

Devra Davis, PhD MPH FACE
P.O. Box 58
Teton Village, WY 83025

Jackson Hole Town Council
PO Box 1687
Jackson, WY 83001

Re: Conditional Use Permit: 55' tall Wireless Communications Tower at 275 N. Willow Street.

Dear Jackson Hole City Council,

I am writing in regards to the request for a Conditional Use Permit to Allow a 55' tall Wireless Communications Tower at 275 N. Willow Street. I want to inform you of some critically important facts that may have escaped your attention, and I hope that this will persuade you to reconsider approval of the tower.

- 1. According to federal law, any permitted tower can eventually become 20 feet or 20% higher than the original permit with no community input.**

A tower includes multiple antennas. Section 6409 (a) (1) of the “Middle Class Tax Relief and Job Creation Act of 2012” says that once a Communication tower is approved and installed for one communications provider, any other communications provider may not be denied application to install their antenna on that tower if the dimensions of the tower are not substantially changed. Unfortunately, “substantially changed” is not defined in the Law and the FCC defines substantially changed as an increase in height of more than 20 feet or more than 20%, whichever is larger (the 20 ft-20% rule). The FCC also says that the tower width can be extended to 40 feet. If a community objects I understand that the community would have to provide evidence to support that objection.

Is Jackson Hole comfortable allowing the tower to go up 20 more feet (that is to 75') and expand in width to 40' with no community input? How will this affect the view from the Town's iconic southwest elk antler arch?

- 2. The tower location would expose the children at the nearby Teton County Recreation Center, Timber Ridge Academy, Jackson Elementary School to increased levels of radiofrequency radiation.**

Some cities and nations are curtailing in-building wireless exposures—and moving to wired connections rather than wireless—because of growing health concerns, i.e., Haifa, Israel, France and India. The Council Agenda packet noted, “One key feature of the new cell site will be providing strong in-building

coverage...Strong in-building coverage is often the most difficult goal to attain because of the degradation of the Radio Frequency (RF) signal through the building itself.”

Has the community considered that the signal will not only go through the buildings, as the Applicant notes, but also through our bodies—and that several technology-sophisticated nations are generally promoting wired connections within schools?

A number of nations, including Israel and France, are taking steps to reduce exposures, especially to children and pregnant teachers, as growing evidence indicates that there are health risks with such exposures.

- 3. Federal Law governing towers prohibits considering health and safety issues, but the Council should be aware that a number of federal agencies are requesting that the FCC strengthen their outdated FCC regulations that do not protect human health and the welfare of migratory animals.**

On February 7, 2014 the U.S. Department of Interior stated [in a letter](#) to the National Telecommunications and Information Administration:

“The second significant issue associated with communication towers involves impacts from non-ionizing electromagnetic radiation emitted by these structures. Radiation studies at cellular communication towers were begun circa 2000 in Europe and continue today on wild nesting birds. Study results have documented nest and site abandonment, plumage deterioration, locomotion problems, reduced survivorship, and death (e.g., Balmori 2005, Balmori and Hallberg 2007, and Everaert and Bauwens 2007). Nesting migratory birds and their offspring have apparently been affected by the radiation from cellular phone towers in the 900 and 1800 MHz frequency ranges -- 915 MHz is the standard cellular phone frequency used in the United States. However, the electromagnetic radiation standards used by the *Federal Communications Commission (FCC) continue to be based on thermal heating, a criterion now nearly 30 years out of date and inapplicable today.*”

Regulations dictate, “The communication tower shall cause no damage or disturbance to human life or wildlife as a result of radiation or electromagnetic fields.” Currently the applicant states that the tower’s emissions would adhere to standards for radiation exposure set by the FCC. However, FCC standards may soon change as a result of new experimental research from a \$25 million study by the U.S. National Toxicology Program finding rare tumors of the brain and heart in animals exposed to wireless radiation comparable to that of cell phones.

Outdated FCC regulations are currently under review. (See NOI #13-84, "Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies 2013"). In 2012, the Government Accountability Office (GAO) published their report [“Exposure and Testing Requirements for Mobile Phones Should Be Reassessed”](#) that calls on the FCC to “formally reassess and, if appropriate, change its current RF energy (microwave) exposure limit,” and “The Federal Communications Commission’s (FCC) RF energy exposure limit may not reflect the latest research....”

The newly released multi-year study by The National Toxicology Program at the National Institutes of Health found a causal relationship between RF in cell phone frequencies and malignant brain cancers (glioma) as well as benign nerve tumors (schwannomas) of the heart in male rats. The study was designed to test the scientific basis on which current US radiofrequency exposure limits are based. The results of carcinogenicity show that current FCC limits are based on outdated and now invalid assumptions. The results detailed in the [Report of Partial findings from the National Toxicology Program Carcinogenesis Studies of Cell Phone Radiofrequency Radiation](#) indicate that non-ionizing radiation does have adverse effects at non-heating levels. As FCC limits only protect against heating effects, and do not account for other biological effects such as carcinogenicity, stronger protection is needed, which means the limit will be lowered.

In May 2015, over 200 scientists from 39 nations, who have authored more than 2,000 articles on electromagnetic fields, appealed to the United Nations to address “the emerging public health crisis” related to wireless radiation. These scientists state, “the ICNIRP guidelines do not cover long-term exposure and low-intensity effects” and are “insufficient to protect public health.” They also state, “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.” (See the International EMF Scientist Appeal at <https://emfscientist.org>.)

- 4. It would be against the law in many jurisdictions and countries to erect a cell tower so close to schools.** In India, the [Supreme Court of India](#) upheld the High Court of the State of Rajasthan decision to remove all cell towers from the vicinity of schools, hospitals and playgrounds because of radiation “hazardous to life.” The Los Angeles Unified School District has established a precautionary radiofrequency threshold level that is 10,000 times lower than the current FCC standard, and the District does not allow cell towers near schools.



- 5. Environmental impacts: Cell tower compounds bring hazardous materials on site.** Tower compounds store hazardous materials on site such as banks of lead acid batteries, diesel generators and diesel fuel tanks. In several counties, these sites are considered Hazmat areas.

The Jackson Hole Council Agenda notification states (on page 32 of 112), “The proposed tower will not create any significant odors, noises, light, or pollution.” and “Atlas Tower does not anticipate there will be any environmental conditions created by our proposed use,” however, I did not see it noted what type of backup power systems these telecommunications companies will use? Cell tower diesel generators are usually turned on and tested weekly, meaning diesel fumes and exhaust are emitted into the air and the cumulative impact is considerable in terms of diesel emissions. In addition, the tanks must be refueled periodically, bringing diesel laden trucks into the area and pumping fuel into the tanks.

- 6. Cell towers do and can catch fire and fall.** The Applicant states the tower would “collapse not topple,” yet many cell towers have fallen over despite the best intentions of structural engineers. Towers also catch on fire. As an example, last year, a cell tower at [Virginia Heritage High School](#) caught fire and started leaning over. What of the [Ohio Football field tower](#) fire or the [Oregon School cell tower](#) that caught fire and “seared bushes” below?

I respectfully urge you to reconsider approval of this tower and to institute a systematic review of tower siting policies in light of this new information. I and other experts who work with Environmental Health

Trust would be pleased to advise on this matter further. In light of these concerns, I urge that this tower not be built at this time at this location.

Respectfully submitted,

Devra Davis, PhD MPH FACE

ddavis@ehtrust.org

www.EHTrust.org

Visiting Professor, Hebrew University Hadassah Medical School and Ondokuz Mayıs Medical School

Further information here:

[American Academy of Pediatrics 2013 letter to the FCC on children's vulnerability to RF and the importance of updating current radio frequency exposure standards.](#)

[2014 Letter from the U.S. Department of Interior](#) states, “The electromagnetic radiation standards used by the Federal Communications Commission (FCC) continue to be based on thermal heating, a criterion now nearly 30 years out of date and inapplicable today.”

[2002 Letter from Norbert Hankin of the EPA about the FCC guidelines](#) states that children, pregnant women and the elderly were not considered in the regulations and that the regulations were to protect against hearing damage only and did not consider long-term chronic exposure.

[2008 Report: National Academy of Sciences Report “Identification of Research Needs Relating to Adverse Health Effects of Wireless Communication.”](#)

[Letter to the FCC by Dr. De-Kun Li, MD, PhD, MPH on the Inadequacy of FCC guidelines](#)

[Why the FCC Must Strengthen Radiofrequency Radiation Limits in the U.S. by Joel M. Moskowitz, Ph.D., Director Center for Family and Community Health, The UC Berkeley Prevention Research Center, School of Public Health, University of California, Berkeley November 5, 2013](#)

[Alster, Norm. Captured agency: How the Federal Communications Commission is dominated by the industries it presumably regulates. Cambridge, MA: Edmund J. Safra Center for Ethics, Harvard University. 2015.](#)

[No more Falling workers: February 2014, OSHA Alert about cell tower deaths](#)

[Failure to Regulate Antennas and the Lack of FCC Monitoring of Compliance with FCC RF Safety Policies The EM Radiation Policy Institute to the FCC in 2013](#)

[The World Health Organization’s monograph on RF radiation as a Possible Human Carcinogen in 2011](#)

[List of cell Tower Fires and Collapse compiled by Dr. David Stupin.](#)