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To El Dorado County Board of Supervisors.  
RE: Verizon Swansboro Cell Tower appeal  
Hearing June 7, 2016

Let me make this very clear. I am not against cell towers and Swansboro needs a cell tower, this is not the place where it should go. The moral thing to do would be to see to it that these towers are at the very least 500 foot from residents homes, research says that the county officials can make that happen. That is not asking a lot when this area is so vast. I believe Verizon has the funds to do this and should not be able to leach of the roads and power other citizens have paid for.

So this is what I have been led to believe. This is what can happen to American Citizens in this "Government of the people, for the people and by the people" When our Government wants to put a cell tower in a community and the community does not want a tower in their community. The community is screwed.

If the county denies a Special Use permit to build a cell tower the Federal Government can and will sue the county. This is due to the 1996 Telecommunications Act signed by President Bill Clinton. The only way that local governments can deny a Special Use Permit to build a cell tower is for aesthetics. The cell tower companies cover their butts on this issue by attempting to make these cell towers look like something else. The cell tower companies get away with this even though what they are attempting to make these towers look like (pine trees, water towers, etc.) they still look fake. Local governments just stand in line and issue these permits due to fear of being sued by the Feds and/or being denied some perks in the form of monies for the communities from the Feds.

A responsible, hard working, law abiding citizen can buy a home in the country far away from the big city because they fear the RMF rays that these towers spew out.

Then along come the feds. And a cell tower company finding a willing landowner that is inconsiderate of other people and this inconsiderate person is offered a lot of money to lease a portion of their property for the purpose of building a cell tower.

This inconsiderate person has land right next door to the person that moved to the country because they are fearful That RMF rays spewing out 24/7.

The inconsiderate land owner and the cell tower company sign a lease.

The cell tower company applies to the county for a Special Use Permit. The County planners or what ever department is in charge of Special Use Permits hold hearings that cost a lot of taxpayer money.

The citizens that live around a proposed cell tower can write letters and speak at the hearings giving their reasons why they don't want a cell tower near their homes. blocking their view, fire hazard, causing them stress, noisy generators, fear that the RMF rays will cause them harm, tower falling over, exploding etc.

This is all for nothing as County Planners, County Boards, etc are so afraid the Feds. will sue them.

The counties then approve a Special Use Permit. This action can be appealed and it will most likely be the same scenario. The appeal the responsible hard working home owners that do not want a cell tower looming over their homes is denied.

Now the cell company comes in and plops a cell tower right in front of the hard working law abiding citizens home.

**DOES THIS SOUND LIKE THE TELECOMMUNICATIONS ACT OF 1996 IS DISCRIMINATING AGAINST HOME OWNERS AND FAVORING CELL TOWER COMPANIES?**

**IT SURE DOES TO ME AND IT PROBLABLY DOES TO EVERY HOME OWNER IN THE UNITED STATES THAT GOT SCREWED WHEN A CELL TOWER WAS PLOPED DOWN NEXT TO THEIR HOME.**

It is my understanding that out of the many hundreds of cell towers in EL Dorado County only 2 cell towers permits have been denied.

As I am sitting here writing this letter loud gunshots are being fired from the forest by people target practicing. I am in my home and the shots are very loud. It does no good to call the Sheriff as this is allowed to happen if it is in the day light hours. The Verizon agent, Mark Lobaugh admitted to the planning commission that pine needles on these mono-pines are flammable. How tempting do you think it would be for some idiot to use this mono-pine for target practice. And yes, The bullets could travel that far and start a fire. Just because this has not happened in El

Dorado county it certainly does not mean it can't happen. This proposed tower is less than 250 foot from my front door in an extremely high fire danger area.

I am mad as hell as to the run around regarding this cell tower. I have been told over and over again that the counties hands are tied as they will get sued by the FCC and Verizon if they deny a cell tower.

Please select the link below and study it.

<https://sites.google.com/site/nocelltowerinourneighborhood/home/reasonable-discrimination-allowed>

(A) GENERAL AUTHORITY – Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.<sup>1</sup>

If the Board comes back at me and says that there has to be an ordinance in order for local governments to regulate the location of a cell tower and El Dorado county does not have such and ordinance to keep cell towers a reasonable distance from all homes in El Dorado County then I feel that El Dorado County has failed to do their job protecting the hard working home owners of El Dorado County that worked so hard for their "American Dream".

The planning commission asked Verizon to do an alternative site analysis. The Planning Commission specifically mentioned the site in the forest. Pictures of this area were submitted to the Planning Commission. Verizon was never questioned by the Planning Commission about the site in the forest even though the Planning Commission suggested this as an alternate site analysis.

Verizon submitted an alternative site near the airport and then stated that they could not put a tall cell tower near an airport. WOW!

Why in the hell Verizon is asked to do an alternative site analysis (not once, but twice) if the County Planning Commission cannot mandate that Verizon use an alternate site? Is it just me or does it sound like something is screwed up here. This sounds to me like there is a lot of one sided stuff going on here.

In my case I have to drive for 1/2 hour to get to a gas station or a super market. My family has 4 homes on this hill and we moved this far out to get away from the pollution of the city. Then Verizon and an absentee landowner (without a recorded

deeded access to use the this road) with the help of El Dorado County can just come here and plop down a 10 story cell tower 250 foot from mine and my neighbors front door in a very rural area that is so vast in size that it could accommodate a cell tower else where without interfering with citizens lives. We are simply told that the ordinance (updated December 15, 2015) that says a cell tower must to be 500 foot from a residential zone does not apply to us.

So I ask the question. How would you like it if this happened to you

If this tower is built the value of my home will most likely be reduced by \$60,000 dollars. The other properties and homes on this hill will also loose property values and who would buy a home in a rural area like this with a 10 story cell tower looming 250 foot from the front door. Documentation as to real estate values was submitted to the planning commission. This does not matter. What if this happened to you?

Why was a biological study done? It was flawed. The study was done in the wrong section. The study said there are no Bald Eagles within 5 miles of the proposed tower site and no registered cultural sites within 1/2 mile of the site. we submitted to the Planning Commission that Bald Eagles fly over the area on a regular basis and there is a registered cultural site within 1/3 of a mile of this site (Indian Grinding rock with over 22 mortars). This did not matter. Why is this study required then ignored. Another waste of money.

We are told that it does not matter that Nick Rumsey Jr. an absentee land owner that is leasing a portion of land to Verizon does not have a recorded deeded easement to use this road. It does not matter, but at the planning commission hearing (either legal counsel or staff) said they believe that proof was submitted. I have not seen proof in any documentation involving this project that Mr. Rumsey has legal use of this road. Why did the legal/staff make that statement if county has nothing to do with easements? Mr. Rumsey may have legal use of the road for personal use as he used the road for a few years, but certainly not to give permission to Verizon to use the road to build a min-industrial-complex. If this board denies our appeal you will be enabling Verizon to break the law by trespassing. This is really crazy. The county does not deal in easements but they can issue a permit to Verizon to build a cell tower on property with no legal access to get to the property. This is beyond comprehension.

I had to seek Professional Mental Health care due to the stress and fear of this

proposed cell tower. I am taking 4 different medications so I can get through the day. This also does not matter. What the heck. Just another Senior Citizen going through hell and being terrorized. No problem. I guess it is easier for Verizon to screw up this old lady and her families lives than it is to do the moral thing and search for a site that would not interfere with us humans. "Old lives don't matter".

To sum this all up: I nor my family or neighbors want to live near this tower and have the fear of being burned alive should this tower start a fire. Just because a Fire Chief has no concerns about this tower it does not guarantee that this tower will not start a fire.

**DENYING OUR APPEAL SETS A TERRIBLE PRECEDENT FOR NEIGHBORHOODS AND THE URBANIZATION OF EL DORADO COUNTY.**

Which choice are you going to make?

Stand up to the Federal Government and Verizon.

Stand up for your constituents and urbanization of EL Dorado County or Help build Verizon's Empire.

Thank You  
Loretta Webb

PS. I just read the letter that Verizon's attorneys posted on the BOS site. This letter sounds to me like you the Board of Supervisors are being threatened by Verizon and perhaps the Federal Government. I am just a 77 year old lady so I really don't understand the legal mambo jumbo. To make it possible for everyone that reads this letter to make up their own mind I posted the site below. The letter is titled 11. public comment rcd. 5-17-16. WOOPS I just went back and looked again. The letter from Verizon Attorney is now :12 public comment. It looks to me like this changes so you might have to search for it.

<https://eldorado.legistar.com/LegislationDetail.aspx?ID=2738146&GUID=204FDE40-99D0-4CD6-8166-70AA8A9BDA08&Options=&Search=>

So after reading this it appears to me that I am screwed on this issue. My next best bet is to take my 401 k retirement out and pay the high taxes on it so I can pay an attorney and court costs to sue the land owner as he does not have a recorded deeded easement to use this road. This could cost me up to \$50,000 dollars. I have no idea what it could cost the land owner. With a cell tower in view my property values will drop by about \$60,000 dollars, so HEY I will be \$10,000

dollars ahead. Now I will not have enough funds to get thru the month so I can go on Government Assistance. My medical will be cheaper, my co-payments will be a lot less. Then there are food stamps, free cell phone and minuets. Our government at work.

I could also sit in the middle of the road when all the construction equipment tries to come up the road as they are trespassing what the heck, my life as I know it is screwed no matter how you look at this situation. Anyone want to join me?

cc: Sue Taylor

Various media

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Various Verizon