, 2019 on Susan Fosters study of firefighter performance exposed to 24.7 RF and the International Firefighters Policy on wireless radiation.
2. to create RF free parks for antenna free recreation areas for EHS.
3. to provide ADA accommodations for EHS persons to keep antennas set back safe distances from living spaces

Thank you for your attention to this important matter.

Sincerely,

Greg Temmer

2 attachments

 **Neuropsychiatric effects.pdf**
342K

 **5G-Risk-The-Scientific-Perspectiv.pdf**
6595K



Lesli Ellis <ellislk@co.larimer.co.us>

Request ADA accommodation compliance in wireless regulations

Cindi Peck <c>
To: ellislk
Cc:

Mon, Aug 26, 2019 at 11:47 AM

Dear Commissioners and County Staff:

Please see the attached article about electro hypersensitivity (EHS) as a recognized disability by the ADA since 2002. It is our Citizen Comment opinion that Ken Fellman's statement was made without the recognition of EHS disabilities and the American Disability Act requiring accommodation and access to public spaces. Parks, public buildings, pedestrian walkways.

We again request that the regulations require signage on concealed antennas within 50 ft of a pedestrian walkway and outside of any publicly owned building noting the presence of RF emitting antennas. Signage is an ADA accommodation for those who have electrohypersensitivity (EHS) and for those individuals who have been advised due to a medical condition to avoid close proximity to RF emitting antennas (implanted medical devices, immune compromised, pregnant). EHS has very dramatic effects on those who suffer from it, including tachycardia and other urgent heart affects.

<https://scientists4wiredtech.com/what-are-4g-5g/electromagnetic-sensitivity/>

The U.S. Access Board has this publication for accommodations required by employers for persons suffering EHS.

<https://askjan.org/publications/Disability-Downloads.cfm?pubid=226622>.

Without signage EHS persons will be left with no alternative but to file a complaint with the U.S. Access Board against the County. There is no FCC rule stating the County or any government entity cannot comply with an ADA accommodation. Standardize the sign for ADA compliance for readability and proper notice.

Thank you for your serious consideration of this request in the revision of the wireless regulations effort.

Sincerely,

Cindi Peck

| | |



Lesli Ellis <ellislk@co.larimer.co.us>

Fwd: Larimer County Updates to Wireless Communication Facilities

1 message

Jen Cram
To: Lesli Ellis <

Tue, Aug 27, 2019 at 9:58 AM

Lesli, please see comments from Carie Dann with Loveland Fire Rescue Authority and Eric Fried on the Wireless Communication Facilities updates.

Jenn

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

From: **Eric Fried** <
Date: Tue, Aug 20, 2019 at 2:05 PM
Subject: Re: Larimer County Updates to Wireless Communication Facilities
To: Carie Dann <, Ned Sparks < Jen Cram
Cc: Juan Mancha <

One concern is defensible space in the Wildfire Hazard Area (WHA). These towers can be very tall and engineered and built to withstand high wind pressures, but wind-blown PG&E power lines in California sparked massive wildfires that killed lots of people and caused tremendous damage to ecosystems and buildings. Do we want to require defensible space as wide as the tower height in the WHA? Conversely, we want trees or landscaping to provide a visual buffer from neighbors. Maybe the visual buffer is more of a concern in the Front Range, which is not in the WHA, so defensible space rules don't kick in. That's one issue we need to wrestle with.

As far as Fire Separation Distance, these will mostly be Group U occupancy buildings, and Type IIB or VB construction (non-combustible or combustible, no fire-rated construction) which means per IBC Tables 601 and 602 they need to be at least 10 feet from a property line, centerline of adjoining public street/alley/public way, or imaginary line between two buildings on the lot. I assume the setback requirements, based on height, will exceed these distances anyway, so it should not be a big issue.



Eric Fried
Chief Building Official

Community Development/Building Services
200 W Oak St, Fort Collins, 80522 | 3rd Floor
Phone: (970) 498-7705 | Fax: (970) 498-7667
efried@larimer.org | www.larimer.org/building

On Tue, Aug 20, 2019 at 1:35 PM Carie Dann <Carie.Dann@lfra.org> wrote:

Jen,

For #1: We're about to adopt the 2018 International Fire Code. Our code doesn't specify distance from fire stations to facilities so I have no input on that. The International Building Code has requirements in Chapter 7 for distance to lot line from the building – there are a lot of variables, so I copied Eric in case he wants to address it.

Regarding #2, if the facility includes indoor battery storage systems, Chapter 12 (Section 1206) of the IFC has very specific requirements for fire-extinguishing and fire-detection systems, contingent on types and quantities of

batteries. This is about 7.5 pages of requirements, so probably you'd just have to refer to requirements in the locally adopted IFC.

There also is a section requiring that outdoor battery storage systems (not necessarily in buildings, per se) be at least 5 feet from lot lines, public ways, buildings, etc. Not sure if that's anything you need, though.

As for WUI requirements – we won't adopt the IWUIC but we'd still review any new projects to ensure adequate vehicle access for emergency apparatus and possibly an approved water supply, if there's a Group H battery storage building or room.

Thanks for letting us respond.

Carie Dann

Battalion Chief/Deputy Fire Marshal

Loveland Fire Rescue Authority

Community Safety Division



970-962-2518 - office

970-222-7490 - cell

www.LFRA.org

<https://twitter.com/LovelandFRA>

From: Jen Cram <cramjl@co.larimer.co.us>

Sent: Tuesday, August 20, 2019 11:24 AM

To: chief1 [allensparkfire.com](mailto:chief1@allensparkfire.com) <chief1@allensparkfire.com>; scharles@berthoudfire.org; chief@vfdofbigelk.org; chief@glenhavenfire.org; jjerome@estesvalleyfire.org; chief@clvfd.org; Ty Drage <tdrage@frfr.co>; Glacier 1 <gvfdchief1@gmail.com>; Livermore Fire Dept. <livermorechief@gmail.com>; Ned Sparks <Ned.Sparks@lfra.org>; Carie Dann <Carie.Dann@lfra.org>; ted.plank@pinewoodspringsfire.org; h.collins@poudrecaanyonfiredistrict.org; jhowell@poudre-fire.org; gjwagner@centurytel.net; Gary Green

<ggreen@wfpd.org>; Everitt Pettit <epettit@wfpd.org>; sfriedrichsen@wsfr.us; Chris <chris.brunette@state.co.us>; Matthew Lafferty <mlafferty@larimer.org>; officers@rcvfd.org; chief@lyonsfire.org; Jim Lynxwiler <jlynxwiler@poudre-fire.org>
Cc: Lesli Ellis <ellislk@co.larimer.co.us>; Michael Whitley <whitlemd@co.larimer.co.us>
Subject: Larimer County Updates to Wireless Communication Facilities

We would appreciate your input on the proposed updates to the Wireless Communication Facilities section of the Land Use Code. Specifically we would appreciate your feedback on:

1. whether you have a preference or input regarding location of wireless communication facilities with regard to fire station buildings or properties, and;
2. if you think it is important to require fire protection measures for facilities in wildfire hazard areas, or in general.

Please see the link to the proposed updates below. There is also a work session with the Board of County Commissioners and Planning Commission tomorrow at 4:30 pm. The public hearing with the Planning Commission is scheduled for Wednesday, September 11. The public hearing with the Board of County Commissioners is scheduled for Monday, October 7.

Please email any comments back to me at your convenience.

We appreciate your time and input,

Jenn

<https://www.larimer.org/planning/land-use-code/proposed-amendments/wireless-regulations>

--

Jenn Cram, AICP

Planner II

Larimer County Community Development Division

Planning Department

[200 W. Oak Street, Fort Collins, CO](https://www.larimer.org/planning/land-use-code/proposed-amendments/wireless-regulations)

970-498-7696

--

Jenn Cram, AICP



Lesli Ellis <ellisk@co.larimer.co.us>

No-Safe-Level-For-Kids

John Weins <
To:

Wed, Aug 28, 2019 at 4:29 PM

Board of Commissioners, Planning Board, Staff:

08/no-safe-level-for-kids

Activist Post

August 27, 2019

(Remember, our children are our future! John Weins)

By B.N. Frank

Researchers determined decades ago that cell phone and WiFi radiation exposure was biologically harmful. Research since then continues to prove this . Over the years, news reports and warnings come and go the same way they once did with cigarettes.

Because Samsung and Apple are being sued for selling smartphones that exceed federal RF safety limits , this is getting renewed attention. Thanks to International Business Times for their excellent overview of why everyone needs to be concerned about outdated “safety” limits and testing for all wireless devices as well as 5G . Apple and Samsung are now facing a class-action lawsuit for their alleged risk of cancer. The complaint stated that the two tech giants exposed their alleged victims 500 times more than the allowable federal limit.

As per the FCC, Federal Communications Commission, a certain amount of radiation emission absorption rate is allowed per device. The Special Absorption

Rate is measured in watts of energy absorbed per kilogram of body tissue (W/kg). Through this, the government is able to measure if the device is within

allowable radiation emission or is at the rate of posing a serious risk to Apple products, Samsung products and other radiation-emitting devices.

The FCC released a standard measurement for U.S. citizens to follow in checking the amount of radiation emitted and absorbed by the human body. America

can exceed the 1.6 W/kg much lower compared to that of Europe which is 2 W/kg.

The lawsuit stated that Apple and Samsung's devices are emitting more radiation than what is tolerable by the body. After Chicago Tribune investigation,

the Apple and Samsung devices iPhone 8, iPhone X and Galaxy S8 surfaced as the types that emit more radiation bringing in the risk of genetic damages,

cellular stress, increased risk cancer risk and neurological encounter.

As of the moment, none of the Apple and Samsung users were able to claim that they have had any form of physical problems due to the radiation emission.

Instead, the ones filing the cases to our two tech giants admit that they are filing a case against the teachers for making them purchase items that could

pose a serious risk to them.

Meanwhile, 5G cell infrastructures also put the health of users at risk. 5G cell towers use shorter radio waves that will require the presence of more

cell sites as each site can only provide limited coverage.

Dr. Martin Paul [sic], Professor Emeritus of Biochemistry at Washington State University said that 5G is indeed a threat to the public. He also specified

some known illness that could accompany the 5G presence, reproductive damage, cardiac effects and oxidative stress, which can be accelerated.

block quote end

Register Now for The 5G Crisis: Awareness & Accountability Summit. Online and

FREE from August 26 – September 1, 2019 .

Photo image of

Democracy Now!

574K subscribers

How the Wireless Industry Convinced the Public Cellphones Are Safe & Cherry-Picked Research on Risks

Watch later Share

Play

08/Brave500

Brave - The Browser Built for Privacy

Photo image of

CBC News

1.4M subscribers

The secret inside your cellphone (CBC Marketplace)

Watch later Share

Play

Photo image of

Michigan Safe Technology

801 subscribers

Dr. Sharon Goldberg Testifies at Michigan's 5G Small Cell Tower Legislation Hearing October 4, 2018

Watch later Share

Play

Activist Post reports regularly about illnesses caused by exposure to all sources of Electromagnetic Radiation (Electrosmog) and all risks associated with the "Race for 5G." For more information, visit our archives and the following websites:

list of 19 items

-

Americans for Responsible Technology

-

5GCrisis

-

5GExposed

-

5G Information

-

Center For Safer Wireless

-

Ecological Options Network

-

ElectromagneticHealth

-

Electromagnetic Radiation Safety

-

EMF Safety Network

-

Environmental Health Trust

-

Generation Zapped

-

Parents for Safe Technology

-

Physicians for Safe Technology

-

TelecomPowerGrab.org

-

The People's Initiative

-

We Are The Evidence

-

Whatis5G.Info

-

Wireless Information Network

-

Commissioner Kefalas – Additional Input Concerning Proposed WCF LUC Updates – August 28, 2019

- Policy statement allowing historical and environmental reviews of WCF applications.
- Signage that is compliant with ADA requirements for people with ESH (electro hypersensitivity), which presumably is a disability subject to ADA; if this is the case and we base signage decisions on this, does industry still have grounds to sue the county?
- Provide a map of existing facilities to inform public about location of small cell facilities; update this map periodically.
- Further explore setback requirements from people's homes related to small cell facilities; modify spacing or location of small cell facilities or location preferences – preference for arterials over residential streets – within federal limitations.
- Incentivize better quality camouflage requirements or other concealment mechanisms.
- Add fire protection measures for WCFs especially in the WUI.
- Ensure MLA provisions that permit WCFs in ROW are clearly spelled out with design standards in Section 16.1.4; ensure that MLAs are clear and concise regarding responsibilities and requirements of provider and county; MLA should include review and renewal provision.

Section 16.1.1

- Statement #2: change to “promote public safety and welfare.”
- Statements #6 and #8: include small cell facilities.

Section 16.1.2

- Add “subject to future federal and state law.”

Section 16.1.3

- Make the two tables in the LUC more user-friendly – review processes and zoning districts where WCFs allowed – perhaps some kind of cross reference to LUC or a flow chart for applicant and public understanding.
- Expand mail notification to 1000' rather than 500'; all notices including SP at time of application rather than after administrative decision made.

Section 16.1.6 and 16.1.7

- Remove 2a “Small cell facilities shall be a permitted use by right in county ROW subject to review and approval from the county.” Do you agree with Cindi Peck's interpretation?
- Include site visits by planning staff as part of the application and review process.
- Add provision for compliance report

Section 16.1.8

- Ensure that all definitions are included in definition section – including terms referenced in MLA.



Lesli Ellis <ellislk@co.larimer.co.us>

Planning Commissioner homework re Small Cell

Anne Johnson <pcboardmember3@co.larimer.co.us>

Sat, Aug 24, 2019 at 3:00 PM

To: Lesli Ellis <ellislk@larimer.org>, Sean Dougherty <pcboardmember8@co.larimer.co.us>

Ms. Ellis and Chair Dougherty,

Below are answers to questions that we didn't get to during the work session. We were asked to provide input back to you over the weekend. See responses to questions below and suggested inclusion based on our informative work session.

Sincerely,
Anne

Several -Should the county provide a map? A GIS map could be a layer on the existing County GIS mapping system

Should the county consider periodic monitoring of wireless sights in regards to RF? Since there appears to be questions about safety, can we ask the applicant to submit annual reporting. I understand this may be a biased report. Could the applicant be required to pay for an annual third-party assessment?

Explore setback requirements - Setback/offset requirements should be a criteria of approval. I don't have the background necessary to propose appropriate setbacks/offsets.

Heights - How were the heights proposed determined?

Growth management areas - A referral should be provided to communities when the proposal is in the GMA. See comment regarding setbacks/offsets above.

Modify spacing and avoid locating on residential streets? Are there options for residential areas - on corners or in boulevards?

Include additional security measures such as cameras? Co-location of additional technology is a great opportunity. Weather sensors, cameras, etc. would be great where the need presents itself. For example, the young woman who disappeared in Longmont a few years ago disappeared from an area that didn't have camera surveillance coverage. In densely populated areas, downtown, etc., having camera coverage may be a great idea.

Camouflage? Use colors or architectural elements as appropriate.

Fire protection? Is this needed?

MLA input - add SHPO and Environmental agency (CPW) as a referral to MLA as well as 'other' applications. MLA should contain Conditions of Approval/Criteria of Approval as well as standing Development Standards to clearly communicate development expectations.

Signage - I am neutral about signage.

Other - Annual compliance/reporting is needed. This will help identify when a site is no longer active and afford staff the ability to request a facility's removal. Could a bond be posted to cover removal of abandoned

sites in the event a company is not responsive? The County would be prudent to consider how to track abandoned sites and the cost to remove equipment.

Q1 Do you have general suggestions about the direction of the Wireless Communication Facility Regulations? Please provide detailed suggestions under the relevant sections below.

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|--|--------------------|
| 1 | <p>a) Require signage on concealed antennas within 50 ft of a pedestrian walkway and outside of any publicly owned building noting the presence of RF emitting antennas. Signage is an ADA accommodation for those who have electrohypersensitivity (EHS) and for those individuals who have been advised due to a medical condition to avoid close proximity to RF emitting antennas (implanted medical devices, immune compromised, pregnant). EHS is a recognized disability by the U.S. Access Board since 2002 and has very dramatic effects on those who suffer from it. https://scientists4wiredtech.com/what-are-4g-5g/electromagnetic-sensitivity/ The U.S. Access Board has this publication for accommodations required by employers for persons suffering EHS. https://askjan.org/publications/Disability-Downloads.cfm?pubid=226622 Without signage EHS persons will be left with no alternative but to file a complaint with the U.S. Access Board against the County. There is no FCC rule stating the County or any government entity cannot comply with ADA accommodation. Standardize the sign for ADA compliance. (b). In response to staff memo items for the Joint Study session for the Commissioners, the following is public comment on each item staff questioned not in the detailed response by section below. i. Should the county provide a map of existing facilities to inform public about location of small cell facilities. (not something for the regulations but may address public comments and concerns)? YES. Should county consider periodic monitoring of radio frequency at wireless sites to ensure compliance with FCC standards? ABSOLUTELY YES. See Citizen Comment, May 29, 2019 pg. 21 and Appendix 4: Industry White Paper Potential for RF Exposure Rules to Limit 5G Deployment. These comments and the wireless industry concerns about exceeding regulatory limits for RF exposure explain the need to monitor. Pg. 21 provides the example of Syracuse, NY's MLA which put the cost of monitoring on the provider with defined consequences when found to exceed FCC limits. Include additional security measures such as function of cameras on towers? NO. In fact if cameras must be allowed for the wireless provider then strict limits on the use of the camera for non-subpoena surveillance should be enforced. 4G/5G is a backbone for a surveillance society, clearly documented in both industry, media and technical reports. We ask you to think ahead, the technology companies are way ahead of public policy. A subject for another study session. vii. Add fire protection measures for wireless facilities, for instance in the wildfire hazard area? (note: seeking input from fire districts) ABSOLUTELY. Cell towers catch fire every day. Vulnerable locations should be required to have their own fire suppression supplies at the WCF. Example, Poudre Canyon.</p> | 8/28/2019 11:35 AM |
| 2 | <p>Require Telecom to require testing. 5G testing equipment is not readily available; make telecom company test upon instantiation as well as interactively, and yearly and submit annual reports to the county. The more towers that are allowed in the more radiation will be put out into our environment to hold. They have to do testing to account for the towers coming in. we already know that too much radiation is cause for health concern.</p> | 8/28/2019 9:29 AM |

Wireless Communication Facilities regulations

-
- 3 a) Require signage on concealed antennas within 50 ft of a pedestrian walkway and outside of any publicly owned building noting the presence of RF emitting antennas. Signage is an ADA accommodation for those who have electrohypersensitivity (EHS) and for those individuals who have been advised due to a medical condition to avoid close proximity to RF emitting antennas (implanted medical devices, immune compromised, pregnant). EHS is a recognized disability by the U.S. Access Board since 2002 and has very dramatic effects on those who suffer from it. <https://scientists4wiredtech.com/what-are-4g-5g/electromagnetic-sensitivity/> The U.S. Access Board has this publication for accommodations required by employers for persons suffering EHS. <https://askjan.org/publications/Disability-Downloads.cfm?pubid=226622> Without signage EHS persons will be left with no alternative but to file a complaint with the U.S. Access Board against the County. There is no FCC rule stating the County or any government entity cannot comply with ADA accommodation. Standardize the sign for ADA compliance. (b). In response to staff memo items for the Joint Study session for the Commissioners, the following is public comment on each item staff questioned not in the detailed response by section below. i. Should the county provide a map of existing facilities to inform public about location of small cell facilities. (not something for the regulations but may address public comments and concerns)? YES. Should county consider periodic monitoring of radio frequency at wireless sites to ensure compliance with FCC standards? ABSOLUTELY YES. See Citizen Comment, May 29, 2019 pg. 21 and Appendix 4: Industry White Paper Potential for RF Exposure Rules to Limit 5G Deployment. These comments and the wireless industry concerns about exceeding regulatory limits for RF exposure explain the need to monitor. Pg. 21 provides the example of Syracuse, NY's MLA which put the cost of monitoring on the provider with defined consequences when found to exceed FCC limits. Include additional security measures such as function of cameras on towers? NO. In fact if cameras must be allowed for the wireless provider then strict limits on the use of the camera for non-subpoena surveillance should be enforced. 4G/5G is a backbone for a surveillance society, clearly documented in both industry, media and technical reports. We ask you to think ahead, the technology companies are way ahead of public policy. A subject for another study session. vii. Add fire protection measures for wireless facilities, for instance in the wildfire hazard area? (note: seeking input from fire districts) ABSOLUTELY. Cell towers catch fire every day. Vulnerable locations should be required to have their own fire suppression supplies at the WCF. Example, Poudre Canyon. 8/28/2019 5:47 AM
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- 5 Current phones run at 2.4 GHZ Microwaves run at 2.45 GHZ. 30-300 is outrageously unsafe. This is like opening a microwave and leaving it on forever (at a much more intense level). Please don't allow us to be the guinea pigs <3 8/27/2019 12:40 PM
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6

These comments are detailed because they have not place in the other questions below. a) Require signage on concealed antennas within 50 ft of a pedestrian walkway and outside of any publicly owned building noting the presence of RF emitting antennas. Signage is an ADA accommodation for those who have electrohypersensitivity (EHS) and for those individuals who have been advised due to a medical condition to avoid close proximity to RF emitting antennas (implanted medical devices, immune compromised, pregnant). EHS is a recognized disability by the U.S. Access Board since 2002 and has very dramatic effects on those who suffer from it. <https://scientists4wiredtech.com/what-are-4g-5g/electromagnetic-sensitivity/> The U.S. Access Board has this publication for accommodations required by employers for persons suffering EHS. <https://askjan.org/publications/Disability-Downloads.cfm?pubid=226622> Without signage EHS persons will be left with no alternative but to file a complaint with the U.S. Access Board against the County. There is no FCC rule stating the County or any government entity cannot comply with ADA accommodation. Standardize the sign for ADA compliance. (b). In response to staff memo items for the Joint Study session for the Commissioners, the following is public comment on each item staff questioned not in the detailed response by section below. i. Should the county provide a map of existing facilities to inform public about location of small cell facilities. (not something for the regulations but may address public comments and concerns)? YES. Should county consider periodic monitoring of radio frequency at wireless sites to ensure compliance with FCC standards? ABSOLUTELY YES. See Citizen Comment, May 29, 2019 pg. 21 and Appendix 4: Industry White Paper Potential for RF Exposure Rules to Limit 5G Deployment. These comments and the wireless industry concerns about exceeding regulatory limits for RF exposure explain the need to monitor. Pg. 21 provides the example of Syracuse, NY's MLA which put the cost of monitoring on the provider with defined consequences when found to exceed FCC limits. Include additional security measures such as function of cameras on towers? NO. In fact if cameras must be allowed for the wireless provider then strict limits on the use of the camera for non-subpoena surveillance should be enforced. 4G/5G is a backbone for a surveillance society, clearly documented in both industry, media and technical reports. We ask you to think ahead, the technology companies are way ahead of public policy. A subject for another study session. vii. Add fire protection measures for wireless facilities, for instance in the wildfire hazard area? (note: seeking input from fire districts) ABSOLUTELY. Cell towers catch fire every day. Vulnerable locations should be required to have their own fire suppression supplies at the WCF. Example, Poudre Canyon.

8/25/2019 7:24 AM

Q2 Do you have detailed suggestions to add, remove or modify anything in Section 16.1.1 - Intent and Purpose?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|--|--------------------|
| 1 | Remove the portion of statement 2. "Promote and Protect the public health, state only to promote the safety and welfare... you are prohibited by FCC rules to protect our health. Items 6 and Items 8, add to towers, antennas and WCFs. County should prepare a policy statement to guide the intent going forward in a rapidly changing legal regime acknowledging public concern for health and property values in the siting of WCFs. Include OTARDs in the regulations, as the technology and an FCC docket under consideration plans are to allow OTARDs to be transmitting antennas. Include at a minimum notice that concealed antennas on private property such as a steeple in a church be required to be registered with the County for public posting on the proposed map of existing facilities to inform public about locations of WCFs. In that public proposed public map, include pending applications. (See staff memorandum pg 6 1. (a.) i.). Do not exclude from RF emission measurement and monitoring requirements proposed by the public comment special events page 2, 3. (e.) Sudden and high heating exposure to RF limits exceeding FCC guidelines can be cause permanent damage to a person. At no time under any condition should RF FCC limits be exceeded | 8/28/2019 11:35 AM |
| 2 | enhance the ability to provide wired broad band services to county residents, business, and visitors as well as wireless options. promote location of CMRS facilities on existing towers that are deemed safe to public health. (B)create a process to obtain necessary permits for CMRS facilities that leaves no loopholes to receive a permit for a location that isn't protecting the legitimate interests of county residents. If we shorten the process and speed up something that hasn't been tested could become more of a danger. | 8/28/2019 9:29 AM |

Wireless Communication Facilities regulations

| | | |
|---|---|--------------------|
| 3 | Remove the portion of statement 2. "Promote and Protect the public health, state only to promote the safety and welfare... you are prohibited by FCC rules to protect our health. Items 6 and Items 8, add to towers, antennas and WCFs. County should prepare a policy statement to guide the intent going forward in a rapidly changing legal regime acknowledging public concern for health and property values in the siting of WCFs. Include OTARDs in the regulations, as the technology and an FCC docket under consideration plans are to allow OTARDs to be transmitting antennas. Include at a minimum notice that concealed antennas on private property such as a steeple in a church be required to be registered with the County for public posting on the proposed map of existing facilities to inform public about locations of WCFs. In that public proposed public map, include pending applications. (See staff memorandum pg 6 1. (a.) i.). Do not exclude from RF emission measurement and monitoring requirements proposed by the public comment special events page 2, 3. (e.) Sudden and high heating exposure to RF limits exceeding FCC guidelines can be cause permanent damage to a person. At no time under any condition should RF FCC limits be exceeded. | 8/28/2019 5:47 AM |
| 4 | Remove the portion of statement 2. "Promote and Protect the public health, state only to promote the safety and welfare... you are prohibited by FCC rules to protect our health. Items 6 and Items 8, add to towers, antennas and WCFs. County should prepare a policy statement to guide the intent going forward in a rapidly changing legal regime acknowledging public concern for health and property values in the siting of WCFs. Include OTARDs in the regulations, as the technology and an FCC docket under consideration plans are to allow OTARDs to be transmitting antennas. Include at a minimum notice that concealed antennas on private property such as a steeple in a church be required to be registered with the County for public posting on the proposed map of existing facilities to inform public about locations of WCFs. In that public proposed public map, include pending applications. (See staff memorandum pg 6 1. (a.) i.). Do not exclude from RF emission measurement and monitoring requirements proposed by the public comment special events page 2, 3. (e.) Sudden and high heating exposure to RF limits exceeding FCC guidelines can be cause permanent damage to a person. At no time under any condition should RF FCC limits be exceeded. | 8/27/2019 3:55 PM |
| 5 | It is assault and trespassing to force this upon people (by the very definitions). | 8/27/2019 12:40 PM |
| 6 | Remove the portion of statement 2. "Promote and Protect the public health, state only to promote the safety and welfare... you are prohibited by FCC rules to protect our health. Items 6 and Items 8, add to towers, antennas and WCFs. County should prepare a policy statement to guide the intent going forward in a rapidly changing legal regime acknowledging public concern for health and property values in the siting of WCFs. Include OTARDs in the regulations, as the technology and an FCC docket under consideration plans are to allow OTARDs to be transmitting antennas. Include at a minimum notice that concealed antennas on private property such as a steeple in a church be required to be registered with the County for public posting on the proposed map of existing facilities to inform public about locations of WCFs. In that public proposed public map, include pending applications. (See staff memorandum pg 6 1. (a.) i.). Do not exclude from RF emission measurement and monitoring requirements proposed by the public comment special events page 2, 3. (e.) Sudden and high heating exposure to RF limits exceeding FCC guidelines can be cause permanent damage to a person. At no time under any condition should RF FCC limits be exceeded. | 8/25/2019 7:24 AM |

Q3 Do you have detailed suggestions to add, remove or modify anything in Section 16.1.2 – Where allowed?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|--|--------------------|
| 1 | 16.1.2 add subject to future federal and state law in the first paragraph. | 8/28/2019 11:35 AM |
| 2 | Require notification by Telecom to Businesses and residents within 3,000 feet of a tower via registered letter. Not permitted on public or private school grounds. these microwaves are dangers to human health and some people have EMF wave sensitivities. Please never allow this in our schools. | 8/28/2019 9:29 AM |
| 3 | 16.1.2 add subject to future federal and state law in the first paragraph. | 8/28/2019 5:47 AM |

Wireless Communication Facilities regulations

| | | |
|---|--|--------------------|
| 4 | 16.1.2 add subject to future federal and state law in the first paragraph. | 8/27/2019 3:55 PM |
| 5 | Please do not allow millimeter wave technology. Current 4G antennas are on waves with large crests and troughs. Millimeter waves have millimeter-sized crests and troughs which would be incredibly intense for any living organism. 5G antennas are nothing like 4G antennas. Please do not allow 5G antennas anywhere around living organisms. | 8/27/2019 12:40 PM |
| 6 | 16.1.2 add subject to future federal and state law in the first paragraph. | 8/25/2019 7:24 AM |

Q4 Do you have detailed suggestions to add, remove or modify anything Section 16.1.3 – Operational Standards for all WCFs?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|--|--------------------|
| 1 | <p>16.1.3 B. Details of operational standards for WCFs are really located in the Master License Agreement, which was not subject to public comment on this survey. MLAs must not grant licenses beyond five years with an annual renewal each five years subject to federal and state laws. MLA must require applicant comply with RF emissions and have remedies for non-compliance as quickly as possible to keep the public safe. The County can monitor RF emissions and provide consequences for exceeding RF emission limits just as Syracuse, NY did in their MLA and as other local governments have done. The FCC has no monitoring compliance resource and has stated so on their website. The FCC rules do not prohibit local governments from enforcing the FCC standards of RF limits. There is nothing that prohibits the County from requiring monitoring of RF emissions, citizen complaints of WCFs exceeding RF limits with approved test methods and the County imposing consequences. Table 16.A references Table 16.B. But the two combined really tell the allowed places, the full description of the type of facility, the application process or shot clock, public notice, approval and appeals process. While these tables could remain in their appropriate sections, there is a need for a flow chart for applicant and public understanding of allowed zones, type of facility, application and review process and appeals. Table 16.B has inadequate and late public notice after an administrative approval. Public notice would be improved by the construction of a form required in the application describing the location by address, type of facility, shot clock deadlines and date of expected installment. This form could then easily allow county staff to create the map of applications and sited WCFs as proposed in the Staff Memorandum pg.6.(a).i. Whether the county feels the public has any right to act upon an application does not preclude their right to know as quickly as possible. NOT AFTER administrative review. ADD site visits for all types of WCFs by staff. Table 16.B public notice should be modified to state "at application for all SP, PSP, MS and SR. Public notice required by mail subject to appeals should extend to 1500' not adjacent property owners or 500'. There are no site visits at this time in any review applications. How will the County know if a WCF or tower blocks ADA access, line of site traffic or is within 100 ft of the foundation of someone's home? Be sure it is clear that any provider using the MLA to install on existing traffic signal or other infrastructure comply with notice to county exactly where and what type of equipment so the County can keep the map proposed for applications of WCFs and siting of WCFs current.</p> | 8/28/2019 11:35 AM |
| 2 | <p>Do NOT differentiate private property tower installations vs. public tower installations. They MUST all abide by the same space limitations. Otherwise we will end up with towers within feet of one another or even on the same block. they may end up removing trees to set up these towers. CMRS facilities may not be placed on any residential properties no matter what type of antenna it is. These antennas carry the EMF radiation and are harmful.</p> | 8/28/2019 9:29 AM |

Wireless Communication Facilities regulations

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| 3 | <p>16.1.3 B. Details of operational standards for WCFs are really located in the Master License Agreement, which was not subject to public comment on this survey. MLAs must not grant licenses beyond five years with an annual renewal each five years subject to federal and state laws. MLA must require applicant comply with RF emissions and have remedies for non-compliance as quickly as possible to keep the public safe. The County can monitor RF emissions and provide consequences for exceeding RF emission limits just as Syracuse, NY did in their MLA and as other local governments have done. The FCC has no monitoring compliance resource and has stated so on their website. The FCC rules do not prohibit local governments from enforcing the FCC standards of RF limits. There is nothing that prohibits the County from requiring monitoring of RF emissions, citizen complaints of WCFs exceeding RF limits with approved test methods and the County imposing consequences. Table 16.A references Table 16.B. But the two combined really tell the allowed places, the full description of the type of facility, the application process or shot clock, public notice, approval and appeals process. While these tables could remain in their appropriate sections, there is a need for a flow chart for applicant and public understanding of allowed zones, type of facility, application and review process and appeals. Table 16.B has inadequate and late public notice after an administrative approval. Public notice would be improved by the construction of a form required in the application describing the location by address, type of facility, shot clock deadlines and date of expected installment. This form could then easily allow county staff to create the map of applications and sited WCFs as proposed in the Staff Memorandum pg.6.(a).i. Whether the county feels the public has any right to act upon an application does not preclude their right to know as quickly as possible. NOT AFTER administrative review. ADD site visits for all types of WCFs by staff. Table 16.B public notice should be modified to state "at application for all SP, PSP, MS and SR. Public notice required by mail subject to appeals should extend to 1500' not adjacent property owners or 500'. There are no site visits at this time in any review applications. How will the County know if a WCF or tower blocks ADA access, line of site traffic or is within 100 ft of the foundation of someone's home? Be sure it is clear that any provider using the MLA to install on existing traffic signal or other infrastructure comply with notice to county exactly where and what type of equipment so the County can keep the map proposed for applications of WCFs and siting of WCFs current.</p> | 8/28/2019 5:47 AM |
| 4 | <p>16.1.3 B. Details of operational standards for WCFs are really located in the Master License Agreement, which was not subject to public comment on this survey. MLAs must not grant licenses beyond five years with an annual renewal each five years subject to federal and state laws. MLA must require applicant comply with RF emissions and have remedies for non-compliance as quickly as possible to keep the public safe. The County can monitor RF emissions and provide consequences for exceeding RF emission limits just as Syracuse, NY did in their MLA and as other local governments have done. The FCC has no monitoring compliance resource and has stated so on their website. The FCC rules do not prohibit local governments from enforcing the FCC standards of RF limits. There is nothing that prohibits the County from requiring monitoring of RF emissions, citizen complaints of WCFs exceeding RF limits with approved test methods and the County imposing consequences. Table 16.A references Table 16.B. But the two combined really tell the allowed places, the full description of the type of facility, the application process or shot clock, public notice, approval and appeals process. While these tables could remain in their appropriate sections, there is a need for a flow chart for applicant and public understanding of allowed zones, type of facility, application and review process and appeals. Table 16.B has inadequate and late public notice after an administrative approval. Public notice would be improved by the construction of a form required in the application describing the location by address, type of facility, shot clock deadlines and date of expected installment. This form could then easily allow county staff to create the map of applications and sited WCFs as proposed in the Staff Memorandum pg.6.(a).i. Whether the county feels the public has any right to act upon an application does not preclude their right to know as quickly as possible. NOT AFTER administrative review. ADD site visits for all types of WCFs by staff. Table 16.B public notice should be modified to state "at application for all SP, PSP, MS and SR. Public notice required by mail subject to appeals should extend to 1500' not adjacent property owners or 500'. There are no site visits at this time in any review applications. How will the County know if a WCF or tower blocks ADA access, line of site traffic or is within 100 ft of the foundation of someone's home? Be sure it is clear that any provider using the MLA to install on existing traffic signal or other infrastructure comply with notice to county exactly where and what type of equipment so the County can keep the map proposed for applications of WCFs and siting of WCFs current.</p> | 8/27/2019 3:55 PM |
| 5 | <p>PPlease do not allow millimeter wave technology. Current 4G antennas are on waves with large crests and troughs. Millimeter waves have millimeter-sized crests and troughs which would be incredibly intense for any living organism. 5G antennas are nothing like 4G antennas. Please do not allow 5G antennas anywhere around living organisms.</p> | 8/27/2019 12:40 PM |

6 16.1.3 B. Details of operational standards for WCFs are really located in the Master License Agreement, which was not subject to public comment on this survey. MLAs must not grant licenses beyond five years with an annual renewal each five years subject to federal and state laws. MLA must require applicant comply with RF emissions and have remedies for non-compliance as quickly as possible to keep the public safe. The County can monitor RF emissions and provide consequences for exceeding RF emission limits just as Syracuse, NY did in their MLA and as other local governments have done. The FCC has no monitoring compliance resource and has stated so on their website. The FCC rules do not prohibit local governments from enforcing the FCC standards of RF limits. There is nothing that prohibits the County from requiring monitoring of RF emissions, citizen complaints of WCFs exceeding RF limits with approved test methods and the County imposing consequences. Table 16.A references Table 16.B. But the two combined really tell the allowed places, the full description of the type of facility, the application process or shot clock, public notice, approval and appeals process. While these tables could remain in their appropriate sections, there is a need for a flow chart for applicant and public understanding of allowed zones, type of facility, application and review process and appeals. Table 16.B has inadequate and late public notice after an administrative approval. Public notice would be improved by the construction of a form required in the application describing the location by address, type of facility, shot clock deadlines and date of expected installment. This form could then easily allow county staff to create the map of applications and sited WCFs as proposed in the Staff Memorandum pg.6.(a).i. Whether the county feels the public has any right to act upon an application does not preclude their right to know as quickly as possible. NOT AFTER administrative review. ADD site visits for all types of WCFs by staff. Table 16.B public notice should be modified to state "at application for all SP, PSP, MS and SR. Public notice required by mail subject to appeals should extend to 1500' not adjacent property owners or 500'. There are no site visits at this time in any review applications. How will the County know if a WCF or tower blocks ADA access, line of site traffic or is within 100 ft of the foundation of someone's home? Be sure it is clear that any provider using the MLA to install on existing traffic signal or other infrastructure comply with notice to county exactly where and what type of equipment so the County can keep the map proposed for applications of WCFs and siting of WCFs current.

8/25/2019 7:24 AM

Q5 Do you have detailed suggestions to add, remove or modify anything in Section 16.1.4 – Design Standards for all WCFs or Towers? (Note: comments specific to small cell facilities are in the next question.)

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|---|--------------------|
| 1 | No new wooden poles. 600'apart, and we will have stickville. Sadly, the setbacks are only for towers and do not apply to WCFs, which is alot of equipment configurations. And they do not apply to the public right of way, so no setbacks from bedroom windows where we sleep. Use your police powers to protect our homes where we sleep and recover. Use setbacks to protect our firefighters, keep all WCFs off their stations. | 8/28/2019 11:35 AM |
| 2 | All towers must be retested when the outdated 1996 FCC regulations/FDA/EPA regulations changed. If the towers do not pass they must be removed or mitigated by the Telecom industry within 30 days or be fined. | 8/28/2019 9:29 AM |
| 3 | No new wooden poles. 600'apart, and we will have stickville. Sadly, the setbacks are only for towers and do not apply to WCFs, which is alot of equipment configurations. And they do not apply to the public right of way, so no setbacks from bedroom windows where we sleep. Use your police powers to protect our homes where we sleep and recover. Use setbacks to protect our firefighters, keep all WCFs off their stations. | 8/28/2019 5:47 AM |
| 4 | No new wooden poles. 600'apart, and we will have stickville. Sadly, the setbacks are only for towers and do not apply to WCFs, which is alot of equipment configurations. And they do not apply to the public right of way, so no setbacks from bedroom windows where we sleep. Use your police powers to protect our homes where we sleep and recover. Use setbacks to protect our firefighters, keep all WCFs off their stations. | 8/27/2019 3:55 PM |

Wireless Communication Facilities regulations

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|---|---|--------------------|
| 5 | Please do not allow millimeter wave technology. Current 4G antennas are on waves with large crests and troughs. Millimeter waves have millimeter-sized crests and troughs which would be incredibly intense for any living organism. 5G antennas are nothing like 4G antennas. Please do not allow 5G antennas anywhere around living organisms. | 8/27/2019 12:40 PM |
| 6 | No new wooden poles. 600' apart, and we will have stickville. Sadly, the setbacks are only for towers and do not apply to WCFs, which is a lot of equipment configurations. And they do not apply to the public right of way, so no setbacks from bedroom windows where we sleep. Use your police powers to protect our homes where we sleep and recover. Use setbacks to protect our firefighters, keep all WCFs off their stations. | 8/25/2019 7:24 AM |

Q6 Do you have detailed suggestions to add, remove or modify anything in Section 16.1.4 – Design Standards specific to Small Cell Facilities?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|---|--------------------|
| 1 | 50dB of noise is very high. Given the prolific numbers of these facilities and considering this noise level is like a bathroom fan or a dishwasher running too high. If these WCFs are outside a home on a light post for 24/7 the dB allowed is too high for residential neighborhoods. It destroys the peace and quiet of the neighborhood. Lower for all WCFs to 10dB. Citizen Comments on May 29, 2019 and for the Joint Study Session of Commissioners on August 21, 2019 repeatedly asked the County to use all powers to set setbacks from our homes. The setbacks do not exist for WCFs in the public ROW and thus we are subject to WCFs outside our bedroom windows. We ask if police powers would allow setbacks from homes. | 8/28/2019 11:35 AM |
| 2 | They should only be allowed after the testing is required and shows will not do harm to the environment and the people of the community. do not allow temporary small cell facilities unless testing shows safe. | 8/28/2019 9:29 AM |
| 3 | 50dB of noise is very high. Given the prolific numbers of these facilities and considering this noise level is like a bathroom fan or a dishwasher running too high. If these WCFs are outside a home on a light post for 24/7 the dB allowed is too high for residential neighborhoods. It destroys the peace and quiet of the neighborhood. Lower for all WCFs to 10dB. Citizen Comments on May 29, 2019 and for the Joint Study Session of Commissioners on August 21, 2019 repeatedly asked the County to use all powers to set setbacks from our homes. The setbacks do not exist for WCFs in the public ROW and thus we are subject to WCFs outside our bedroom windows. We ask if police powers would allow setbacks from homes. | 8/28/2019 5:47 AM |
| 4 | 50dB of noise is very high. Given the prolific numbers of these facilities and considering this noise level is like a bathroom fan or a dishwasher running too high. If these WCFs are outside a home on a light post for 24/7 the dB allowed is too high for residential neighborhoods. It destroys the peace and quiet of the neighborhood. Lower for all WCFs to 10dB. Citizen Comments on May 29, 2019 and for the Joint Study Session of Commissioners on August 21, 2019 repeatedly asked the County to use all powers to set setbacks from our homes. The setbacks do not exist for WCFs in the public ROW and thus we are subject to WCFs outside our bedroom windows. We ask if police powers would allow setbacks from homes. | 8/27/2019 3:55 PM |
| 5 | Please do not allow millimeter wave technology. Current 4G antennas are on waves with large crests and troughs. Millimeter waves have millimeter-sized crests and troughs which would be incredibly intense for any living organism. 5G antennas are nothing like 4G antennas. Please do not allow 5G antennas (small cell) anywhere around living organisms. | 8/27/2019 12:40 PM |
| 6 | 50dB of noise is very high. Given the prolific numbers of these facilities and considering this noise level is like a bathroom fan or a dishwasher running too high. If these WCFs are outside a home on a light post for 24/7 the dB allowed is too high for residential neighborhoods. It destroys the peace and quiet of the neighborhood. Lower for all WCFs to 10dB. Citizen Comments on May 29, 2019 and for the Joint Study Session of Commissioners on August 21, 2019 repeatedly asked the County to use all powers to set setbacks from our homes. The setbacks do not exist for WCFs in the public ROW and thus we are subject to WCFs outside our bedroom windows. We ask if police powers would allow setbacks from homes. | 8/25/2019 7:24 AM |

Q7 Do you have detailed suggestions to add, remove or modify anything in Section 16.1.5 – Administrative Waiver?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
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| 1 | What is the proof required by the applicant that the design standard prohibits or has the effect of prohibiting the provision of wireless service through the WCF at the location? It was conveyed as long as the standards are published ahead of time they are legal. What standards will you apply to a claim that the design standards prohibit the provision of wireless service through a WCF? Who at the county is trained to know if the claim by an applicant is true? What will the County do to staff this with the technical expertise required? | 8/28/2019 11:35 AM |
| 2 | proof that this won't cause harm to our environment and the people of the county. | 8/28/2019 9:29 AM |
| 3 | What is the proof required by the applicant that the design standard prohibits or has the effect of prohibiting the provision of wireless service through the WCF at the location? It was conveyed as long as the standards are published ahead of time they are legal. What standards will you apply to a claim that the design standards prohibit the provision of wireless service through a WCF? Who at the county is trained to know if the claim by an applicant is true? What will the County do to staff this with the technical expertise required? | 8/28/2019 5:47 AM |
| 4 | What is the proof required by the applicant that the design standard prohibits or has the effect of prohibiting the provision of wireless service through the WCF at the location? It was conveyed as long as the standards are published ahead of time they are legal. What standards will you apply to a claim that the design standards prohibit the provision of wireless service through a WCF? Who at the county is trained to know if the claim by an applicant is true? What will the County do to staff this with the technical expertise required? | 8/27/2019 3:55 PM |
| 5 | This is assault and trespassing by definition. Please do not permanently destroy the future of humanity | 8/27/2019 12:40 PM |
| 6 | What is the proof required by the applicant that the design standard prohibits or has the effect of prohibiting the provision of wireless service through the WCF at the location? It was conveyed as long as the standards are published ahead of time they are legal. What standards will you apply to a claim that the design standards prohibit the provision of wireless service through a WCF? Who at the county is trained to know if the claim by an applicant is true? What will the County do to staff this with the technical expertise required? | 8/25/2019 7:24 AM |

Q8 Do you have detailed suggestions to add, remove or modify anything in Sections 16.1.6 – Review Procedures and 16.1.7 – Application Requirements?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
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Wireless Communication Facilities regulations

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| 1 | <p>This comment is absolutely critical and imperative to our local control in the future as the changing legal regime of FCC and state laws are in flux. REMOVE 16.1.6 (B). 2. (a.) Small cell facilities shall be a permitted use by right in county rights-of-way subject to review and approval from the county. We do not need to codify with amended language what HB 17-1193 does not exactly say, but is an interpretation. This permit is subject to police powers of the County. The language is not required in the regulations, remove it. HB 17-1193 states "A political subdivision shall NOT regulate A telecommunications PROVIDER OR A BROADBAND PROVIDER based upon the content or type of signals that are carried or capable of being carried over the provider's facilities; except that nothing in this subsection (3) PREVENTS regulation by a political subdivision when the authority to so regulate has been granted to the political subdivision under federal law. So given FCC changing rules and challenges in the legal regime, don't create a back up to HB 17-1193 taking of public control. Combine Table 16.A and 16.B for a thorough view of type of facility, zoning district, type of decision (which to be consistent should say review). Shorten public notice for all types, by using the map proposed in staff memo pg 6, public ability to sign up for email notification of any changes to map. And do not wait until the applicant is approved. Item 16.1.6 (6). Compliance Report. require the compliance report include requirements in the proposed RF measurement and monitoring section. Publish in writing what is a complete application and not just the director's discretion. Thus all requirements published in advance for a complete application are not as easily challenged when the stop clock is stopped and started over.</p> | 8/28/2019 11:35 AM |
| 2 | <p>All towers and antennas must be tested for safety. Anything that may cause health problems to humans should not be allowed. All must have approval and testing before approved.</p> | 8/28/2019 9:29 AM |
| 3 | <p>This comment is absolutely critical and imperative to our local control in the future as the changing legal regime of FCC and state laws are in flux. REMOVE 16.1.6 (B). 2. (a.) Small cell facilities shall be a permitted use by right in county rights-of-way subject to review and approval from the county. We do not need to codify with amended language what HB 17-1193 does not exactly say, but is an interpretation. This permit is subject to police powers of the County. The language is not required in the regulations, remove it. HB 17-1193 states "A political subdivision shall NOT regulate A telecommunications PROVIDER OR A BROADBAND PROVIDER based upon the content or type of signals that are carried or capable of being carried over the provider's facilities; except that nothing in this subsection (3) PREVENTS regulation by a political subdivision when the authority to so regulate has been granted to the political subdivision under federal law. So given FCC changing rules and challenges in the legal regime, don't create a back up to HB 17-1193 taking of public control. Combine Table 16.A and 16.B for a thorough view of type of facility, zoning district, type of decision (which to be consistent should say review). Shorten public notice for all types, by using the map proposed in staff memo pg 6, public ability to sign up for email notification of any changes to map. And do not wait until the applicant is approved. Item 16.1.6 (6). Compliance Report. require the compliance report include requirements in the proposed RF measurement and monitoring section. Publish in writing what is a complete application and not just the director's discretion. Thus all requirements published in advance for a complete application are not as easily challenged when the stop clock is stopped and started over.</p> | 8/28/2019 5:47 AM |
| 4 | <p>This comment is absolutely critical and imperative to our local control in the future as the changing legal regime of FCC and state laws are in flux. REMOVE 16.1.6 (B). 2. (a.) Small cell facilities shall be a permitted use by right in county rights-of-way subject to review and approval from the county. We do not need to codify with amended language what HB 17-1193 does not exactly say, but is an interpretation. This permit is subject to police powers of the County. The language is not required in the regulations, remove it. HB 17-1193 states "A political subdivision shall NOT regulate A telecommunications PROVIDER OR A BROADBAND PROVIDER based upon the content or type of signals that are carried or capable of being carried over the provider's facilities; except that nothing in this subsection (3) PREVENTS regulation by a political subdivision when the authority to so regulate has been granted to the political subdivision under federal law. So given FCC changing rules and challenges in the legal regime, don't create a back up to HB 17-1193 taking of public control. Combine Table 16.A and 16.B for a thorough view of type of facility, zoning district, type of decision (which to be consistent should say review). Shorten public notice for all types, by using the map proposed in staff memo pg 6, public ability to sign up for email notification of any changes to map. And do not wait until the applicant is approved. Item 16.1.6 (6). Compliance Report. require the compliance report include requirements in the proposed RF measurement and monitoring section. Publish in writing what is a complete application and not just the director's discretion. Thus all requirements published in advance for a complete application are not as easily challenged when the stop clock is stopped and started over.</p> | 8/27/2019 3:55 PM |

Wireless Communication Facilities regulations

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| 5 | Please do not allow millimeter wave technology. Current 4G antennas are on waves with large crests and troughs. Millimeter waves have millimeter-sized crests and troughs which would be incredibly intense for any living organism. 5G antennas are nothing like 4G antennas. Please do not allow 5G antennas anywhere around living organisms. | 8/27/2019 12:40 PM |
| 6 | This comment is absolutely critical and imperative to our local control in the future as the changing legal regime of FCC and state laws are in flux. REMOVE 16.1.6 (B). 2. (a.) Small cell facilities shall be a permitted use by right in county rights-of-way subject to review and approval from the county. We do not need to codify with amended language what HB 17-1193 does not exactly say, but is an interpretation. This permit is subject to police powers of the County. The language is not required in the regulations, remove it. HB 17-1193 states "A political subdivision shall NOT regulate A telecommunications PROVIDER OR A BROADBAND PROVIDER based upon the content or type of signals that are carried or capable of being carried over the provider's facilities; except that nothing in this subsection (3) PREVENTS regulation by a political subdivision when the authority to so regulate has been granted to the political subdivision under federal law. So given FCC changing rules and challenges in the legal regime, don't create a back up to HB 17-1193 taking of public control. Combine Table 16.A and 16.B for a thorough view of type of facility, zoning district, type of decision (which to be consistent should say review). Shorten public notice for all types, by using the map proposed in staff memo pg 6, public ability to sign up for email notification of any changes to map. And do not wait until the applicant is approved. Item 16.1.6 (6). Compliance Report. require the compliance report include requirements in the proposed RF measurement and monitoring section. Publish in writing what is a complete application and not just the director's discretion. Thus all requirements published in advance for a complete application are not as easily challenged when the stop clock is stopped and started over. | 8/25/2019 7:24 AM |

Q9 Do you have detailed suggestions to add, remove or modify anything in Section 16.1.8 – Definitions?

Answered: 6 Skipped: 0

| # | RESPONSES | DATE |
|---|---|--------------------|
| 1 | Add definitions Macro and Micro wireless facility, attached facility on existing structure including eligible facilities. All definitions used in the MLA should be the same definitions used in the Land Use Code and not introduce definitions in the MLA not used in the code. See comments submitted in Citizen Comment for Joint Study Session, submitted August 19, for the August 21, 2 | 8/28/2019 11:35 AM |
| 2 | don't give these telecom companies power over our communities. some of these definitions shouldn't even exist. these put our safety in the hands of telecom companies. | 8/28/2019 9:29 AM |
| 3 | Add definitions Macro and Micro wireless facility, attached facility on existing structure including eligible facilities. All definitions used in the MLA should be the same definitions used in the Land Use Code and not introduce definitions in the MLA not used in the code. See comments submitted in Citizen Comment for Joint Study Session, submitted August 19, for the August 21, 2 August 21, 2019 Citizen Comment for Joint Study Session of Larimer County Commissioners Comments on Attachment A – Land Use Code DRAFT Regulations 16.0 Wireless Communications Facilities Page A-1 A. Purpose 2. Promote and protect the public health,..... The regulations proposed address only visibility and structural integrity of WCFs in the public ROW. We ask if a policy statement can be issued by the County to address the County's desire to meet all legal requirements of federal and state law, and to acknowledge that citizens have deep concerns on the health and environmental effects of 24/7 RF exposures, particularly near their homes. The County has been prohibited by federal law to address the health effects of RF at this time. But recent court ruling in the case of the NRDC vs. FCC has restored environmental and historical reviews. It is a tumultuous legal regime on this subject nationwide creating challenges for local governments. Should future federal and state laws or court ruling open up the opportunity the County will address the concerns of citizens therein to RF exposures and update the Land Use Code. Furthermore, the ruling by the D.C. Court of Appeals in favor of the NRDC vs. FCC case will allow the County to include environmental and historical reviews. Too new a ruling at this time, the regulation draft does not now include these options. A policy statement issued in conjunction with the Land Use Code would guide County staff and the maintenance of the Master License Agreements (MLA) in consistent policy fashion. It would inform the public that their concerns have been heard and acted upon to the best of the ability of the County to do so. Purpose (Cont.) 6. Encourage the location of towers in non-residential areas in a manner that minimizes the total | 8/28/2019 5:47 AM |

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number of towers needed throughout the community. 8. Encourage owners and users of antennas and towers to locate them, to the extent possible in areas where the adverse impact to the community is minimized. The important distinction here is the word "towers" and therefore Item 6 of purpose above omits all poles and structures under 40' in height and the wide range of antenna installations that can be located on existing infrastructure like street lights, telephone poles, sides of buildings. While Item 8 calls for antennas to be located where the adverse impact to the community is minimized, there is no item found in the regulations that appears to result in such actions. The use of preferred locations in the regulations rather than mention in the MLA would be regulatory not contract. Questions and Comments on Definitions pg. A-16 – A.19 Definitions in the Land Use Code for the equipment of WCFs is very important to understand and apply so the public and applicants will clearly know what type of WCF is being allowed in each zoning district, the review procedures for each type of equipment and the public notice given for each. The definitions section needs to be expanded to include missing definitions, and each definition used in the MLA in the same manner. We ask our Commissioners to use a clear understanding of each definition in the review of the proposed Land Use Code. All WCF equipment listed in the definitions are combined, configured, mounted and placed throughout the community for a wireless network. They all contain powerful antennas transmitting RF 24/7. In years past, transmitting antennas such as these were located in industrial and commercial areas and kept away from our homes where we rest and restore. Page A-16 defines Antennas Page A-17 defines Monopoles, Pole-Mounted Small Cell Facility, Colocation Page A-18 defines Small Cell Facility Page A-19 defines Wireless Communications Facility (WCF) Page A-19 defines Towers Table 16.A Zoning Districts Where SCFs are Allowed (pg. A-3) and Table 16.B Review Procedures and Requirements for Different Facility Types (pg. A-10) force the reader to flip back and forth between the two and apply definitions of the type of WCF equipment in the header column of Table 16. A (i.e. "attached facility on existing structure", "small cell facility", "alternative tower structured (concealed)" and "Tower non-concealed" to the type of review (SP, PSP, MS, SR etc.) in order to then examine Table 16. B to figure out which "decision" i.e. review type) will occur and the public notice and options for appeal therein. One has to flip back and forth to figure the application, decision (review), public notice and appeal process for each type of WCF equipment. If the tables retain these descriptions as the header on Table 16.A, then two definitions should be added to the definitions beginning on pg. A-16. • Attached Facility on Existing Structure (including eligible facilities) • Alternative Tower Structure (Concealed) Definitions missing but contained in the draft of the Land Use Code and the MLA are: • MLA, pg. 29 (11): • macro base station, • macros wireless tower, • macro wireless communication facility. Definitions in the MLA should be consistent with the regulations. At this time, they are not, perhaps just an edit issue in the final drafts still to come. The public appreciates the disclosure of the MLA by the County.

The Most Salient Concern of Citizens in the Land Use Code as drafted in Attachment A The important concern in definitions and their application to the Land Use Code and each term used in Table 16.A and 16.B and meeting the Purpose of the Land Use Code described in Item 6. and 8 above is to interpret clearly where the wireless network equipment will be deployed and how it impacts the places we sleep and restore. Currently the only equipment encouraged to be located out of residential areas is a tower over 40' high. There is nothing in the regulations to encourage or keep WCFs away from the front of our house and on the stations of our first responders. So, if an antenna is on the light post out in front of a home, it makes since to the wireless provider to have a stronger signal at the level of the second story because it would allow for a stronger RF signal for more people – clearing the roof line[s] most likely. But the big negative for humans in the house 30 ft away is that the power density, would be outrageous because it's just past the antenna's near field and just into the beginning of the far field. In RF terminology – that is when the two parts (the electric part and the magnetic part) of the transmission separate to such a degree that RF wave travels thru the air – hence the electromagnetic radiation term. Field strength is related to the distance (the inverse square) so the farther you are from the signal source (the antenna/transmitter) the lower the power density of the radiated frequency. Setbacks allow the power density to decrease given sufficient distance from the home. There are no setbacks in the ROW. Pg. A-4 A.; Pg. 29, MLA (10). There are no setbacks for anything that is not a tower. The illustration below of this near field exposure on an actual child's bedroom in a CA city where 4G/5G has been deployed in residential areas made this house uninhabitable without vacating the front bedrooms and installing RF shielding paint. The child developed severe microwave illness and the other family members experienced a number of symptoms associated with microwave illness. We are asking to address this scenario in the Land Use Code, to implement significant setbacks regardless if the WCF is in the public right of way (ROW) or not. Larimer County has police powers under HB 17-1193 and we are asking you to explore all options to exercise police powers to protect the homes where we rest and recover in and to protect our first responders fire stations (See Citizen Comment, May 28, 2019, Appendix 10: Firefighters Brain Study on RF Exposure and Job Functioning; Public Comment by Susan Foster FCC Docket 13-84) There are serious consequences when humans are located in

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the near field of RF emissions. Links to only a few effects from the US National Library of Medicine National Institute of Health Pub Med.gov, the access source for the scientific community to peer reviewed scientific papers. • Biological Effects from RF Radiation <https://bioinitiative.org/rf-color-charts/> • The microwave syndrome or electro-hypersensitivity: historical background. <https://www.ncbi.nlm.nih.gov/pubmed/26556835> • Microwave frequency EMFs produce widespread neuropsychiatric effects including depression. <https://www.ncbi.nlm.nih.gov/pubmed/26300312> • Europaem EMF Guideline 2016 for the prevention, diagnosis and treatment of EMF-related health problems and illnesses. <https://www.ncbi.nlm.nih.gov/pubmed/27454111> • Role of Mitochondria in the Oxidative Stress Induced by EMFs: Focus on Reproductive Systems. <https://www.ncbi.nlm.nih.gov/pubmed/30533171>

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|---|--|--------------------|
| 4 | Add definitions Macro and Micro wireless facility, attached facility on existing structure including eligible facilities. All definitions used in the MLA should be the same definitions used in the Land Use Code and not introduce definitions in the MLA not used in the code. | 8/27/2019 3:55 PM |
| 5 | Please do not allow millimeter wave technology. Current 4G antennas are on waves with large crests and troughs. Millimeter waves have millimeter-sized crests and troughs which would be incredibly intense for any living organism. 5G antennas are nothing like 4G antennas. Please do not allow 5G antennas anywhere around living organisms. | 8/27/2019 12:40 PM |
| 6 | Add definitions Macro and Micro wireless facility, attached facility on existing structure including eligible facilities. All definitions used in the MLA should be the same definitions used in the Land Use Code and not introduce definitions in the MLA not used in the code. See comments submitted in Citizen Comment for Joint Study Session, submitted August 19, for the August 21, 2019 study session. | 8/25/2019 7:24 AM |
