

Public Comment #36
Bos Recd. 12-2-24

From: djinkens@charter.net
Sent: Sunday, December 1, 2024 1:46 PM
To: BOS-Clerk of the Board
Subject: December 3, 2024 BOS Meeting and Public Hearing on Telecommunication Facilities - Public Comment

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Dear Honorable Members of the Board of Supervisors:

Thank you once again for your service to the people of El Dorado County. I respect your willingness to serve. I hope that you and your families had an enjoyable **Thanksgiving**.

I support improvements to our telecommunication systems in the County and city *if they are safe*. We need improved facilities.

I am not an expert in telecommunications facilities, but over the last five years I have seen and reviewed various scientific reports and articles that make it abundantly clear that the above ground placement of these facilities in populated and forested areas is fraught with sincere public safety concerns from the environmental community and residents living in affected area. The concerns are genuine and real for people with children going to school near above ground sites, people with immune disorders, and people who are aware that FCC standards for safety and health from these telecommunications are outdated and supposed to be re-evaluated by order of Federal courts (yet I am told the FCC has failed to do so).

While some people would argue that health and safety issues associated with telecommunications facilities are not within the scope of local government review because they are allegedly pre-empted by Federal law, I would argue that local government officials (both elected and appointed) have a legal and moral duty and obligation to dispassionately evaluate the singular and cumulative effects on proposed above-ground telecommunications facilities on the health, safety and welfare of the community and the impact of these facilities on the environment we are all supposed to protect. Undergrounding telecommunication facilities is a far safer and more reliable approach to improving telecommunications facilities than the current proliferation of above ground facilities based on outdated and outdated science. Federal and State funds should be sought to pay the cost of undergrounding since we live in a high hazard fire area.

While you are being told that the proposed amendments have minimal environmental impact and safety concerns, the proposed actions perpetuate a blind local government system of dismissing new science and impacts above ground telecommunications facilities are having on people and our environment. A total review must be done so that you and community members are satisfied that what is being allowed is safe. While the Federal government and FCC may not be doing their duty to protect us, elected and appointed local government officials have a duty to demand answers to these safety concerns before allowing new facility placements. Whatever conclusions that are reached from an independent review can then be relied on by policy leaders.

The proposed environmental review and actions are flawed and incomplete without a comprehensive review of the safety of above ground facilities and what mitigation measures can be taken to make them safer.

I wish you well in your deliberations and your fealty to the people you govern.

Best wishes and regards,

David

David Jinkens, MPA

Good Government Advocate

South Lake Tahoe Full-time Resident

Note: My comments are mine alone and do not represent the policy of the City of South Lake Tahoe or any other organization.

FROM THE COUNTY STAFF REPORT

ENVIRONMENTAL REVIEW: 8.09.070(E)(5) of County Ordinance Code. In accordance with the California Environmental Quality Act (CEQA) Sections 15162 and 15164 of the CEQA Guidelines (Addendum to an EIR or Negative Declaration), staff has determined that an EIR Addendum is the appropriate environmental document to analyze the proposed Zoning Ordinance modifications (Attachment F). This Addendum demonstrates that the amendments to Section 130.40.130 (Communications Facilities) would not result in any new or more severe impacts than those previously analyzed in the certified Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2001082030) for the El Dorado County General Plan (2004 General Plan EIR). Therefore, this Addendum satisfies the requirements of CEQA Guidelines Sections 15162 and 15164. The proposed amendments do not trigger any of the requirements for preparation of a subsequent EIR, as further discussed in Section IV of the EIR Addendum (CEQA Analysis). Addendum Section IV outlines the proposed changes and explains how each of the proposed amendments would not cause any new or intensified environmental impacts beyond those impacts previously analyzed in the 2004 General Plan EIR. Further, the amendments to Section 130.40.130 would not involve a substantial change in circumstances under which the project is undertaken, and as the amendments are minor or technical in nature, would not require any new or modified mitigation measures from those mitigation measures included in the 2004 General Plan EIR.

STAFF RECOMMENDATION: Staff recommends the Board take the following actions as recommended by the Planning Commission on October 24, 2024: 1. Adopt the Addendum to El Dorado County's

General Plan Environmental Impact Report (EIR), certified in May 2003 (State Clearinghouse Number 2001082030) (Attachment F) demonstrating that the analysis in that EIR adequately addresses the potential physical impacts associated with implementation of the amendments to Section 130.40.130 of the Zoning Ordinance (Communications Facilities), and the amendments would not trigger any of the conditions described in California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 calling for the preparation of a subsequent EIR or negative declaration based on the analysis prepared; and 2. Approve Ordinance 5217 to amend Section 130.40.130 (Communications Facilities) as proposed with incorporation of the additional changes recommended by the Commission on October 24, 2024, based on the Findings in Attachment F; and 3. Direct staff to return to the Commission in two years to evaluate the changes to the ordinance.