

Sierra Club California Resolution

Adopted by the Sierra Club California Conservation Committee, February 9, 2019

Sierra Club Resolution

Title: Request to National Sierra Club to take an oppose position to the deployment of 5G and small cell technology without local input and environmental review

Resolution:

The Sierra Club California Conservation Committee urges the National Conservation Policy Committee to adopt an oppose position to the FCC's recent promulgation of a rule that waives environmental review, and limits local control, of the deployment of 5G wireless technology and small cell box installations.

Contact: Jannet Benz, Southern Alameda County Group, Sierra Club,
jannetbenz@yahoo.com

Background Information: The federal government is fast-tracking a rollout of 5G infrastructure. The FCC ruling on September 26, 2018 limits local authorities' discretion over the placement of 5G equipment in public right-of-ways in front of homes. (1) The FCC ruling will result in cell tower installation without local community members' knowledge or consent, and overrides local control by municipalities throughout America while waiving environmental review on the environmental impacts of this new technology. Additional federal streamlining legislation such as (S.3157) would block the rights of local governments and their citizens to regulate and environmentally review deployment of this new technology over which the FCC waived environmental review. Currently, cell antennas may be installed on public utility poles every (2-10) houses in urban areas. According to the industry, as many as 50,000 new cell sites will be required in California alone.

Mill Valley, San Anselmo, Ross, Petaluma, Hillsborough, Monterey, Palm Beach (Florida) and other cities have adopted ordinances opposing 5G. (2)

National Policy: Relevant national policies

This proposed resolution would be consistent with the Club's precautionary principle at <https://www.sierraclub.org/policy/precautionary-principle>, our Environmental Justice Policy at <https://www.sierraclub.org/policy/environmental-justice> supporting the right to a clean and healthful environment for all people, and our Pollution Policies on Environmentally Hazardous Substances at <https://www.sierraclub.org/policy/pollution-waste-management/environmentally-hazardous-substances>.

Arguments For: What are the debating points in favor of the resolution?

1. Concern is being raised as to the deployment of radiofrequency radiation (RF) without adequate environmental review or the ability of local jurisdictions to determine their appropriate locations. Because this is the first generation of people to have exposure to this level of microwave (RF EMR) radiofrequencies, it could be decades before health and environmental consequences are known. This lack of knowledge is aggravated due to the FCC's waiver of environmental review which would identify what risks if any may be present. Due to the lack of adequate environmental review, precaution in the roll out of this new 5G technology is urged.
2. This technology was brought to market with no safety testing, and a safe level of microwave radiation has never been identified. The telecommunications industry produces its own scientific studies; however, given the industry's interests, these studies without independent review and testing are problematic.
3. Sound regulatory policy regarding current and future telecommunications initiatives will require assessment of risks to human health, environmental health, public safety, privacy, security and social and environmental consequences. The FCC safety guidelines are 30 years old and presently do NOT take into account continuous exposures to low levels of microwave and millimeter wave exposure 24 hours a day, 7 days a week.
4. The Club supports local control that the present policy supporting 5G technology takes away from communities.

Arguments Against:

1. The popularity and widespread use of, and increasing dependency on, wireless technologies has spawned a telecommunications industrial revolution. On the horizon, a new generation of even shorter high frequency 5G wavelengths is being proposed to power the Internet of Things (IoT). The IoT promises us convenient and easy lifestyles with a massive 5G interconnected telecommunications network. We also understand that 5G may be anticipated for the deployment of "driverless cars."
2. 5G exposures are within FCC current (1996) safety guidelines.
3. Controversy continues with regards to harm from current 2G, 3G and 4G wireless technologies.
4. The technology is perceived as popularly ambitious among the telecommunications sectors.

Who has approved this resolution: The San Francisco Bay Chapter approved this resolution unanimously and has forwarded it to the Calconscom.

Strategies and Action Plans:

The adoption by the National Conservation Policy Committee and the National Board of an oppose position to the waiving of environmental review and local input on the deployment of 5G technology would allow Sierra Club members to take part in efforts to get the FCC to undertake necessary environmental review on the potential hazards of 5G deployment, and to support local authorities in their efforts to develop regulatory, legislative, and other local controls. Chapters can use as examples the ordinances already established by several cities to forward this as an urgent ordinance and encourage local governments to exercise their discretion in reviewing small cell installation.

Urgency: The increase in cell tower installation as part of the 5G rollout is unprecedented and became effective regardless of the recent federal government shutdown. The 5G deployment was already launched for parts of Sacramento and Los Angeles on October 1, 2018, with other California cities to follow. Due to the 1996 Telecommunications Act, a cell tower can't be removed even for health or environmental reasons once it has been installed, so once infrastructure is put in, it will increase the difficulty of and may undermine communities' abilities to protect the public's health and safety.

References

- (1) On September 26, 2018, the FCC voted on a proposed rule that will hasten nationwide implementation of 5G cellular infrastructure. <https://www.fcc.gov/document/fcc-adopts-rules-facilitate-next-generation-wireless-technologies> FCC Commissioner Rosenworcel argued that the new ruling exceeds the authority provided to the FCC in the 1996 Telecom Act.
- (2) Mill Valley, San Anselmo, Ross, Petaluma, Hillsborough, Monterey, and other cities have adopted ordinances. 5G opposition is also under discussion in Fairfax, San Rafael, unincorporated Marin, Napa, Sonoma, Sebastopol, Elk Grove, San Mateo, Huntington NY, and many other cities nationwide. Palm Beach, Florida is also exempt from state legislation that would limit local control of installations of small cells in public property, public right of ways. <https://ehtrust.org/usa-city-ordinances-to-limit-and-control-wireless-facilities-small-cells-in-rights-of-ways/>