

## Why Sept. 29 deadline is so meaningful re cell tower proliferation

Contributed by Jan Lundberg  
18 September 2008

Our activist alert and Culture Change update of Sept. 18 to our subscribers:

Subject: Why Sept. 29 deadline is so meaningful re cell tower proliferation

From: "Culture Change"

Date: Thu, September 18, 2008 7:44 pm

The following very disturbing alert is from Libby Kelley regarding cell phone towers rammed down our throats nationwide. In case you did not see our article/alert and interview with her last week, please see [Growing Concern about Electromagnetic Pollution and Cell Phones](#)

Following the below alert is Culture Change commentary and updates, with retrospective on brave (and sometimes fallen) tree-sitters. - Jan Lundberg, editor

Sept. 29 DEADLINE - What We're Up Against:  
FYI -

- If you had any doubt as to whether the FCC needs to hear comment from ordinary citizens about the Cellular Telephone Industries Association (CTIA) Petition to remove more local zoning authority for antenna sites, the comments below from Commissioner Adelstein will convince you that your comment is crucial. He ignores the intent of Congress in the TCA of 1996 that chose to preserve the major aspects of local and state authority to decide what sites are appropriate through the democratic process at the local level.

- In the Communications Daily article below, FCC Commissioner Adelstein, one of the two Democrats on the Commission, dismisses citizen participation in local zoning proceedings as "NIMBY". His comment on the science shows his own "misconception" about the weight of evidence in the published science.

- Thank you to all of you who have already sent your comment and who have forwarded the earlier message to your neighbors and local government officers.

Here's the link again for those who still need to send in their comment:

Submit your Comment by filling in a form on the FCC webpage [fjallfoss.fcc.gov](http://fjallfoss.fcc.gov)  
by September 29, 2008.

In Box 1. "Proceeding" - type 08-165. Fill out the rest of the form as it applies to you as an individual. For Box 12 choose COMMENT. You can attach your Comment as a PDF document, or you can type your comment directly into the box at the bottom of that page.

Communications Daily:  
[Adelstein Favors Limit on Local Cell-Tower Review](#)

SAN FRANCISCO -- FCC Commissioner Jonathan Adelstein praised a CTIA request that the agency put a deadline on local rulings about building or adding to cell towers (CD Aug 28 p5). "The CTIA position is the start of a federal policy but much less heavy-handed" than having the FCC "lay out every detail" of what's required of localities, he said Wednesday at a CTIA conference: "I think it's an intriguing framework."

A nationwide backlog of 700 tower applications dating back more than a year reflects "unreasonable delays," Adelstein said. Tower foes are "the same people who are mad when a call gets dropped or they don't get wireless broadband," he said. "It's the old NIMBY [not in my back yard] problem." Exceptions would be needed to a "shot clock" for cases involving special environmental or historical considerations, Adelstein said. But he can't believe that legitimate "special circumstances" have delayed those hundreds of longstanding filings, he said. Nor has he decided on remedies for violations, including a CTIA request to "deem granted" filings still pending when the clock runs out. Adelstein wants the FCC to work with state and local governments on time limits. Adelstein doesn't doubt commission authority to limit local governments, he said. "The FCC has a role here," he said. "The congressional policy" expressed in Communications Act Section 332 is "we need to move this forward," and, as a commissioner, he is bound to carry that out, he said. The FCC can decide that "the presumption has to be" that a local government must "get it done in a time certain."

Local tower decisions lag because people fear that the structures cause cancer, said Rod Wright, a former California Assembly member running for the state Senate from a district in southern Los Angeles County. That won't change "as long as you have that silence from Washington," instead of an authoritative statement on towers and health, he said. "Cities deliberately don't tell you" a siting decision "because they know that's when you get to go to court," Wright told CTIA executives moderating the panel discussion.

Many such fears are "misperceptions" and views "not based on facts, not based on science," Adelstein said. There's "no evidence of a risk to human health" under FCC radio-frequency limits, he said. State governments may be able to help dispel myths, Adelstein said. Cities should "allow collocation" by approving additional antennas on towers as preferable to new towers, he said. Asked later if he'd be willing to install a cell tower in his backyard to promote his position, Adelstein said: "I'd love it. I'd get better service. I can't do it. I'm kind of in a low area." During the panel Adelstein said setting rules for a new auction of the 700 MHz D block is "front and center on my plate," at least among wireless matters. The FCC should publicize proposed rules to get suggestions before they're completed, he said. "We're not finding overwhelming interest in that band," he said. The rules are "very difficult to get right," he said. "We may be spending a lot of time on that this week... That's the biggest regulatory issue before us."

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Comment by Culture Change for culture change: Vigilance is crucial, because with industry influence so great on government we are going to keep seeing more cancer, birth defects and other disease. Thanks for taking action. - Jan Lundberg

Updates: (1) I will indeed be attending the upcoming conference put on by the Association for the Study of Peak Oil and Gas, in Sacramento (Sept. 21-23; [aspo-usa.org](http://aspo-usa.org)).

Thank you one and all for your support to send me there. One speaker is my old friend and colleague once at Lundberg Survey, George Baker who is an expert on Mexico's petroleum sector.

(2) Last night I attended the 10th anniversary memorial for David "Gypsy" Chain, killed by a corporate logger in the redwoods in the presence of my friends on a mission to peacefully save ancient trees. My heart goes out to the family. Some of the Berkeley tree-sitters were there, after seeing the beloved University of California's Memorial Oak Grove destroyed. One reason I feel strongly about fair treatment for protesters and tree-sitters in particular is that my own daughter Spring was

dangerously forced down from high in a redwood in 1996 when she was 16. As soon as the police had her on the ground they put "pain compliance" on her as well as putting on handcuffs so tightly that it caused nerve damage (a common practice at least then). Long live the bravery of activists doing the work for all of us and for future generations. - JL

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