Questions and responses from the Public Input on 248a Process Survey:

Question 1 & 2: Have you ever participated in a 248a hearing?

YES: 19%

NO: 81%

If no, why not?

Comment:

“Never knew about them.”

“Accessibility Services Not Available In My Area.”

“Haven't been invited, nor felt compelled.”

“I have assisted citizens in participating in a Section 248a hearing. (note your question is technically wrong. There probably isn't an Act 248a. Act 248 has something to do with mental health confinement. This is an embarrassing error for DPS to be using the wrong terminology).”

“Not familiar with the process or how to participate.”

“The PUC is a rubber stamp incapable of independent thought.”

“Never had a cell tower being placed in Manchester.”

“Not sure if and when there are hearings relevant to my town or region.”

“Nothing impacted me.”

“Never heard of it and do not see an explanation for it in the newspaper article in the Valley News of August 4 that directed me to this survey. Nor is it included here.”

“Never knew about providing input and never had any reason to have any input until now.”

“I was part of a hearing, but it was represented by a lawyer.”

“The process was independently ended by the landowner who owned the proposed building site.”

“Have not had a need to at this point.”

“Did not know it existed.”

“Never heard about it until today.”

“Accessibility Services information accommodations. Limited for in-person meetings hoping for virtual meeting options in the near future.”

“This submission is on behalf of CTIA, the trade association for the wireless communications industry. While CTIA itself has not participated in an Act 248a hearing, several of our members have actively engaged in 248a processes related to infrastructure siting in Vermont, and their experience is reflected in these comments.”

“Today will be my first.”

“Neighborhood independently handled proposal situation before it got to hearing.”

“Lack of notification.”

Question 3: Are you aware of the potential impacts of projects that undergo the Act 248a Process?

Yes: 70%

No: 30%

Question 4: What barriers, if any, have prevented you from participating in an Act 248a Hearing?

Inaccessibility: 46%

Lack of Notification: 31%

No Barriers: 15%

No Legal Standing: 8%

Comment:

“Lack of Zoom or other remote resources, knowing about the hearings.”

“Accessibility Services Online virtual Zoom meeting Options.”

“None that I'm currently aware of.”

“(I'm having a hard time answering questions about Act 248a). Barriers that I have observed involve a lack of understanding of how to participate, a lack of understanding of the language the PUC uses, the failure of the PUC to take testimony or evidence into consideration by anyone other than the applicant and DPS expert, the rubber stamp aspect of tower approvals, and the lack of any public process for antennas. The process is too legalistic, there is never any opportunity for the public to be heard, no site visit, nothing that ever makes it real. Instead it's all paperwork filed by parties subject to discovery and cross-examination. It is way too formal and complicated.”

“Current limits on allowable grounds for intervening; e.g., the prohibition of intervening on and/or addressing cell coverage issues and/or health concerns.”

“Accessibility of information regarding an Act 248a hearing.”

“It is the PUC that acts as if it is unaware of the potential impacts of projects that undergo the Act 248a process.”

“All I did was submit a comment letter. I was removed by a 10 foot strip of property from being an abutter although I am less than 700 feet from the tower. So although I participated, it was not really participation. My neighbors and I called several attorneys. All said participation would cost $30,00-40,000 and we would lose, because it is almost impossible to have a 248a case denied. The process is

too formal to allow for real citizen participation, and it is futile. So, cost, formality and futility are the reasons for not participating."

"Not knowing they were happening."

"Timely notification."

"Lack of awareness of Act. It took my phone, a new Google 7, a half hour to get to this survey after connection to your tinyurl (listed in short article) indicated that it was not recognized."

"The process is too restrictive. First, If you wish to engage the citizenry, notice of proposed sitings should go to more than simple ´abutters.´ it should go to those adjoining within x miles of the site. Second, why not charge regional planning committees to develop a prospective planning process to site x facilities in the region, engage the public, in a proposed siting plan that optimizes sites, and then invite private, public , ngôs, or regional entities (e.g. proposed cooperatives) to bid on proposed facilities for the agreed sites, if any. A proposed regional siting plan and individual siting proposals would vastly further public education, discourse, and decision-making beyond the current industry- driven model."

"I participated but was represented by a lawyer. There are many barriers with participation in this process without guidance of a lawyer. The average citizen and town leaders do not know the process and can easily miss timelines and deadlines without guidance And information. Does the average citizen know who to contact to gain information on a potential siting or what steps to take? Navigate the case number and website to read information on project? No, they don't… Project description takes about a week to read and understand."

"Potential barriers for members of the involved municipality: 1 Insufficient preparation time. Timelines required by Act 248a were either ignored or strategically slaughtered by the developer 2 Insufficient information. Developer ignored required specifics of propagation maps that support ability to evaluate project. Also misrepresented the actual intent of the project. 3 Cost. The complicated process required legal guidance/participation far far beyond the budgets of small towns governed by citizen volunteers. 4 Lack of oversight, enforcement, and support from public officials at state level."

"None."

"Knowledge."

"I did not know about it."

"Accessibility And Accommodations Options Opportunity For Individuals with Disabilities virtual webinars or website meetings."

"Our members cannot speak to any barriers to participation in Act 248a hearings."

"Accessibility and accommodations virtual listening sessions in person stipends and accessibility transportation and accommodation for individuals with disabilities."

"Lack of notice. Never in the newspaper."

"1. Legal representation and fees as abutting landowners. 2. Lack of legal standing of other impacted neighbors to support effort."

“Notification that a meeting was to occur.”

Question 5: What suggestions do you have to make 248a more accessible to the public?

Better Notification & Outreach: 58%

Expand Standing: 27%

Extend Comment Period Timeline: 11%

Hybrid Option for hearings: 4%

Comment:

“Better use of media--free and paid newspapers, tv & radio announcements.”

“Accessibility Information, one pager easy-to-read materials and curriculums summary.”

“I found out about this via a newspaper article that peaked my interest.”

“A survey that doesn't even use the write terminology is sure not the way. This was supposed to be a stakeholder process. I'm pretty insulted by this.”

“Lift the restrictions referred to in Q.4 and allow interested parties to intervene on those grounds or, at the very least, allow and accept their input on the two issues mentioned.”

“Promote public involvement through better outreach, publicity via Vermont Public radio, local newspapers, local government etc.”

“The predicate to a process that is transparent, fair, and responsive to the needs of the community is believing in science. The legislature has shown no regard for facts and no curiosity for evidence. Without such a regard there can be little common ground, little hope of rational thought intruding on convenient fiction. This ground has been trod. Only by willful ignorance could the legislature and the PUC possibly have escaped this knowledge. There should be little new to discover because the facts are before them and have been for some time, but only if they choose to see them. And that is the crux of this issue. Only by choosing to believe that a toxicologist has something to contribute to this discussion, can the fiction of harmlessness be understood. But if they cannot hold in any regard the work of a toxicologist, they will never believe a research scientist. If they cannot believe these highly trained and independent scientists, they will never believe an entomologist, an epidemiologist, a dendrologist, or a pediatrician. Do you go to a lawyer when your child is sick? Do you consult an electrical engineer when faced with a public health crisis? And yet, who does the legislature choose to believe? Industry lawyers and engineers dismiss that which they have no expertise in. They have the legislators in their thrall, and the PUC is the industry's unquestioning, wholly compliant agent. When the 9th Circuit Federal Court of Appeals finds that the FCC safety rulemaking is “arbitrary and capricious” and without any basis in fact, do our legislators think that perhaps, just perhaps, there is a real issue of public health underlying the justices’ concern? When our legislature ignores those that carry that message of concern, could it be that there may be an inconvenient truth obscured by an industry with everything to lose if the legislature’s curiosity was awakened? The industry knows full well the danger of that curiosity. How could they not when no insurance company anywhere on the globe will underwrite carriers against human harm.

Consider that policies for earthquake, tornado, flood, and fire can be had, but not for the public health crisis that the industry is promulgating. Do you seriously hold the opinion that the insurance industry are kooks on the fringe hawking conspiracy theories about harmless cell service? The insurance industry believes in science, and they know the facts. And how can the legislature not? In stupendous irony, the PUC issues Certificates of Public Good. Sadly, I fear money trumps facts. Hoping that the legislature will seriously investigate this issue is a fool's conviction. How difficult would it be to read the State of New Hampshire's report on this issue, adopt it, and move on? All the work is done. A reasoned balance between the dangers of cell tower radiation and its value has been struck. No, this ground has been trod, and attempts at surveys and compromise and public outreach are thinly disguised avoidance, political pablum. If one is not honest with themselves, facts and evidence will remain insignificant annoyances that no amount of reasoned discourse will contravene."

"When any tower asks about placement in a town, the State should have someone there to listen and explain 248a."

"Unless significant changes are made, then don't pretend it is an accessible process. Make participating as a neighbor easier. Provide an ombudsman to assist pro se participants. Change the rules to make the input actually mean something. Hold providers to a stronger standard when demonstrating alternative locations- they are able to claim confidentiality/privacy too easily."

"Not sure."

"Earlier and better communication."

"I went to this survey expecting to be able to comment on the poor cell phone service in my area (Perkinsville, VT) and the lack of any service in surrounding areas, i.e. on Rte 106 to Woodstock and far into Springfield. I found your website unhelpful and had to guess that 248a process might be what I was looking for."

"Stories in local papers."

"Transparency- involve the community, not just abutters, beforehand by requiring town meetings, education on how to respond to a possible siting (I had no idea what to do, who to contact, what the case # was, etc, and maybe an accessible nonbiased representative assigned to the project that community members can get in touch with. Also look at the "shot clock "- it is currently set with little time to respond as a community, yet the impact is long lasting (99 yrs) and we have only 30 days for example to log our comments, get the details sometimes over 150 pages of details that requires reading and LEARNING what it means. Currently it is NOT easily accessible to participate in the 248a process."

"1 Simplify the process. 2 Upon request, provide expert support to municipalities to assure an informed response to developer proposal. 3 Schedule meetings, deadlines, etc that allow volunteer town officials to continue to work the jobs that support their families."

"Reviewing submitted projects and decisions is relatively accessible to the public, but it's not clear that participation is. The language of Act 248a is difficult for a lay-person to understand, and it also appears difficult even for interested parties to participate without legal representation."

"Social media."

“Reach out to towns through mailings.”

“Putting information on social media.”

“Virtual hybrid in person meetings or Zoom meetings Google meetings Microsoft team meetings etc.”

“Accessibility PDF file plane language easy to understand and read materials documentations curriculum one pager document summary glossary with visual assistant aid effects.”

“Get the word out. Use social media and involve the public. Make it a real public outreach effort. If you dont get the input now, it will continue to be a problem siting facilities. Why keep citing them where the public does not want them? We need alternative energies and cell towers but not in our downtowns and not in our viewsheds. Do what New Hampshire did, create a Commission and make this important subject get the legislative attention it needs.”

“1. Extend timelines. Windows are too short for common citizens to organize and obtain legal assistance timely. Proposals often span holiday periods, further shortening window. 2. Extend those with standing to include neighborhood residents when projects are in residential areas. 3. Ensure legal support (and ideally some financial support) for common citizens who are impacted. As an abutting landowner newly learning this process, I cannot compete with slick corporate lawyers.”

“Find ways to share information, in a timely manner, via various modes (town emails/letters, local online groups in affected areas, etc).”

Question 6: Do you feel that the current 248a process is transparent? Why or why not?

NO: 56%

YES: 8%

SOMEWHAT: 24%

NOT SURE: 12%

Comment: Why?

“Yes you can follow along online, and that is helpful. But with no public deliberations, the process is a black box. Additionally, providers do so much work with regulators (such as ANR) before submitting the application, that decisions are already made without transparency.”

“Yes, our members feel the current Act 248a framework is transparent and a vast improvement over previous siting processes. It has enabled the industry to improve service in the state at a time when we are experiencing unprecedented demand from consumers for more wireless services. Last year, the United States experienced another record-breaking year for wireless data usage, reaching almost 74 trillion megabytes of traffic. This represents a 38% increase from the previous year, constituting the greatest increase in mobile data traffic ever. The current 248a framework has enabled carriers to deploy wireless infrastructure on existing structures more quickly to meet these demands. Nationally, our members have invested $39 billion in private funding in 2022 alone to upgrade our infrastructure. As a specific Vermont example, prior to the 248a process, one of our carriers spent

several years working to install and deploy public safety equipment on a tower that serves the Lake Champlain area. This required multiple years of public hearings, meetings and information submissions for a collocation on a tower that was already in place for decades to provide public safety communications in the area. While the experience for that deployment was not contentious, the process itself did not allow for expeditious decision-making to install needed infrastructure."

"Somewhat. While I could rather quickly learn the basic process, the nuance used by corporations is not written - short timeframes, last minute notifications. Lack of town plan specifications on such projects also limits town action."

Comment: Why not?

"No, not everyone is at the table for discussion and conversations."

"I don't have enough knowledge to answer this."

"There is not an Act 248a process. There is a Section 248a process, and I don't know what you mean by transparent. Sure, people can intervene, they can submit testimony, it's all transparent. The problem is it's meaningless."

"It may be transparent enough, given ePUC case record availability, but the process is still too labyrinthine."

"No, it appears many of these projects are already underway in advanced planning before the public is notified."

"No. There is not proper warning."

"The current process is ABSOLUTELY not transparent. Such a disappointment by the public representative of our utilities. The advance notice to the community, town, and at least a 2 mile radius notification to the neighborhood is a start. Doing the balloon test with the neighborhood before the application can be submitted or as part of expectation of application. The notification process must happen before the land owner can sign a lease with the telecommunications company. There must be a mandatory town meeting to get the public opinion. Be clear with the FACTS of the proposed project and HOW all community members will benefit from the project - not just the landowner who is signing a lucrative lease. Think about how you would want an obtrusive telecommunications project to be proposed in YOUR neighborhood, negatively effecting your view, property values, and aesthetics for the rest of your life to help guide you."

"The intention of the process is fairly transparent with legal support. The actual execution of the law is heavily clouded by strategic delays, insufficient information, confusing roles of state officials, and half truths."

"Yes and no. With regards to telecommunications towers, the applicants have often done much or all of their work ahead of the advance notice period, but that is the first time most interested parties find out about the project. The applicants then have a significant head start in understanding the project, and it more weight could be given to the work they've already done than any objections another party would later bring up."

“Needs to be marketed better.”

“Why not because accessibility about curriculum documentation and information is not accessible for individuals with disability Easy-to-Read materials glossary Or summary one pager would work.”

“No, it's not because it doesn't incorporate Equity into the 248 process work it still under Vermont's traditional systems of ableism and white privilege.”

“No, because I only just heard about it three months after it came out.”

“No-had no knowledge of project until midway through the process and only then due to the neighbor adjacent to the proposed project sharing information.”

Question 7: How can the 248a process be improved to better serve the public?

Comment:

“Engagement by local leaders and their comments on town web sites and Front Page Forums.”

“Advanced update technology 5G Network ecosystem.”

“Again, I don't have enough knowledge to form an opinion.”

“Convene a stakeholder group to talk about the issues. This survey is not going to yield anything in the way of useful results.”

"Allow projected cell coverage issues and public health concerns to be addressed by the public.”

“Fundamental truths need to be acknowledged. Despite decades of independent research confirming RFR biological damage to people and the environment, the industry won't acknowledge the data because it would impede their business model. The telecom industry uses the the tobacco playbook; create doubt and muddy the science. Where these projects are sited matters. Not close to schools, recreation areas, residential areas; there must be safe setbacks. Aesthetics are another significant factor.”

“Not sure.”

“It needs to consider the impact on local communities with timely and effective communication about the details of the project.”

“The language on your website is unclear to the reader. Access, when I could get it, did not make clear what category I should choose to enter concern about access in my area.”

“The town of Williston in the historic district wishes to add a cell phone tower to a historic building. This should not be allowed. The town has strict rules on any types of improvements to the historic district, why or how can the town be allowed to make changes to a beloved historic building.”

“Take a long look at how the siting proposal are being identified. In my experience the company 'trolled’ all the neighbors until someone “bit” vs. a proper location siting far from the property lines of neighbors in a place that actually makes sense without adding ridiculous height to a tower so it can properly

function. Don’t ignore the health risks, determine further setback distances from people and schools. Make it easy and well known on how community members can participate and make the process easy to understand. We shouldn’t have to hire lawyers and our own aesthetic experts that costs thousands of dollars as well as cost of time. Uphold the laws- if a Quechee test has to be performed- it has to be performed by an unbiased aesthetic expert. PUC members must visit the proposed site to understand the community of the proposed site. During some of the zoom meetings there is a time limit of 2 minutes to be able to speak to the PUC- this should be increased so that a citizen can fully express a concern and POV.”

“1 Mandated and enforced collaboration between municipalities, state officials and developers early in the process, prior to siting/design. 2 Require involvement from Dept of Health to protect public from potential health risks as they are identified.”

“Town governments should be given more than substantial deference in the process. It would be better for applicants to first work with local governments to identify needs and best locations and then apply, as opposed to the applicants finding locations. The applicants are looking for locations that are the easiest locations for installation, which often can involve taking advantage of a private landowner via financial incentives.”

“Publicize the fact that lack of cell service is a public safety issue.”

“Education.”

"Accessibility and accommodations services options for individuals with disabilities; plain language.”

“Our members believe that the existing Sec. 248a process serves the state well and should continue as it is. Having said that, there are a number of ways in which the process could be improved. They include the following: -Several requirements in the 248a process are either obsolete or unclear (particularly vis-à-vis propagation map and site plan requirements), whereas there are core items excluded from the procedures order that ought to be required to protect the integrity of the process (e.g., authorization letters from landowners, structural reports). -The 248a process should be tailored to comply with federal regulations concerning the reasonable periods of time to act on siting applications or shot clocks (see 47 C.F.R. 1.6003). This ensures an applicant’s federal rights are respected while bringing greater certainty and predictability to the process. -The 248a process should be modified to comply with Section 6409 federal regulations concerning wireless facility modifications and collocations (see 47 C.F.R. 1.6100). The current process imposes a greater level of review on projects that consistently result in little to no public comment, needlessly delaying network improvements. Vermont should adopt an approach to review eligible facilities requests under 47 USC 1455(a), especially considering that the Vermont General Assembly imbued the PUC with authority to review wireless facility modifications. -Unlike CPGs for solar facilities, which can be transferred on an expedited basis using a simple form, the PUC requires an ill-defined, untimely procedure for transferring CPGs for telecommunications facilities. Experience has shown that there are virtually no instances in which a transfer raises an objection from third parties. The Commission should adopt an expedited transfer process for telecom facility CPGs. -The ePUC system creates a disincentive to communication. A petitioner cannot supplement its initial notice with materials to distribute to other state agencies, municipalities, regional planning commissions, or interested parties who seek to participate, and any follow-ups must be sent via mail. The ePUC system should be redesigned to allow for improved communications among all parties during the 60-day

advance notice period. -The PUC's recent rulings on when a CPG must be amended have injected confusion and should be re-designed. The same concerns that undergirded the PUC's recent decision not to require new 45-day notices for amendments for solar net metering projects should be applied in assessing Section 248a projects, so that there is a sensible process for amending a CPG while giving statutory parties a meaningful opportunity to react and comment. Otherwise, there is a disincentive to make changes to a project in response to requests of those statutory parties. -The PUC should address the overlap between Section 106 review under the National Historical Preservation Act and the 248a requirement that a project not have an undue adverse effect on "historic sites," particularly in terms of whether an application must have a SHPO concurrence in order to be considered "complete" under 248a. The Section 106 process should run concurrently with a 248a application, but with a presumption that a SHPO concurrence letter will satisfy the 'historic sites' requirement unless challenged, and that it must be provided to the Commission prior to construction."

"1. Accessibility And Accommodations for individuals with disabilities 2. Easy to understand glossary summary PDF file one pager materials documentation for individuals that are senior citizens veterans' individual disability marginalized communities' low-income individuals 3. Holding information sessions virtually or hybrid model will benefit efficiency and effectiveness across Vermont Statewide in the 248a process to make sure everybody and every individual voice is heard in the process and discussion and conversation moving forward that includes individuals under the ADA Act for disabilities."

"Form a Commission and do a real effort."

"Assist towns with developing standards that ensure safe and appreciate placement of projects. For instance, some specs require specific distance from schools for safety from potential emissions; for homes, this distance is just to prevent tower falling. My home was 900 feet from a proposed tower, not safe and impacting my property value."

"Find appropriate ways to inform more than just the residents adjacent to a project about proposed meetings throughout the entire process. Also, look closely at proposed timelines to make sure there are adequate "business workdays" and not major holidays involved where offices & staff are not open/available to respond to citizen's questions/needs."

Question 8: What measures can be taken to increase public awareness and engagement with the 248a process?

Newpapers/Front Page Forum: 32%

Educational Programs: 27%

Social Media Usage: 18%

Other: 14%

Email/Mailing Notices: 9%

Comment:

"Use media better, perhaps work on getting info into utility bills."

“Online survey polling opportunity.”

“Reaching out to community list servers, i.e., Front Porch Forum.”

“Make it effective and meaningful and something the public can understand. Make it easier by making it less legalistic and less formal.”

“Possibly require petitioners to publish advance notices and petitions in local newspapers.”

“Publicizing Act 248a meetings to better engage the public.”

“Maybe stop calling it 248a? Even for this survey, the title refers to 248a- really, does the general public know what this is? Improve transparency in the application preparation process, including requiring all communications to be included in the applications.”

“Not sure.”

“Warning and details of a project similar to any other building permit.”

“Increase the radius of community notifications from abutters to 3 mile radius to the siting. Mandatory Town Meeting to discuss the project with the meeting date and topic advertised in local publications, mailers, town Facebook pages, postings in libraries, town hall, etc. Notification information for community placed in local newspapers as an article with the facts vs. a mention of it on the last page in classified section.”

“Impact studies, legible propagation maps, Dept of Health involvement, simplification and use of flow charts to map process.”

“If the public felt like their input would be more highly considered during the process. The majority of decisions I've reviewed seem to mostly dismiss complaints from the public unless they come via a local government. Often, local governments don't understand that they have some standing on 248a applications and refuse to get involved.”

“Education.”

“Social media.”

“Outreach materials and documentation and curriculum with one pager easy to read and understand materials. Plain language.”

“1 Outreach Facebook social media front porch forms 2. Vermont league the cities and towns.”

“Use the States Communications folks to help with a Outreach Campaign. Call me, I am happy to help!”

“Use of social media, local newspapers, town announcements early to ensure public is aware of specific projects, as well as process. Projects move quickly and only abutters are notified until things are pretty far along.”

“Notification of project at the onset to all affected entities.”

Question 9: Would you be more likely to participate in a 248a hearing if changes were made to the process? If so, what changes would encourage your participation?

Virtual Meetings: 19%

Advanced Notification: 14%

Educational Programs: 10%

Increased Accessibility: 47%

Increased Transparency: 10%

Comment:

*“*Perhaps, better local connections, knowing ahead of time when hearings would be.”

“Yes, virtual hybrid Zoom options.”

“Yes. Making information more accessible is the key, I think.”

“This question is really misleading. The hearing is a very limited proceeding that takes place after very legalistic prefiled testimony is filed, upon which discovery is served. There never is a public hearing, there never is a site visit. People who are affected don't matter and are never heard.”

“I ACTUALLY HAVE BEEN PARTICIPATING in an ongoing DPS/PUC Act 248a case, in Granville, for nearly 3 years now, since the fall of 2020. At a certain juncture in this miserable case, a new tower site was proposed on the same parcel adjacent to my home, at least in part because of resident opposition on "aesthetic" grounds. But because it was no longer in my "viewshed," I no longer had allowable "aesthetic" grounds for intervention. Thus, my participation was thwarted even though I (and others) still had many objections to the proposed project - namely, patently false coverage claims as well as increased environmental harm. That first site was abandoned, that case was dismissed "without prejudice," and Petitioner pursued the second site. Due, apparently, to ANR challenges, at present this second site is being abandoned and the Petitioner now intends to switch back to the original site and start the whole grueling process over again. And we who oppose the project will be participating/Intervening once again. As a more direct response to this question, I reiterate the requested changes referred to above.”

“Currently, due to the 1996 Telecommunications Act (deemed obsolete in light of the exponential increase in wireless sources and devices), it's "forbidden" to discuss RFR's damaging health effects; it's the elephant in the room. Remove the gag order and establish safe siting parameters. Most of these tower projects are presented as a fait accompli - those potentially impacted; homeowners, businesses, towns, are at a disadvantage by their exclusion from preliminary discussions.”

“If there were changes made to make participating easier and not expensive, AND the input actually meant something, then, yes.”

“Not sure.”

“Yes.”

“Clearer article in paper and a website with explanations of categories. Where can I register concerns about cell phone access in my area? Where can I support more towers to increase safety of residents. Our neighbors have had to keep their landlines because cell service is not available in their house. Thank you.”

“Yes.”

“Yes.”

“Education in public safety.”

“Not sure.”

“Yes, plain language easy to understand and read materials documentations curriculum Outreach materials etc one page of glossary / summary of process or current project.”

“Hybrid or virtual listening session Outreach engagement for individuals that are marginalized veterans' senior citizens and individuals with disabilities. Easy to read and understand plain language glossary documents one pager information to easy to digest information and process of 248a Process across Vermont Statewide.”

“Yes, more transparency and more guidelines for citing that make sense to our towns and residents.”

“Proposal in our neighborhood happened during Covid lockdown. Online meeting access was essential and got far more people involved. Longer timeframes, notification to ensure all those in impacted area are notified of steps along the way. For instance, we only knew of balloon test, environmental studies, or surveying because we saw them happening. Either we were not notified, or the notification was last minute balloon test notice came after the test East started.”

“Yes. Knowledge of a project that is proposed in our town or a neighboring area and a reasonable time for research of the project rather than just reaction to the project.”

Written Commentary:

“A few weeks ago, I attended the PSD listening session in Randolph. I was grateful for the opportunity to offer some of my thoughts and learn a bit more, although government legislative, administrative, or regulatory matters are not my areas of expertise.

~~Mr. Thompson suggested that any comments be submitted by November 5th, and I apologize that I have waited until the literal last minute to submit these comments and suggestions. It has been difficult to find the time to focus on this topic, something I have great concern over, but have had to wade through some unfamiliar territory in order to be coherent with my comments.~~

When I was preparing to attend this listening session on October 18th, I took a bit of time to go online to learn some basics about the 248a process. I was struck with the quote that the process "…is designed to ensure that these projects are in the public good and that they are responsibly sited and constructed".

One question that I come away with here is: Who gets to say what projects are in the "public good"? I would think that it would be "the public" who should have some serious weight on any decisions to install ANY telecommunications infrastructure, and that it should be the public (i.e., the towns of Vermont) that should be initiating any suggestion that they need or want such facilities. This would suggest that perhaps the process is backwards. Why should it be telecom corporations that decide where to put these structures from which THEY will profit, rather than the towns, if and when THEY decide they are in need of these facilities? The way the process works now, the burden of proof of harm is on the public rather than the telecoms having to prove safety. Public utilities should simply be tools for the use of the public; instead, it seems that the public is simply an obstacle for the telecoms to overcome in their own mission. There is something very backwards with this process!

In fact, as I pointed out to Mr. Thompson at that meeting, the cart has been pulling the horse from the beginning, as there is a necessary "discussion" that has NEVER been had in our federal or state governments, and that would be ANY kind of serious study of the health and environmental effects of wireless radiation. This OUGHT to have been the very first consideration even before any wireless tower had ever been built, and not only is that conversation not the first consideration, but it's not even the last! The FCC is so corrupted and captured by the industry (see: Alster, Norm, Captured Agency: How the Federal Communications Commission Is Dominated by the Industries It Presumably Regulates, Edmond J. Safra Center for Ethics, Harvard University.) that they have managed to convince all state and local government entities that a "rule" must be followed which states there can be no reference whatsoever in public hearings regarding the health effects in the generation of wireless radiation. So, several iterations of increasingly hazardous facilities have been built without ANY substantive discussion of what they are actually doing to "the public".

So, if the intention of the process is for the "public good", this process has to be re-structured from the very start.

I have been aware that, in just the last few years, towers have been proposed for various towns, and "the public" in those towns has had to spend much time, energy, and resources to get the telecoms to back off. Sometimes, the industry seems to back off. But when they do, they simply go elsewhere, and another town has to repeat the process. Again, this is wrong and backwards. Some towns may not have the wherewithal – or the proper prior notice – to take on that fight, and are left with something that most of the town neither needed nor wanted. Worse, in towns everywhere, people are suffering from the effects of the wireless signals from these towers and other infrastructure. Then, as in Pittsfield, MA, it's another kind of fight, and people often have to leave their homes due to severe health effects.

The fact is, ALL of the push for wireless devices is industry-driven. They have constructed a new reality where an entire generation is addicted to these devices and has been convinced that they need them to survive. Those of us who have survived many years without them know that that isn't the only answer. Landline phones have become dinosaurs, but offer safer, better service that does not have to be dependent on wireless anything. That system was very dependable for times of emergency. It can still be reinstated, perhaps in an improved way, such as by using fiber to the premises, along with wired internet services. What is needed is that discussion that never happened, for both the current public

and public servants to understand that alternatives to wireless are out there and should be taken seriously for the health and well-being of people and the environment.

So, as far as I and many others are concerned, the PSD is asking the wrong question. It PRESUMES that telecom siting is necessary. It skips over what should be an OBVIOUS – and CRUCIAL – step, which is the FULL public discussion on whether these towers are really necessary and helpful, as well as safe in the first place!

As far as the current process and policy, (as I assume that my above philosophy won't go very far with policymakers), at the very least, what should happen statewide regarding siting is a regulation that ALL towns must institute a Right to Know policy whenever a telecom applies for a permit to construct anything. In Rochester, the residents petitioned for such a policy, and it was voted for and passed handily at Town Meeting. The residents should not have had to do that. This is the VERY least that can be done by the state for the good of the public.

One other thing. If the public is to be invited to any kind of information meetings or listening sessions, announcing these meetings should be much more widespread, repeated, and clear on what they are about. Most people have no clue how government policy and process happen, and I believe many might want to be involved if some of the logistical issues for meetings were improved.

Thank you for attempting to include the public in the 248a process. I would hope that this process could be expanded for a great deal more public input."

"Thank you for the recent meeting this past Wednesday evening at the Left Bank in North Bennington, to solicit input regarding 30 V.S.A. 248a. I'm sorry to have missed the slide presentation, but I was impressed by your willingness to invite participation and feedback in the telecom siting process. As you mentioned, we need more transparency and community involvement. The 1996 Telecommunications law notwithstanding, there are ways to reduce and mitigate radiation exposure by establishing safe setbacks etc… The New Hampshire State House Subcommittee has pioneered research and recommendations in this area, and it would be wise for Vermont's PSD Telecommunications and Connectivity Division to incorporate these same guidelines. There's no need to reinvent the wheel! Below are some articles that reinforce proactivity and safety, especially in cases where alternative sites exist that equally solve connectivity issues."

"In response to your request to gain an understanding of the public's view of 30 VSA 202c, 30 VSA 248a, the operations of the Department of Public Service, and processes of the Public Utility Commission, I am sending you this summary letter identifying my findings and recommendations, while reserving the right to update this as I process your request.

Findings:

1. Though the statute 30 VSA 202c is the basis upon which 30 VSA 248a is constructed, it is without an appropriate balance concerning the technology of wireless communications. It assumes that the technology is exclusively beneficial. It is not. Wireless communications have a place in the provision of public communications, but an understanding of that place needs to be appreciated in the context of alternate communications technologies and fairly seen for its values and potential disadvantages.

2. As of 2023, there were 1,551,200 terrestrial-based wireless communications broadcasting facilities operating in the US, and yet there are no rigorous, long-term studies by independent, highly qualified research institutions skilled in biological processes concerning the public health and environmental consequences of the radiation currently being emitted by wireless telecommunications antennas. Therefore, it may be fairly stated that only one reasoned conclusion can be drawn: the Department of Public Service is a participant in a radical, irresponsible, uncontrolled, and potentially dangerous experiment on a global scale.

3. It is without dispute that wireless communications are not necessarily secure. They can be surreptitiously intercepted, and those interceptions may not be detected. Commerce based on wireless broadband is inherently dangerous. Fiber optic transmissions do not pose this risk.

4. It is without dispute that wireless broadband communications are unable to provide the same level of uninterrupted service as fiber optic transmissions.

5. It is without dispute that wireless broadband communications are unable to provide the speed of data transmission that can be consistently obtained with fiber optic transmissions.

6. It is without dispute that insurance against the risks associated with the potential public health and environmental impacts are not available to the wireless communications industry.

7. It is without dispute that in 2020 the FCC was successfully sued, losing in a Federal Court of Appeals a case concerning their rulemaking establishing maximum safe levels of exposure to radiation emitted by wireless communications devices.

8. It is without dispute that the Court of Appeals found that the FCC's rulemaking concerning safe levels of exposure was without evidentiary basis, saying specifically, "The Commission's failure to provide a reasoned explanation for its determination that exposure to RF radiation at levels below its current limits does not cause negative health effects unrelated to cancer renders the order arbitrary and capricious."

9. It is without dispute that the FCC's current maximum safe levels of exposure were established in 1996, and the rulemaking could not possibly have taken into consideration the frequencies or power, pulse, and modulation profiles being used currently.

10. It is without dispute that exposure to nonthermal, non ionizing radiation emitted by wireless communications devices at levels currently identified by the FCC as safe causes oxidative stress, and DNA damage in humans and that the vulnerability is greater in the gestating fetuses, infants, and children.

11. It is without dispute that the Vermont Department of Public Service has on staff no medical researchers, physicians, pediatricians, toxicologists, epidemiologists, entomologists, or dendrologists able to advise the department on the public health and environmental consequences of radiation emitted by wireless communications technology, and as a result is particularly unsuited to determine the consequences of their approvals of these applications, bringing into question the term Public Good when the technology may be causing widespread negative public health and environmental consequences.

Recommendations:

1. Certificates of Public Good issued for wireless communications facilities should come with the following disclaimer: "Given the absence of any rigorous, long-term independent studies of this technology, this certification does not warrant, insure, guarantee, or otherwise affirm that this facility is without negative public health and environmental consequences. Gestating fetuses, infants, and children may be particularly vulnerable. Safe exposure levels promulgated by the Federal Government may be without validity." Each of these three statements is true and beyond dispute. The State of Vermont is not powerless, and its position of subservience is intolerable.

2. The Federal Delegation of the State should vigorously oppose HR 4141 and HR 3557 both of which further erode the powers of states to control their fates, to protect their history, to limit damages to their citizens and to their natural environment. The State of Vermont is not powerless, and its position of subservience is intolerable.

3. The FCC has been successfully sued by a small non-profit organization over its baseless rulemaking. The Attorney General of the State of Vermont should sue the FCC to ensure that evidence-based maximum safe levels of radiation are forthcoming, requesting an injunction against any new radiation emitting facilities until safe levels are known. The State of Vermont is not powerless, and its position of subservience is intolerable.

4. The Department of Public Service should understand the public health consequences of its actions. A committee of independent experts should be formed to evaluate the current state of knowledge concerning these consequences and should publish their findings. The State of Vermont is not powerless, and its position of ignorance is intolerable.

5. The classifications in 248a of project scales are without logic. They should be eliminated. All applications should be treated not for the convenience of the applicant, but for the people who must bear every hour of every day for a time indeterminate the radiation being emitted by wireless communications facilities. [This returns us to 30 VSA 202c. The Department of Public Service should not be the handmaiden of the telecommunication carriers but be an advocate for safe communications for all of Vermont's citizens.] All applications should be subject to the same processes and durations as the largest projects are currently. Under what conceivable logic is doubling the radiation from a cell tower a de minimus undertaking that doesn't require the same notification, review, and durations as the original application?

6. The primary regulatory authority over cell towers facilities is the State. The primary regulatory authority over the land that the cell tower sits upon is the local government. Reassessment of land values due to the income from property owners leasing their land to carriers should be formalized. The PUC should add to their procedures the identification of these property owners to the local land value assessors, ensuring fair taxation. Income disclosures should be mandated.

7. Since federal law would likely prevent carriers from this requirement, property owners leasing their land to carriers should be mandated to demonstrate commercial liability insurance for claims from potential negative public health consequences of the technology being located on their land.

8. Since federal law would likely prevent carriers from this requirement, property owners leasing their land to carriers should be required to pay a surety to have the cell tower and associated facilities removed in the case of termination of service.

9. Carriers should be mandated to pay the Department of Public Service to verify their propagation maps and adequate coverage determinations. Failure to institute this basic check is a serious abrogation of your mandate.

10. Visual impact modeling undertaken by carriers in their applications should be more realistic and model the tower installations in a season without leaves on deciduous trees, if any, without the trees currently within the tower facility's enclosure, and at the height and configuration of the tower once colocation is maximized.

11. Establish the required distance of 500 meters from a cell tower or canister antennas to a place of human habitation or vocation. Where this distance is unattainable, the carrier shall provide radiation mitigation measures to all property owners requesting them within the area circumscribed by 500 meters. "

"Thank you so much for taking the time to offer Vermonters an opportunity to share thoughts on the telecommunications infrastructure including the siting of cell towers and antennae. Throughout my testimony, please also keep in mind the concerns many hold about the Internet of Things which is expanding as a high majority of electronic devices are constantly communicating via electromagnetic waves. Public areas and people are often blanketed in many layers of radio and electromagnetic frequencies which bring risk to humans and the environment as an ever-growing body of research and evidence is demonstrating.

To start- as usual it is up to the people to ensure protections and responsible implementation of technology. I say it is up to the people because the mission of the Federal Communications Commission (FCC) is to "ensure that the American people have available- at reasonable costs and without discrimination- rapid, efficient, nation and worldwide communication services." With this mission, it is near impossible to act as an unbiased and effective regulatory agency. The FCC working in conjunction with the FDA authorizes and licenses most RF telecommunication services, facilities, and devices used by the public. As required by the National Environmental Policy Act of 1969, they must evaluate the effect of EMF emissions from FCC regulated transmitters on the quality of the human environment.

Unfortunately, their failure in this regard has shown itself for decades. They have been brought to the General Accountability Office (GAO) multiple times for revolving door practices between industry and the commission as well as failure to adequately reevaluate recent research. The FCC is made up of previous telecom lawyers and engineers. - There is no oversight from the FCC- the Telecom industry is effectively self-policing. They have over 500 lobbyists. They are clearly not serving the people.

Unfortunately, both the rampant explosion of Wi-Fi and the FCC and other agencies continued reluctance to ensure thorough reviews of the ongoing research on harms related to wireless frequencies should not be surprising. In 2015, Harvard University's Edmund J Safra's Center for Ethics published Norm Alster's book*, Captured Agency: How the Federal Communications Commission is dominated by the industries it presumably regulates.* This book details rampant conflict of interest, revolving door issues and funding concerns --all typical of a captured agency and currently common themes within the federal regulating agencies including the FDA and EPA. For decades, legislation that attempts to prevent these captured agency issues is ignored and unsuccessful. The book's primary message can be

summarized in this statement, ‘The FCC sits at the core of a network that has allowed powerful moneyed interests with limitless access a variety of ways to shape its policies, often at the expense of the fundamental public interests.’

HISTORY:

In 1996, The EPA was set to release their Phase1 of safety limits for radio frequency radiation- they were defunded, all research was halted and the FCC adopted industry and military limits which are only based on protecting against heating thermal effects from short term exposures. They do not account for non thermal biological effects or the effects of long term chronic exposures. This is currently the case despite tremendous evidence and a massive movement by scientists and organizations to challenge the status. The US still has no federally developed safety limits and there has been no thorough review of the prolific and steadily growing scientific research justifying the development of safety limits that adequately protect the public from biological health effects and long term exposures.

Further- children and pregnant women's unique vulnerability was not assessed and still has not been considered despite requests from hundreds of scientists and organizations including The American Academy of Pediatrics (AAP) who has requested that the FCC review the safety limits for children and pregnant women. The AAP has regularly voiced concerns that US regulations are based on a 220 pound grown male not a child's developing brain and skull. The AAP has urged the FCC to adopt radiation standards that, ‘Protect children's health and well-being.’

The 1996 Telecommunications Act- specifically states in section 704 that the siting of towers cannot be regulated, ‘on the basis of the environmental effects of radio frequency emission...so long as FCC limits are met.’ Case law in many circuit courts, but not all, has interpreted this section to mean health concerns cannot be used to reject or influence the siting of a cell tower. This a gross misunderstanding and in reality lawyers are currently and successfully fighting this precedent . In particular New York Attorney Capenelli has helped many communities and schools remove and prevent antennae, especially 5G micro antennae. He has had tremendous success aiding the responsible use of this technology which helps minimize risk to children, humans, and the environment. He has helped communities and courts understand the scientific evidence of health risks as well as the blight that a cell tower brings to property values and communities. Many realtor's research concludes that house values decrease by 15-30% in close proximity to a cell tower.

There is significant evidence and research of biological and physical harms to humans, especially children, flora and fauna. This 1996 Telecom Act was written before the prevalence of cell phones and also prior to the use of small cell towers. This coupled with tremendous evidence of health harms demands reevaluation of siting and use of this technology.

One of the most comprehensive reports on health concerns resulting from wireless, radiofrequency and 5G radiation came out of New Hampshire's Legislative Commission on The Environmental and Health Effects of Evolving 5G Technology.

There were eight primary questions posed by the State of NH Commission to study the Environmental Health effects of evolving 5G technology which met in 2019---2020. The following is a summary of the questions and key findings within the report.

1. Why does the insurance industry recognize wireless radiation as a leading risk and has placed exclusions in their policies not covering damages by the pathological properties of electromagnetic radiation?

> Answer- Insurer's rank 5G, wireless and electromagnetic radiation as high risk category. This is compared to asbestos where it may take decades to know the full extent of health impacts. Swiss Re Institute- world leader in insurance services- classifies 5G mobile networks as "High " risk that will affect property claims and casualty claims in more than three years time.

2. Why do cell phone manufacturers have in the legal section within the device saying keep the phone at least 5mm from the body?- See NH report for details.

3. Why have 1000s of peer-reviewed studies, including the recently published US Toxicology Program 16-year $30 million study, that are showing a wide range of statistically significant DNA damage, brain and heart tumors, infertility and many other ailments, being ignored by the FCC?

> Answer- There has not been a scientific review of the research by a US Agency for more than two decades-In December 2019. The FCC determined that there was not a need to review radio frequency limits. The FCC based this decision on a letter from the FDA who did a brief research review NOT a systematic full evaluation of health effects and ignored RF impacts to humans, birds, trees, and wildlife Because there is no agency investigating or researching wireless impacts on birds, bees, trees and wildlife, the US Dept of Interior sent a letter to the National Telecommunications and Information administration in 2014 reviewing harm to birds and concluded, "the electromagnetic radiation standards used by the FCC continue to be based upon thermal heating, a criterion now nearly 30 years out of date and inapplicable today. This has not been revisited or investigated since that time. FCC limits were not developed to protect our flora and fauna. Wireless radiation safety limits for trees, plants, birds, insects, pollinators and wildlife simply do not exist. No US agency or international authority with expertise in science, biology or safety has ever acted to review research and set safety limits on these non-human species. In response to the FDA's inadequate review of the large body of accumulated scientific evidence since 1996 which indicated harm, many scientists wrote to the FDA- Albert Manville, a retired Us Fish and Wildlife Service wildlife biologist working in the division of migratory bird management and former lead on telecommunications impacts as well as John Hopkins University professor, has written to the FCC regarding higher frequencies in 5G and publications detailing research showing harm to birds. He states "As a certified wildlife biologist and PHD environmental scientist who has studied the impacts of radiation on migratory birds, other wildlife and humans since the late 1990s, the statement credited to the FDA is preposterous, without any scientific credibility and at a minimum deserves retraction by the FDA. There are currently well over 500 scientific peer reviewed papers addressing impacts of non-ionizing, non-thermal radiation on lab animals- many of the studies directly apply to human health and safety also." Manville also states that the "race to implement 5G and the push by the FCC to approve the related 5G license frequencies to industry are very troubling and downright dangerous." Many expert scientists consider Electromagnetic radiation as a form of environmental pollution. Manville has testified on the negative effects of cell towers on birds, "The entire thermal model and all FCC categorical exclusions for all the devices we see today rests on the incorrect assumption that low level nonionizing non thermal radiation cannot cause DNA breaks because

it is so low power. The evidence to the contrary is clear...” The National Institute of Environmental Health Sciences published the National Toxicology Program (2) study which assessed tumors and heart damage in rats due to radio frequency radiation. They concluded that the FCC limits should be strengthened up to 200-400 times the current level in order to protect children. Dr. Ronald Melnick, lead scientist on the $30million National Toxicology Program commissioned by the FDA itself, wrote to the FDA as well- ‘I find it shocking that the FDA would casually dismiss the carcinogenicity findings from the National Toxicology Program studies on cell phone radiation in experimental animals, that it was the FDA that requested those studies in the first place, 'to provide the basis to assess the risk to human health,' and how an expert peer reviewed panel carefully reviewed the design and conduct of those studies and then concluded that the results provided “clear evidence of carcinogenic activity,’

On August 16, 2021 Environmental Health Trust (EHT) won a landmark case resulting in a federal court ordering the FCC to explain why it ignored scientific evidence showing harm from wireless radiation.

The lawsuit was filed based on the fact that the FCC ignored multiple organizations, scientists and doctors who demanded updates on wireless radiation limits based on recent scientific evidence. The petitioners claimed that the FCC and the Food and Drug Administration (FDA), the agency responsible for assuring the safety of products that emit radiation, failed to address research on the impacts of: long term wireless exposure, wireless radiation on children, the personal testimony of people injured by wireless radiation, as well as negative effects on wildlife, the environment, developing brains and the reproductive system.

Regarding the lawsuit, Environmental Health Trust lead attorney, Edward Myers stated, “The court granted the petitions for review because, contrary to the requirements of the Administrative Procedure Act, the commission failed to provide a reasoned explanation for its assertion that its guidelines adequately protect against the harmful effects of exposure to radio frequency radiation.”

Theodora Scarato, Executive Director of Environmental Health Trust and a petitioner in the lawsuit raised key points and problematic history related to the wireless industry. Regarding Environmental Health Trust's successful lawsuit, she stated:

> ‘This is a win for our children, our future, and our environment. The court's decision should be a wake up call worldwide. There was no premarket safety testing for cell phones or wireless networks before they came up on the market decades ago. As the court points out in the ruling, silence from federal health and environmental agencies does not constitute a reasoned explanation for the commission's decision. This ruling highlights how there has been no scientific review of the full body of scientific research to ensure people and the environment are protected. No federal agency has reviewed science indicating impacts to the brain, reproduction, trees or wildlife, not the Food and Drug Administration, not the Center for Disease Control, not the National Cancer Institute, not the Environmental Protection Agency. For decades, each of these agencies has downplayed the health effects of wireless radiation on their public websites. A telecom-financed scientist drafted web pages to be put online by our federal government. When people try to stop a cell tower from being built in front of their homes, they are told by their elected leaders that they cannot consider the issue of health effects due to the Telecommunications Act of 1996. This has to stop.’

4. Why are the FCC sanctioned guidelines for public exposure to wireless radiation based only on the thermal effect on the temperature of the skin and do not account for the non-thermal nonionizing biological effects of wireless radiation?'

> Answer: This approach is decades out of date and the adverse biological effects of non thermal and non ionizing wireless radiation is substantial   On their website, Environmental Health Trust provides links to a significant collection of scientific research documenting the health effects of wireless radiation. This information has been submitted to the FCC and depicts the need for an in-depth analysis of wireless radiation in the promotion of: thyroid cancer, tumor risk, adverse health impacts to the central nervous and cardiovascular systems, memory, sperm and testosterone levels as well as its identification as a human carcinogen. Further evidence identifies risks to trees, wildlife and birds in particular.

5. Why are the radio frequency exposure limits set for the US 100 times higher than other countries like Italy, Switzerland, Russia, China, Poland, Belgium, Chile, Israel and most of eastern Europe.

> Answer: All of these countries have set these limits due to scientific research indicating adverse non thermal health effects. Russian standards are set due to research negatively impacting the immune and nervous systems. Russia considers children at greater risk to EMFs and in need of special consideration. China limits are based on research showing adverse effects behaviorally and neurologically as well as reproductive abnormalities and DNA damage. Indian research effects of RF on the environment, in particular found adverse effects in birds, bees and wildlife. Their research was published in the journal of Biology and Medicine which concluded that RFEMF radiation can change neurotransmitter functions, blood brain barrier, morphology, electrophysiology, cellular metabolism, calcium efflux and protein expression in certain types of cells.
>
> France went a step further and honored the precautionary principle. In 2015, France passed legislation to reduce exposure of wireless radiation to children and provide transparency and education for consumers based on recent and evolving research.
>
> France:
>
> - Banned Wi-Fi and wireless devices in nursery schools.
> - Reduced Wi-Fi in schools for children up to the age of 11. A ruling was issued to turn off WiFi routers when not in use for educational purposes
> - Guaranteed that school boards are informed when new tech equipment is installed at schools -Legally must verify cell tower radiation emission compliance.
> - Provides citizens ongoing access to radiation measurements near living spaces.
> - Offers current and regularly updated cell antennae maps for each town.
> - Established the National Radio Frequency Agency to evaluate ongoing research on health effects from radiation and ensure compliance.
> - Must include the Specific Absorption Rate (SAR) on cell phone labels.
> - Must clearly Label Wi-Fi Hotspots.

- Requires that marketing and advertising for cell phones must include recommendations for reducing radiation exposure to the brain, including a violation fee of 75,000 Euros.
- Requires protection for cell phone purchases for children under 14 when requested.

For years, EHT has demanded that the health agencies create thresholds and guidelines for safety that prevent negative health effects. They have advocated for a policy that encourages wired rather than wireless communications to protect the public. This recent court ruling is a vital first step in moving in the right direction to protect people, the environment and especially children. Instead of continuing to blanket people and the environment with more wireless radiation and risk, implementation of protections and precautions should be prioritized to prevent harm and ensure a safe environment.

Due to this lack of evaluation of long term safety and research on neurological impacts in fire fighters to cell antennae exposure, the International Associations of Firefighters has long opposed cell antennae on fire stations stating that "fire department facilities, where firefighters and emergency response personal live and work are not the proper place for a technology which could endanger their health and safety. The only reasonable and responsible course is to conduct a study of the highest scientific merit and inquiry on the radiation health effects of our membership and in the interim oppose the use of fire stations as base station for towers and or antennas for the conduction of cell phones transmission until it is proven that such siting are not hazardous to the heath of our members. Their resolution opposing cell towers on fire stations has been in effect since 2004.

6. Why did the World Health Organization (WHO) signify that wireless radiation is a Group B Possibly Carcinogenic to Humans category, a group that includes- lead, thalidomide, and others and why are some experts who sat on the WHO committee in 2011 now calling for it to be placed on the Group 1, which are known carcinogens and why is such information being ignored by the FCC?

Answer: This was the International Agency for Research on Cancer of WHO. In 2011, they identified an increased risk for glioma- a malignant type of brain cancer. Associated with wireless phone use. The WHO/IARC class 2B classification includes wireless radiation from any transmitting source including cell phones, baby monitors, tablets, cell towers, radar and other Wi-Fi. This was later published in the Lancet in 2011. Yale research funded by the American Cancer Society found thyroid cancer with genetic susceptibility and altered brain development after exposure.

7. Why have more than 220 of the world's leading scientists signed an appeal to the WHO and UN to protect public health from wireless radiation and nothing has been done?

Over 393 scientists and doctors from 5 countries have signed on to the declaration called the 5G appeals to the European Commission calling for a moratorium on the increase of cell antennae for planned 5G expansion because of overwhelming scientific evidence proving harmful to humans and the environment. The over 253 scientists who have published research on electromagnetic radiation appealed to the UN in 2015 as published in the European Journal of Oncology stating, 'numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines. Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages,

structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders and negative impacts on general well-being in humans. Damage goes well beyond the human race as there is growing evidence of harmful effects of both plant and animal life.'

The Scientific Appeal states that, 'the various agencies setting safety standards have failed to impose sufficient guidelines to protect the general public, particularly children who are more vulnerable to the effects of EMF.' The International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines do not cover long term exposure and low intensity effects, yet they are used by many governments as safety limits. Dr. Hardell of EMF scientists' states that the ICNIRP relies on the evaluation only of thermal (heating) effects from RF radiation, thereby excluding a large body of published science demonstrating the detrimental effects caused by non-thermal radiation.' He further states, 'the majority of decision makers are scientifically uninformed on health risks from RF radiation' He says that they seem to be uninterested of being informed by scientists representing the majority of the scientific community, ie- those scientists who are concerned about the increasing evidence and in some cases proof of harmful effects.

8- Why have the cumulative biological and damaging effects of every growing numbers of pulse signals riding on the back of the Electromagnetic sine waves not been explored, especially as the world embraces the Internet of Things, meaning all devices being connected by electromagnetic waves, and the exploration of the number of pulse signals that will be created by implementation of 5G technology.

Electromagnetic sensitivity (ES)- While adverse effects of long term exposure to WiFi radiation like cancer infertility and DNA damage may not become evident for some years, many suffer immediate effects and health care providers are learning to diagnose and treat ES. ES was recognized by the Americans with Disabilities Act and the myriad of symptoms include-pain, tightening in the chest or skill, altered heartbeat, tinnitus/ringing in the ears, headaches, nosebleeds, insomnia, fatigue, diminished concentration, cognitive impairment, poor memory, anxiety, depression, anger, and behavioral issues.

Vulnerability of Children- the literature shows that children are more susceptible to adverse effects from radiofrequency energy. There are hundreds of organizations challenging the radiation exposure standards set by the FCC.

Dr. Paul Heroux- Professor of Toxicology, McGill University stated, 'RF in cars is a public health threat. They will become radiation intensive. Companies are more concerned about features in a car versus biological effects.'

GOALS and requests Maintain function and access AND minimize risk.

With federal regulating agencies failing the public and the large body of evidence indicating harm to humans and the environment from wireless radiation, Vermont Department of Health, school boards, parents and concerned citizens must consider the information at hand and take independent action in the best interest of Vermonters and our environment. When it comes to our children, the precautionary principle is a safe and worthy guide. Taking risks with children in

order to keep with trends, appease children or parents, offer convenience or promise the latest technology despite risks is irresponsible, ill-informed and hazardous to health.

Please refer to the majority report from the NH Commission referenced in this testimony. They offer 15 recommendations after taking extensive testimony from experts.

Also, for the sake of Vermont and Vermonters, please educate yourself about the known harms of wireless technology and the potential and unknown risks that these evolving technologies may bring to humans especially children and our environments and ecosystems.

Requests and Solutions:

Create and maintain an educational space within the Public Service Department and on the website- Offering both Vermonters and PSD employees an access point for up to date scientific research, lawsuits, and policy regarding the evolving information of both human and environmental harms posed by all forms of radio frequency and wireless radiation coming from devices and telecom infrastructure including phones, towers and antennae.

Ensure that the information provided to the public encompasses guidelines from the United States and other countries which differ greatly and shed light on the ongoing debate regarding safety and its implications in creating policies to protect humans and the environment.

Provide access to the wide body of research by scientists around the world demonstrating risk and harms posed by this technology. Also include the appeals and letters by hundreds of scientists who have studied the harms from this technology and submitted it to the federal regulating agencies to no avail. The people must understand the inherent risks in this technology and have access to actions and steps they can take to protect themselves, especially those that are sensitive and struggle from this environmental pollution.

Due to the federal regulating agencies not providing adequate protections and the laws such as the 1996 Telecommunications Act which limit the authority of the state to regulate Telecom appropriately, the people must have access to this information in order to make informed decisions for themselves and their families and especially their children.

Work with towns, schools, and public and private buildings and businesses and individuals to use wired versus wireless technology whenever possible. Provide resources to help assess best placement and setbacks of towers and antenna to ensure minimal negative impact to human and environmental health. Please take special care with children, pregnant women and our environment when siting this technology and setting up infrastructure.

Please join forces with other states to demand that the FCC, FDA and other government agencies do their job and regulate industry and demand, require and provide an unbiased, effective review of all of the existing studies in order to determine best policy and practice. Vermont can do this responsibly and consciously. Education is key.

Thank you so much for your time and service.”

“Since we were unable to attend the recent St. Alban’s or online listening sessions that explored how to advance meaningful public participation in the 248a process, please find below our written comments. We applaud the initiative and outreach.

By way of background, over the last 15 months, we have been involved in the proposed siting of a radio tower in the hamlet of Bordoville, near Enosburg Falls.

The experience has imparted many lessons. Some of the most important concern the lack of accessible, inclusive community deliberation on tower design and siting. Many of the barriers arise because the process is highly technical, legal, and largely driven by private industry. Contrary to Vermont's nationally reputed democratic governance processes, the 248a process requires basic and pinpoint reforms.

Here are some recommendations to make the process more accessible, fair and democratic for the affected citizens of Vermont.

Accessibility & Citizen Inclusion: Deliberative Democracy: The overall goal of the reform should be to advance and to heighten meaningful citizen involvement and democratic deliberation. Innovative use of internet accessibility for hearings, education, town halls etc., surmount geographic, temporal, disability impediments to the planning and review process. Deliberative democracy often entails more public investment and time, but typically yields more informed choice.

Citizen Standing: Study, invite public commentary, and propose reforms to standing requirement to enable and ensure full participation.

Project Notice & Review: Increase, from 60 to 90 days the time period for the notice requirement and the timeframe for review for completed applications, to allow for more inclusive participation, and for a more thorough examination of the merits of applications. Simple uncontested applications will receive prompt review. Contested, complex projects merit full, reasonable review and deliberative assessment that may commensurately be undertaken in 90 days.

Inclusive Notice to "adjoining" landowners for proposed tower sitings. Provide an inclusive definition of the term "adjoining," in 248a(b), so as to indicate that "adjoining" includes those abutting or adjacent to the land of the proposed site, those within 2,500 feet or those likely within direct visual impact. It is critical to ensure that the local community receives notice and the opportunity to participate. Given the geographic variety of land ownership, affected individuals may not be abutters.

Good Cause Shown to Override Statutory Presumption of Substantial Deference to Local & Regional Views/Recommendations. To preserve local and regional democratic input, "good cause" should be clarified to mean that it is an objective test based on a standard of clear and convincing evidence, (not simply based on a balance of probabilities). Doing so would strengthen local and regional voices and expertise by requiring a higher showing of objective clear and convincing evidence of public benefit, before the PUC could override regional recommendations.

Advance Notice & Public Information Hearing: As part of Advance Notice, require applicants of new towers to submit their public notice and citizen engagement plan. The plan must, at a minimum, include:

Notice to Local Community of Key Dates: Draft schedule of key dates on balloon testing, requesting public input on testing sites, etc…

Public Information Hearing: A public information hearing, within 30 days (providing internet and conventional notice of when it is to be conducted)

Impact Propagation Maps: Require Advance notice to include impact propagation maps and simulations. Impact refers to the proposed impact, improvement or coverage differential the applicant indicates for a proposed tower.

DPS Ombudsman Citizen Participation Office: Create within the DPS an ombuds office whose mandate is to concretely and effectively advance citizen participation in the 248a process. Towards that end, the primary duties and responsibilities of the Office would include

Developing a 1–3-year citizen participation plan with citizen participation

Educating, engaging and assisting citizens in meaningful participation of the siting, design, and review process.

Creation and maintenance of a central citizen participation website that provides information and instructions on 248a process, e-forms, model documents, and instructive videos on key procedural and democratic access points for individual and community participation.

Provision of technical assistance to affected citizens and the public.

Citizen Regional Planning: To move the 248a and broader process towards a proactive planning model, the VPS and legislature should undertake necessary reforms to encourage citizen and regional planning commissions to map, quantify, and detail tower planning sites for the regions of Vermont. If, based on best current and evolving telecom technology, the Northwest Region of Vermont objectively needs x capacity, where should those hubs most optimally be sited? With citizen, public, and regional discussion and engagement, we should be able to map, quantify and detail such hubs. Such a process requires front-loading much democratic education and involvement. Once a plan is mapped, then the region can invite public, cooperatives, public-private entities to bid on their construction, operation and maintenance.”

End of Written Public Commentary.

Resources submitted by Public:

Siting cell towers needs careful planning | ScienceDaily
https://www.sciencedaily.com/releases/2019/12/191203162553.htm

Liability, 5G and Cell Tower Radiation Health Effects - Environmental Health Trust
https://ehtrust.org/liability-and-risk-from-5g-and-cell-towers/

Breaking: The New Hampshire State House Subcommittee Voted for Policy Action Regarding the Issue of Radio-frequency Radiation

Sharp Rise in Small Cells After 5G Rollout: A Concern for Microwave Syndrome and Ways to Prevent

5G final report.pdf (state.nh.us)

NEW NATIONAL LAW BANS WIFI IN NURSERY SCHOOL!

Development of health-based exposure limits for radiofrequency radiation from wireless devices using a benchmark dose approach

HEALTH EFFECTS OF CELL PHONES AND WIRELESS RADIATION- PUBLISHED CREDIBLE SCIENCE