

What to Say to your Assemblyman to Stop CA SB 649 - LARGE and Small Cell Towers without Local Review

TALKING POINTS FOR YOUR ASSEMBLYMAN:

<https://www.cacities.org/SB649>

As amended, the bill is no longer limited to just “small cells.” SB 649 now applies broadly to all telecommunications providers and the equipment they use from “micro-wireless” to “small cell” to **“macro-towers.”** It’s clear from the direction of this bill, that the intent is not about 5G wireless deployment, but rather local deregulation of the entire telecommunications industry.

Take Action and Call Your Assembly Member to Tell Them Why SB 649 is Bad For Your Community

- SB 649 ties the hands of local government by prohibiting discretionary review of “small cell” wireless antennas and related equipment, regardless of whether they will be collocated on existing structures or located on new "poles, structures, or non-pole structures," including those within the public right-of-way.
- SB 649 shuts out the public from the permitting process and preempts adopted local land use plans by mandating that “small cells” be allowed in all zones as a use by-right.
- SB 649 provides a de facto exemption to the California Environmental Quality Act (CEQA) for the installation of such facilities and precludes consideration by the public of the aesthetic, nuisance impacts, and other environmental impacts of these facilities.
- SB 649 will cap lease agreements for use of public property at \$250 (it was \$850 under the prior version of the bill) annually per attachment rates for each “small cell.” In contrast, some cities have been able to negotiate leases for “small cells” upwards of \$3,000, while others have negotiated “free” access to public property in exchange for a host of tangible public benefits. The cap lease agreement is problematic because these leases provide your local government with revenue that can go back to public services in your community. The net effect with this cap lease agreement is that your local government could cutback services in your community.

CALL OR TEXT your Assembly Member as soon as possible and urge their NO vote.

You can see how each Assembly member on the committees voted on SB 649 at each step

See how your Assemblyman voted so far, and if they voted YES, contact him/her especially to let them know you OPPOSE this bill:

http://leginfo.legislature.ca.gov/faces/billVotesClient.xhtml?bill_id=201720180SB649

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

Across the country, bills have been introduced in many states (some of which have already passed) that will allow the installation of small cells (which can range up to refrigerator sized units) without local government approval. Here's a list of what's happening state by state- many thanks to Environmental Health Trust for this great list: <https://ehtrust.org/list-us-state-bills-streamlining-wireless-small-cells-das-nodes-rights-way/>

However, in California, at the 11th hour, **the inclusion of large cell towers was added to CA SB 649**, allowing their installation, as well as small cells (for 5G), without local government review.

On June 29, 2017 the bill passed the CA Assembly Local Government Committee. However, it's not over yet (see below for Last Chance to Stop This) What happens in California with this bill is important to everyone in the US, as it will impact what will happen in other states.

While an estimated 50,000 small cells are needed for 5G in California alone (5G millimeter waves will travel much shorter distances than the 3G and 4G frequencies in use), they won't be used only for 5G. 5G, promising lightning speeds, is the industry's justification for the small cells. **Once these small cells are in place, the next move will be to eliminate wired cable and internet service to homes.** John Stratton, executive vice president and president of operations for Verizon, said that Verizon will deliver fixed 5G in 2018, and **a wireless alternative to cable/DSL services is high on Verizon's priority list.**

http://www.lightreading.com/mobile/5g/verizon-says-its-fixed-5g-will-arrive-in-2018-mobile-in-2020/d/d-id/730880?utm_medium=nl&utm_source=internal&mrkid=21553730&mkt_tok=eyJpIjoiWkdNeU9UbGIPRFZqTIRZNSIsInQiOiJ3c05GM3VYSFNXemN3eWhqaFZrdVhWNXE0c3gwMkZTeGVFbFVhRVdXVGk2OGILc1BIZ2c2NXIhR3h1Nm1aN3NFQzNnK2pmazd6SjlWMIpHOVVzNk4wRIVUVDIrt0xjazE0dExTd1UrUUVD5nTIVmNHIMRGNqeWxCcEJHUWUyaSJ9

It is already happening with elimination of copper phone landlines, which the FCC approved in July 2016. They are being replaced by VOIP (voice over internet protocol) and wireless receivers/transmitters,

Cheap, Below Market Rent and Fires

Light poles are public assets, paid for by your tax dollars, and their use will be given away to private industry at low rents mandated by this legislation. The maximum rent will be \$250 per YEAR (~\$20 per month) for **small cell tower rent** on utility poles, light poles, traffic lights, etc.

<http://www.latimes.com/politics/la-pol-sac-skelton-telecom-att-verizon-california-bill-20170710-story.html> The rent for a **large cell tower is ~\$2,000 per month**, making rent for small cell sites much much cheaper, For the rent paid for one large cell tower, the industry can now pay for 100 small cells. At these giveaway rents, why would the cell tower industry install large cell towers? It would be much more economical for industry to attach cell antennas onto already existing light or utility poles.

This practice has proved dangerous in the past, causing fires. In **2007** 3800 acres burned in Malibu! \$12 mil. fine was imposed to cell phone companies - their equipment was attached to public utility poles, destroying 10 homes, classrooms at two schools, and several businesses

<http://patch.com/california/malibu/puc-approves-12-million-settlement-over-2007-malibu-fire>. Then a year later, the fine was increased an additional 51.5 million, after SCE (\$37 million fine) and NextG (\$14.5 million fine) admitted they poles were overloaded. <http://articles.latimes.com/2013/sep/19/local/la-me-ln-malibu-fire-settlements-approved-state-puc-20130919>

Democracy or Corporatocracy? Government Controlled by Wealthy Corporations

Over 150 cities in CA oppose this (see below for cities) and yet this bill keeps moving thru the committees - who are assembly members working for - the people or telecom?

Last week, we celebrated July 4, Independence Day in the US. What would our founding fathers who fought with their lives for democracy over tyranny think about our current government system which has somehow evolved into a corporatocracy (under Democrat and Republican administrations), where corporations and politicians scratch each others' backs, ignoring the will of the people? Wealthy telecom corporations turning over 6 figure contributions to benefit the communities of state representatives who then later sponsor legislation favorable to the same corporation? Take a look at this article showing AT&T making a **\$500,000 contribution** to a project in SB 649's co-author

Assemblyman Bill Quirk's area. http://www.huffingtonpost.com/entry/california-wireless-legislation-paid-for-by-att-et_us_591a0001e4b0f31b03fb9e0e This article was written by Bruce Kushnik, a former telecom insider who's now leading a group of other telecom experts called the Irregulators, whose mission is to sue the FCC for all they have not done to regulate the telecom industry <http://irregulators.org/it-is-time-to-take-the-fcc-to-court/>

Last Chance to Stop this - How to do it

Just as it has passed through the CA Senate and all committees thus far, I expect it will pass on July 12 in the Communications and Conveyance Committee - here is contact info for members of that committee <http://acom.assembly.ca.gov/membersstaff>

Then it will go to voting in the state assembly as early as next week - don't know date yet, but start contacting your assembly member now to let him/her know that you OPPOSE this bill.

If the State Assembly passes it, then it's pretty much over, and it will head to the Governor's office, where it will be signed (likely) or vetoed.

Meet with your assembly member or call him/her ASAP this week. In addition to health arguments against this bill, include other arguments as well, some of which have been given above. The only way to defeat this bill is for the majority of assembly members to hear from their constituents that they oppose this bill.

Fact: Most people have not heard about health issues with wireless and they are enamored with their cell phones and wi-fi. Those who are enamored or addicted don't want to hear about health effects. So the assembly will need more than health reasons to reject the bill. (Don't misunderstand - I am well aware of the health effects and have been personally affected by them. However, many experts including MD's and PhD's, even children who are EHS, have already communicated the health effects to the committees and assembly members which have fallen on deaf ears.)

All CA State Assembly members contact info can be found here <http://scientists4wiredtech.com/ca-legislators/>

if you're in Walnut/Diamond Bar/Rowland Heights/Chino Hills/Brea - Philip Chen is your Assemblyman

This is the full list of opposition to SB649 as of 6/28, including over 150 cities in CA (Bill analysis, pp 20-22)

https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180
[SB649](#):

Opposition

American Planning Association, California Chapter American Public Works Association

Association of Environmental Professionals

Bay Area Educators for Safe Tech

Brentwood Community Council

California Brain Tumor Association

California Chapters of the American Public Works Association California

Municipal Utilities Association

California REALTORS

California Park & Recreation Society

California State Association of Counties

City and County of San Francisco

Cities of: Albany, Alameda, Aliso Viejo, Arcadia, Azusa, Bakersfield, Bellflower, Benicia,

Berkeley, Beverly Hills, Big Bear Lake, Brawley, Brea, Buena Park, Burbank, Camarillo, Capitola, Carpinteria, Chino, Chino Hills, Chula Vista, Citrus Heights, Claremont,

Clayton, Cloverdale, Colfax, Colma, Concord, Corona, Coronado, Costa Mesa, Culver

City, Cupertino, Davis, Diamond Bar, Duarte, Dublin, Eastvale, El Centro, Elk Grove, Emeryville, Encinitas, Escalon, Fairfax, Farmersville, Fontana, Fountain Valley,

Fremont, Fullerton, Garden Grove, Goleta, Hanford, Hayward, Hemet, Hermosa Beach, Hesperia, Highland, Hillsborough, Huntington Beach, Indio, Indian Wells, Inglewood, La Cañada Flintridge, La Habra, La Mirada, La Quinta, La Verne, Lafayette, Laguna Beach, Laguna Hills, Lake Elsinore, Lake Forest, Lakeport, Lakewood, Lathrop, Livermore, Lodi, Lomita, Long Beach, Los Alamitos, Lomita, Mammoth Lakes, Manteca, Martinez, Menifee, Merced, Mission Viejo, Modesto, Monrovia, Montclair, Monterey, Monterey Park, Moorpark, Moreno Valley, Morgan Hill, Mountain View, Murrieta, National City, Nevada City, Newport Beach, Norco, Norwalk, Oakland, Oakley, Oceanside, Ontario, Pacific Grove, Palmdale, Palm Desert, Palo Alto, Palos Verdes Estates, Paramount, Pasadena, Paso Robles, Piedmont, Pismo Beach, Placentia, Pleasanton, Point Arena, Pomona, Porterville, Rancho Cordova, Rancho Cucamonga, Rancho Palos Verdes, Redondo Beach, Richmond,

Riverbank, Riverside, Rocklin, Rohnert Park, Rosemead, Roseville, Salinas, San Anselmo, San Buenaventura, San Carlos, San Gabriel, San Jose, San Leandro, San Marcos, San Marino, San Mateo, San Pablo, San Rafael, Santa Ana, Santa Barbara, Santa Clara, Santa Clarita, Santa Cruz, Santa Fe Springs, Santa

Monica, Santa Rosa, Santee, Scotts Valley, Sebastopol, Signal Hill, Stanton, Sunnyvale, Thousand Oaks, Torrance, Turlock, Tulare, Tustin, Ukiah, Union City, Upland, Vacaville, Vallejo, Ventura, Victorville, Vista, Walnut, Walnut Creek, West Covina, West Hollywood, Whittier, and Yuba

City-County Streetlight Association

City Manager Brian Loventhal, City of Campbell

Coalition of Concerned California Communities

Councilmember Mike Bonin, City of Los Angeles

Councilmember Bill DeHart, City of Turlock

Counties of: Del Norte, Fresno, Imperial, Inyo, Kern, Los Angeles, Mariposa, Monterey,

Orange, Placer, Riverside, Sacramento, San Bernardino, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Siskiyou, Stanislaus, Sonoma, Tehama, Tuolumne, and Ventura

Ecological Options Network EMF Safety Network

EMR Protection Forum Green Sangha

Health & Habitat Inc.

Law Offices of Harry V. Lehmann PC

League of California Cities

League of California Cities, Los Angeles County Division League of California Cities, Redwood Empire Division

League of California Cities, Riverside County Division League of California Cities, San Diego County Division Lodi District Chamber of Commerce

Marin Chapter of the Weston A. Price Foundation Marin County Council of Mayors and Councilmembers Mayors & Councilmembers Association of Sonoma

Mayor Donald P. Wagner, City of Irvine

Mayor Clyde Roberson, City of Monterey

Mayor Sue Higgins, City of Oakley

Mayor Len Augustine, City of Vacaville

Mayor Gary Soiseth, City of Turlock

Mono County Community Development Department MuniServices

Northern California Power Agency Pacific Palisades Community Council

Physicians for Safe Technology Protect our Local Streets Coalition Radiation Research Trust

Rural County Representatives of California SafeWater Marin Alliance

Sage Associates

San Francisco Water Power Sewer Scientists for Wired Technology

Southern California Public Power Authority The Utility Reform Network

Town of Apple Valley

Town of Corte Madera

Town of Danville

Town of Hillsborough

Town of Mammoth Lakes

Town of Moraga

Town of Portola Valley

Tuolumne County Chamber of Commerce
Union Sanitary District
Urban Counties of California
Ventura Council of Governments
Veterans for Radiation Safety
Westwood South of Santa Monica Blvd. Homeowner Association Windheim EMF
Solutions
Wireless Radiation Alert Network
Your Own Health and Fitness
Individual letters (15)