



Virginians for Safe Technology

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Paul S. McCulla
County Administration
10 Hotel Street, Ste. 204
Warrenton, VA 20186

September 1, 2022

Dear Mr. McCulla,

Thank you for providing some of the FOIA information. I was also able to obtain and review the applications for this proposed tower at the Central Sports Complex at 5405 Rogers Drive, as well as the tower at 4202 Ringwood Road in Nokesville on the Fairfax Wildlife Club (FWC) property.

I subsequently discovered that you're actually the exact person I need to speak with, since you are the individual who solely approved the Central Sports Complex tower on December 22, 2021 and the FWC tower on December 17, 2021 via Section 20-7 of the Fauquier County Coronavirus Emergency Ordinance.

It was disappointing to learn that the due diligence necessary to address all of the public safety hazards in regards to these towers was overlooked when this took place.

The timing of the invocation of Section 20-7 of the Fauquier County Coronavirus Emergency Ordinance (EO) was also hard to ignore, considering the Coronavirus EO expired December 31, 2021 and you signed a waiver for these towers just days before its expiration.

This gives the appearance that these executive powers were invoked by you for the sole purpose of avoiding the proper permit approval and public hearing processes that might result in unwanted public scrutiny.

Perhaps this is because the public wouldn't have agreed to putting a monstrous 197' industrial sized tower in a sports complex where mostly youth - who are the most vulnerable population to microwave radiation exposures - are using it; nor would they agree to place the FWC tower within 700' of their homes where they will be hazardedly radiated day and night without any reprieve, possibly forcing them to move.

This letter will be mostly addressing the Central Sports Complex tower. It is in the public's best interest that the Board of Supervisors remedy all of the concerns raised in this letter in a timely manner by requesting a new waiver application to deviate from the current proposed location, and potentially do the same at the FWC tower site.

This includes:

- Following the formal approval process and due diligence needed for a new waiver application
- Sending public notice to adjacent property owners
- Improve visual aesthetics by lowering the tower height and decreasing the number of pole rings, possibly downgrading to a Tier 4 concealed monopole tower placed behind any possible tree lines
- Confirming the most accurate broadband DATA maps were used to justify a Tier 5 Targeted (underserved) area rating and a waiver application
- Invoking risk mitigation precautions for the regulatory placement of towers to increase setbacks
- Completing a NEPA review at the state and local levels
- Invoking the Fauquier's Bee City USA resolution and establishing corresponding tower ordinances that are necessary to protect the pollinators
- Requiring a financial guarantee or surety bond to demonstrate adequate financial coverage in the state of Virginia for any potential RFR injury claims

Public notice should be sent to all adjacent property owners of your intent to place a tower in the Central Sports Complex to provide community engagement in this project. This tower is going to be an eyesore and an aesthetic interruption to the beautiful landscape of the park. It can be offset further away, possibly behind a tree line, and at a lower height, such as 130'. This monopole number of rings can also be decreased, instead of approving an industrial sized five-ring tower so it's not as visible to the public.

Although we may all be adversely impacted by microwave radiation way below the FCC Radio Frequency Radiation (RFR) Safety Limits, our children are disproportionately affected and suffer greater behavioral, emotional, and health impacts from RFR. Once informed of foreseeable risk of harm to the public and specifically children, it is your duty under oath of office as a public servant to protect residents and take the necessary precautions to prevent this foreseeable harm.

Since you've copied the Superintendent of Fauquier County Public Schools (FCPS), Dr. Jeck, in our correspondence, it should be noted that I will be addressing reducing the risk of harm to school children from cell phone towers on school property, which is his fiduciary duty under locus parentis.

As you may know, there was an August 13, 2021 court case decision in the Environmental Health Trust, et al. v. FCC & USA, No. 20-1025 in which the DC Court of Appeals deemed the FCC radiation safety guidelines "arbitrary and capricious."

"The Court found that the FCC did not provide evidence of properly examining evidence such as":

- impacts of long-term wireless exposure
- impacts to children
- the testimony of persons injured by wireless radiation
- impacts to the developing brain
- impacts to the reproductive system
- impacts to wildlife and the environment.

Please see the nearly 11,000 pages of evidence of biological harm occurring at exposures well below the FCC Radio frequency Radiation safety limits, that is incorporated herein by reference, proving the current FCC guidelines are not protective enough for the public - especially our children - to be safe.

Links to Joint Appendix 27 volumes:

[Volume 1](#); [Volume 2](#); [Volume 3](#); [Volume 4](#)
[Volume 5](#); [Volume 6](#); [Volume 7](#); [Volume 8](#)
[Volume 9](#); [Volume 10](#); [Volume 11](#); [Volume 12](#)
[Volume 13](#); [Volume 14](#); [Volume 15](#); [Volume 16](#)
[Volume 17](#); [Volume 18](#); [Volume 19](#); [Volume 20](#)
[Volume 21](#); [Volume 22](#); [Volume 23](#); [Volume 24](#)
[Volume 25](#); [Volume 26](#); [Volume 27](#)

I will be submitting these 27 volumes, 11,000 pages, of evidence and the other supporting citation information in this letter that is stated as "incorporated herein by reference" into the public county record via zip drive. Everything underlined in this letter is a hyperlink to additional supporting information.

Until the FCC responds to this decision, its RFR safety limits are currently meaningless and unsafe. The FCC is a captured agency and its policies are out of date, which means other agencies and public officials must step up to mitigate the risk.

This places the responsibility to operate under the precautionary principle to protect the community squarely on the shoulders of local administrators like you and our Board of Supervisors. The precautionary principle is defined as: "Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."

Microwave radiation coming off of these towers will create symptoms in the public such as DNA damage, headaches, tachycardia, body noses, ear bleeds, skin rashes, nausea, tinnitus, vertigo, inability to concentrate, depression, anxiety, insomnia, ADHD, cancer, brain tumors, cardiac arrest, diabetes, neurological/cognitive issues, reproductive issues, and more. See the complete BioInitiative Report assessing scientific evidence on health impacts from electromagnetic radiation below current public exposure limits incorporated herein by reference. RFR is classified as a Group 2B possible carcinogen by the World Health Organization in the same category of toxins as lead, and should be viewed as a health hazard that needs to be mitigated to safer levels when possible to do so.

Localities will say the FCC “ties their hands” when it comes to regulating the placement of these towers, and that they are unable to address health effects. Virginians for Safe Technology disagrees, but regardless, this is not an excuse to ignore the massive body of evidence showing harm. Please see this [video of Andrew Campanelli](#), a lawyer who specializes in telecommunication ordinances for counties and cities, explaining to the Chesterfield County Board of Supervisors why their hands are not tied. The Chesterfield Board is now considering hiring Mr. Campanelli to write protective ordinances, and hiring someone to test the RFR coming off these towers, as many other communities around the country have. As I wrote to Supervisor Gerhardt on August 1, 2022 via email, I’m hoping that is something we can consider for our beloved Fauquier County as well.

The community needs to be protected from the hazardous and possibly carcinogenic emissions of pulsed RFR they will be exposed to at this site without a larger tower setback. As public officials, your duty is to ensure the safety of the public by requiring adequate setback of these towers away from where the public - especially children - are living, working, and playing within Fauquier County.

The November 2020 Final Report of the New Hampshire Commission to Study the Environmental and Health Effects of Evolving 5G Technology [findings and recommendations regarding these towers](#), also incorporated herein by reference, includes a recommended setback of at least 500 meters.

Additionally, invoking County executive powers for permit approval on towers at the local level does not relieve you or the Board of Supervisors, from ensuring the applicant completes the Environmental Protection Agency’s (EPA) National Environmental Policy Act (NEPA) review and is EPA compliant. Since no relief to skip this process was granted in the EO waiver approval you signed, this is an incomplete Central Sports Complex application as it now stands and should never have been pushed through.

Something that is currently neglected in any level of environmental review is the fact that these towers are [decimating the bee population](#) and are a profound threat to wildlife - specifically birds and bats. Bees can be less productive in making honey and become disoriented in their [ability to navigate](#), respond to wireless signals by [swarming and taking-off](#), or result in die-off as a consequence of [wireless transmissions](#) being too close to their hives.

Approving wireless telecommunications facilities (WTFs) without considering their impacts on the pollinators, and omitting the toxic pollutant wireless radiation from the ‘Fauquier County policy in the 2021 Fauquier County Parks, Recreation, & Open Space Master Plan of Fauquier County’s Comprehensive Plan to acknowledge and commit to the BEE CITY® USA designation’ is in direct opposition to the [resolution that was unanimously passed](#) by the Board of Supervisors in February 2022 declaring Fauquier an official “[Bee City USA](#)”.

As part of this resolution, it clearly states, “The approved 2021 Parks, Recreation & Open Space Master Plan has within the document to “convert unused lawn areas to managed meadows, and convert underused areas in parks into environmental improvements.” Later in the document the County further resolves “That the We Need Bees Committee is authorized to facilitate Fauquier County’s BEE CITY® USA program as follows...Develop and implement a program to create or expand pollinator-friendly habitat on public and private land...” Irresponsible placement of WTFs can undermine the County’s commitment to protect the landscape and habitat for the pollinators and can lead, directly or indirectly, to an inevitable bee colony collapse and overnight vanishing of beehives in close proximity to new towers.

If you’d like to see a real time example of what these towers are doing to bees, watch this [three minute video](#) of what happened only a month after a Verizon tower was turned on near a bee colony that was in direct line of sight to the tower. The beekeeper’s entire colony collapsed and it killed all of his bees. Fauquier County needs to consider WTF placement locations in their Master Plan policy and practices because no amount of planting wildflowers or pesticide-use awareness is going to help if there is a tower within a certain distance of beehive colonies.

In alignment with the resolution, I’d like to offer to you, the Board of Supervisors, and the Bee City Oversight Committee, an educational presentation hosted by [Virginians for Safe Technology](#) via Zoom addressing the contents of this letter, including the environmental effects of wireless transmissions on bee colonies, and the factors that must be considered in order to avoid the bee colony collapse disorder threatening their survival. I am a co-founder and the Communications Director of this consumer advocacy organization whose purpose is to protect current and future generations of Virginians by having access to safe technology

Based on the losses of this beekeeper and the injuries others around the nation are experiencing, yet another issue that needs consideration when approving WTFs is the fact that insurance Companies rate RF electromagnetic field exposures as “[high risk](#)” and exclude coverage of any harm or property loss from RFR as an [industry standard in general liability insurance policies](#). The biggest insurance companies in the world, such as [Lloyds of London](#) and Swiss Re, refuse to insure any of these cellular facilities for RFR injury or harm. A [report in 2019](#) by Swiss Re stated, “To allow for a functional network coverage and increased capacity overall, more antennas will be needed, including acceptance of higher levels of electromagnetic radiation. In some jurisdictions, the rise of threshold values will require legal adaptation. Existing concerns regarding potential negative health effects from electromagnetic fields (EMF) are only likely to increase. An uptick in liability claims could be a potential long-term consequence.”

Considering the Virginia Resource Authority owns the land where the Central Sports Complex WTF is proposed to be built, but the tower was approved by Fauquier County, who is liable should people suffer RFR injuries, harm or property losses? Spire Towers and/or the telecom providers should be required within their lease agreements to post a financial surety bond to demonstrate they have adequate financial coverage against claims due to RFR harm or property damage. The telecom(s)/leasee(s) must be verified as being self insured since there is a high impact and high risk of an event occurring. The bond would be the only thing protecting potential victims who may need to file an RFR injury, property loss, or wrongful death claim.

I've also closely read the Justification for this tower and couldn't find a proper justification for its placement in this sports complex, versus an area that is more setback from where the community will be present. What could be so important about getting broadband in a sports complex that you'd be willing to put the community at risk?

Since there is already broadband coverage in both the Sports Complex and the FWC site areas, I would like to know what data maps you used to validate these are targeted (underserved) areas that are eligible to be designated as Tier 5 in order to approve these waivers by executive ordinance? I'd also like to know if speeds are being intentionally throttled to justify new towers. Note: These applications don't reference any gap in coverage for personal wireless telecommunications services, therefore these applications are strictly a broadband facility and there is already coverage there.

This is a formal request to verify the accuracy of the broadband coverage data map used in the Statement of Justification in this application to see if it is the most recent map available in accordance with the [Broadband Deployment Accuracy and Technological Availability Act of 2020](#).

In summary, this letter provides the public scrutiny you deemed unimportant with respect to public safety and contains specific requests, as shown on page one of this letter, regarding only the Central Sports Complex application. However, some of these requests do apply to the FWC tower and I ask that you take them into consideration as well.

There are important reasons these towers require public notice of a hearing, public scrutiny, and an approval process are necessary where public safety is at stake; as a decision-maker in our community, it's your job to ensure these processes are respected.

I know you've announced your retirement, and it would truly be a shame for the negative environmental and aesthetic impacts and carcinogenic effects of these towers to be your legacy to current and future residents of Fauquier County after thirty plus years of public service.

I will be following up on this matter and look forward to your response.

Sincerely,

Jenny DeMarco
Fauquier County Resident
Co-Founder & Communications Director
Virginians for Safe Technology
www.VirginiansforSafeTech.org