

James Feenan - Fwd: public comment U_2019-0011 (Nixon) request to cancel/postpone public hearing

From: Mark Cliser
To: James Feenan
Date: 4/3/2020 3:40 PM
Subject: Fwd: public comment U_2019-0011 (Nixon) request to cancel/postpone public hearing
Cc: Julia Acker
Attachments: To Planning & Building Services staff, Planning Commissioners and Board of Supervisors 3.docx

Hi Jim

Please post online for U_2019-0011 (see attached).

Thank You,

Mark Cliser
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Mendocino County
APR 03 2020
Planning & Building Services

>>> Annemarie <aweibel@mcn.org> 4/3/2020 3:34 PM >>>

Dear Planning & Building Services staff, Planning Commissioners and Supervisors,

The enclosed letter highlights our request to cancel/postpone the planned public hearing for April 16 or April 22 (see page 1 & 3 of staff report) about the wireless communication facility U_2019-0011 (Nixon) until you either provide a forum where the public can interact in some form in real time via teleconferencing and to make the public hearing accessible telephonically or electronically to all members of the public or postpone until the Shelter-In-Place Order gets lifted.

We welcome your response to this request. Thank you for considering this matter.

Please post this letter on your web page.

Sincerely, Annemarie Weibel
member Stop 5G Mendocino

Dear Planning & Building Services staff, Planning Commissioners and Board of Supervisors,

My name is Annemarie Weibel. I am a member of Stop 5G Mendocino. I am writing to you on behalf of our group. Thank you for all your hard work and rising to the occasion which has yielded increased stress in a time of unorthodoxy. As we question the logistics of relaxing the Brown Act and Baglay-Keene Act that were created to protect open meetings/hearings and citizen rights, we hope that on the local level the State Executive Order N-29-20 will not be taken advantage of in nefarious ways.

We are requesting that you cancel/postpone the Planning Commission's public hearing U-2019-0011 (Nixon) indicating a Mayor Use Permit and a Negative Declaration scheduled for April 16 or April 22. See pages 1 & 3 <https://www.mendocinocounty.org/home/showdocument?id=33339>

Your staff report indicates that: "This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>."

The reasons we are requesting you to cancel/postpone this public hearing are the following:

We realize that the state set in place Executive Order N-29-20 and N-25-20. We realize that the Executive Order N-25-20 was withdrawn and superseded, but take offense with the fact that the Brown Act, the Baglay-Keene Act and ADA requirements are not adhered to as reasonably possible if the public can only write e-mails ahead of time and listen to the meeting online.

Based on Executive Order N-29-20 all bodies are urged to make reasonable efforts to adhere to as close as reasonably possible to the provisions of the Brown Act, the Baglay-Keene Act & consistent with ADA in order to provide transparency and public access in addition to authorizing public meetings via teleconferencing and to make public meetings accessible telephonically or electronically to all members of the public. The public has the right according to the State to observe and offer public comments "at the public meeting" provided for by the Brown Act, the Baglay-Keene Act & consistent with ADA. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf>

Many governmental organizations are currently working to develop the structure and procedures for a remote or "virtual" meeting in order to assure the health and safety of the public, commissioners and staff. These organizations also need to provide an opportunity for the public to interact in some form in real time with everyone especially since this is not just a "meeting", but a "public hearing". The Executive Order N-29-20 only refers to meetings, not public hearings.

The public, Planning Commissioners and staff, as well as AT&T & Epic Wireless representatives need to be able to speak in real time to everyone involved and need to be heard by everyone involved in real time. If the public can only write e-mails ahead of the public hearing and listen to the public hearing online, but is not able to speak and be heard by our representatives via teleconference and, telephonically or electronically in real time this hearing needs to be canceled or postponed until the technology is provided that allows that accommodation.

In addition we want to bring to your attention that the Willits Weekly from March 19 informed its citizens "that the Board of Supervisors will continue to meet, but are moving contentious or high-interest issues off their agenda for the time being. In addition, some 'high interest' meetings not specifically connected to the board of supervisors have been canceled. The planning commission's public hearing on the proposed cell tower on Pine Mountain, which was scheduled for Thursday March 19, has been canceled."

Also, the Mendocino County Supervisors at their last meeting (3-31) voiced their intent that each Board member should only propose essential items. Earlier Board chair John Haschack proposed a policy to formally suspend consideration of non-essential items.

Consistent with this approach by the Supervisors we believe it would be inappropriate while the majority of locals are abiding with the Shelter-In-Place Order so called "essential workers" would be installing wireless communication facilities. They are currently installing poles on Navarro Ridge Road in Albion in preparation of that tower, as well as in other places.

We further take offense while we are abiding with the Shelter-In-Place Order that a handful of giant corporations have been doing their best to fast-track the implementation of 5G internet across the US and around the world. 5G wireless internet has never been tested here in the US for its human health or environmental impacts, yet the FCC has already given it an enthusiastic Thumbs Up. Sadly but not surprisingly, this is normal behavior for our nation's regulatory agencies which exist not to protect the public's health (as is claimed) but to protect corporate activities from effective public oversight. 1G, 2G, 3G, 4G-LTE, Wi-Fi and Bluetooth radiation including cordless phones, cell phones, and smart meters are a problem. The millimeter technology with the military patent of 5G is a huge problem. It's only necessary for autonomous cars and trucks, virtual reality gaming, faster downloads of movies, 5 G drones, "Smart City", Internet of Things, Artificial Intelligence, Facial Recognition, and most importantly trillions of dollars in business opportunities for the telecom industry. The wall to wall 24/7 corporate and government surveillance endangers our health, safety, privacy, security and freedom.

<https://theaiorganization.com/google-facebook-neuralink-sued-for-weaponized-ai-tech-transfer-complicity-to-genocide-in-china-and-endangering-humanity-with-misuse-of-ai/?fbclid=IwAR2eyWc0ISc09tqzlvZa7YJ-05tG2q8FN5ZS1xwsAfnPqMk19jyxmpZO0hk>

Please cancel/postpone the planned public hearing until you either provide a forum where the public can interact in some form in real time with everyone via teleconferencing and to make the public hearing accessible telephonically or electronically to all members of the public or postpone until the Shelter-In-Place Order gets lifted. As you might know if you read the public comments on the county's web page this hearing involves "contentious or high-interest issues". A petition has been signed by over 130 neighbors at Pine Mountain and Willits citizens pointing out the flawed, inadequate Major Use Permit and Negative Declaration for this wireless communication facility without properly addressing the severe cumulative impact of it.

We welcome your response to this request. Thank you for considering this matter.

Sincerely, Annemarie Weibel
member Stop 5G Mendocino
<aweibel@mcn.org>
4-2-2020