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**From:** Marla Tofle <findanything@gmail.com>  
**Sent:** Monday, July 12, 2021 4:34 PM  
**To:** PublicComment  
**Subject:** Public Comment for Item 7C Please post online

[External Email - Use Caution]

Dear Board of Supervisors:

Please amend the encroachment permit ordinance before you today, and regulate small cell (4g/5g) antennas.

I urge you to require companies to submit a use permit (instead of an encroachment permit) when requesting to install small cell antennas on telephone and light poles in the public right-of-way.

As you know, requiring a use permit triggers a public hearing before our county's Planning Commission and provides transparency to the public. This is an important step because it would give an opportunity for community members--residents that live close to the proposed antenna installation, and concerned residents alike--to raise issues and provide oversight, and help ensure that state and federal laws are being followed before installation. This is really important because it's extremely difficult to get these antennas removed after they've been installed.

Please change the encroachment permit ordinance so it prohibits telecommunications companies from installing small cell antennas with an encroachment permit. Require them to obtain a use permit instead.

Thank you.

Marla Tofle  
City of Napa resident  
444 Montgomery Street

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**From:** Joan Foresman <joankay.foresman@gmail.com>  
**Sent:** Monday, July 12, 2021 5:11 PM  
**To:** PublicComment  
**Subject:** Public Comment for Item 7C. Please post online

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Our family is asking you, as our paid representatives, to literally represent us as your first priority. Meaning you need to place new regulation of small cell antennas in the County's telecommunications ordinance AND to require a use permit instead of an encroachment permit.

Residents affected by the proposed antennas should 'absolutely' have an opportunity to have their concerns expressed in a public setting AND citizens should also have the opportunity to raise any legal issues before installation.

It would be unjustifiable for you to place the wireless providers desires, before us the citizens. Thank you,

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**From:** juliane1@sbcglobal.net  
**Sent:** Monday, July 12, 2021 6:47 PM  
**To:** PublicComment  
**Subject:** Public Comment for Item 7C. Please post online

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July 12, 2021

To: Napa County Board of Supervisors

From: Juliane Poirier

Re: Public Comment for Item 7C

Dear Members of the Board of Supervisors:

I request an added regulation in the Napa County telecommunication ordinance, requiring a use permit for installation of small cell antennas. I ask this on behalf of myself and all of my neighbors.

As a resident and homeowner, I seek the right for myself and all my Napa neighbors to be allowed to voice concerns about cell tower placements and to pursue legal issues before these towers are constructed.

Please be guided by the responsible actions taken by other Northern Bay Area communities. Thank you.

Sincerely,

Juliane Poirier  
1507 King Avenue  
Napa, CA 94559

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**From:** Val Wolf <valjwolf@yahoo.com>  
**Sent:** Monday, July 12, 2021 6:51 PM  
**To:** PublicComment  
**Subject:** Public comment

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Public comment on Item 7C for the July 13th Napa Board of Supervisors Meeting.

Good morning, Napa County Board of Supervisors:

We are commenting this morning, asking you to do as every other local government we are aware of has done: place new regulation of “small” cell antennas in the public right-of-way in the County’s telecommunications ordinance, not in the encroachment permit ordinance. “Small” cell antennas are telecommunications facilities. That, alone, is reason to place this new regulation in the County’s telecommunications ordinance.

In addition, we ask that you follow neighboring cities, such as Sonoma, Petaluma, Mill Valley, and most recently San Anselmo, in requiring a conditional use permit, which requires a public hearing before and approval by the Planning Commission, for all new wireless facilities and not merely an encroachment permit issued by the county roads commissioner. This is another reason this new regulation should not be added to the encroachment permit ordinance and should be in the telecommunications ordinance.

A public hearing before the Planning Commission provides transparency and an opportunity for citizens, both residents close to the proposed antennas and the general public, to raise issues and provide oversight to ensure that all local, state, and federal laws are being followed BEFORE 4G/5G-ready cell antennas are installed. This is extremely important as it is very difficult to get them removed once constructed. Requiring a public hearing will help protect the public right-of-way and ensure the best outcome for the entire community.

For example, had there been a public hearing on the seven 4G/5G-ready Verizon small cell antennas that were placed on telephone poles in the right-of-way along Silverado Trail prior to installation, we would have had the opportunity to point out the folly of the County having no master license agreement with Verizon. Such an agreement could have included an indemnity clause for the County and required insurance for each installation as well as proof of compliance with the National Environmental Policy Act by or on behalf of the FCC, which was and is legally required. In addition, a public hearing would have meant that residents living directly next to and across from some of the installed antennas would have been provided notice, which they were not, and would have had an opportunity to protest the close proximity of the cell antennas to where they are living and sleeping. Residents deserved that then and deserve that going forward.

Again, please direct staff to place new regulation of small cell antennas in the County's telecommunications ordinance AND to require a use permit instead of an encroachment permit for new wireless installations in the public right-of way.

Valerie Wolf, Napa Neighborhood for Association for Safe Technology

Sent from my iPad

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**From:** Lori Stelling <lori.stelling@me.com>  
**Sent:** Monday, July 12, 2021 7:25 PM  
**To:** Wagenknecht, Brad; Gregory, Ryan; Dillon, Diane; Pedroza, Alfredo; Ramos, Belia;  
PublicComment  
**Subject:** COMMENT ON ITEM 7C : ENCROACHMENT PERMIT ORDINANCE

[External Email - Use Caution]

Dear Napa County Board of Supervisors,

As a property owner, a parent, and one who manages a health condition, I'm writing tonight to urge you to amend the current Encroachment Permit Ordinance and require a use permit for installation of 4G/5G small cell towers, following the lead of Sonoma, Petaluma, Mill Valley, and San Anselmo. Ensuring that a public hearing takes place before the Planning Commission prior to the approval of 4G/5G small cell tower placement is the transparency and local control that is called for in order to protect property values and the health of the most vulnerable within our community.

My family highly values our right to choose to have our home "wired" instead of "wireless" and to opt out of use of our PG+E Smart Meter, decreasing our EMF exposure. Placement of small cell towers near our home, without public hearing, does not allow us the choice to "opt out" nor the chance to voice our concerns PRIOR to placement of a small cell tower near our property. Napa County Residents deserve to have transparent local control over small cell tower placement, including the right to a public hearing prior to placement of small cell antennas near residential areas.

I strongly urge you to require a use permit instead of an encroachment permit for 4G/5G small cell placement as well as to place new regulation of small cell antennas in the County's Telecommunications Ordinance. All residents of Napa County affected by proposed antennas should have the right to have their concerns expressed in a public hearing.

Thank you for receiving my comment on this important issue which can, and will, impact property values and the health of the most vulnerable.

Sincerely,  
Lori Stelling  
20+ year Napa Resident

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**From:** Napa County Progressive Alliance <napacountyprogressivealliance@gmail.com>  
**Sent:** Monday, July 12, 2021 7:29 PM  
**To:** PublicComment; ClerkoftheBoard  
**Cc:** Pedroza, Alfredo; Ramos, Belia; Gregory, Ryan; Wagenknecht, Brad; Dillon, Diane  
**Subject:** Public comment on Item 7C-- July 13th Board meeting-- Please post online

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Hello, Napa County Supervisors:

We are glad to see the County tightening up its rules regarding encroachment permits and beginning to address the issue of small cell facilities in the public right-of way as over the past year the county public right-of-way has become the Wild West with a rollout of seven Verizon small cell antennas on Silverado Trail last summer, some directly next to homes, without any written notice to nearby residents, a public hearing, or a master license agreement, and more recently a sixty foot monopole erected this past April as a speculative cell tower over the objections of nearby residents, also without a public hearing and without a contract.

The County does need to address this new trend of wireless carriers requesting to install small cell facilities in the public right-of-way. However, we object to adding it to the County's ordinance on encroachment permits. Instead, the County should add a section on small cell facilities to its telecommunications ordinance ([Chapter 18.119](#)). After all, these are telecommunications facilities.

In addition, instead of approving small cell antennas in the right-of-way through an encroachment permit, the County should follow our neighbors-- Sonoma, Petaluma, Mill Valley, and most recently San Anselmo-- and require a conditional use permit and a public hearing before the Planning Commission. Never again, should someone wake up to a small cell facility (or a speculative cell tower) directly next to their home or business without having received mailed notice and without the opportunity to have a transparent, public process by allowing them to raise their issues and concerns in a public hearing with a body of individuals weighing in on the matter and citizen oversight to ensure all laws are being followed and to get the best outcome for our community.

Finally, as mentioned prior, there are many deficiencies with the County's draft regulation on small cell facilities. For example, the County should again look to these same neighbors by putting in place a hard setback for small cell facilities of at least 500 feet from homes and schools, as well as many other protective measures that their telecommunications ordinances include and that this draft version does not.

About a month ago, we sent staff and the Board a copy of [San Anselmo's wireless telecommunications ordinance](#) as a model ordinance written by an attorney who specializes in telecommunications law, Tripp May, that was just adopted this past April. It is protective while being in compliance with current telecommunications law and recent court rulings. It is an example of the types of provisions Napa County's telecom ordinance can and should have to exercise maximum local control and protect public interests. It is unfortunate that the Board did not direct staff to add regulation of small cell antennas to its telecom ordinance and did not direct staff to incorporate any of these protective measures, but it is not too late to do so.

We once again ask the Board to direct staff to take regulation of small cell antennas out of the ordinance on encroachments and instead add it to the telecommunications ordinance, and require a conditional use permit as well as a hard setback of at least 500 feet for small cell antennas (and 1,640 feet for macro towers) from homes and schools.

Thank you,  
Devra Dallman  
Napa County Progressive Alliance, Treasurer

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**From:** CAROL NAGLE <carolnagle@sbcglobal.net>  
**Sent:** Monday, July 12, 2021 8:37 PM  
**To:** PublicComment  
**Subject:** Public Comment for Item 7C. Please post online

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Dear BOS,

I'm writing to ask you to please place new regulation of small cell antennas in the County's telecommunications ordinance AND to require a use permit instead of an encroachment permit.

Unless changed, wireless providers would only need an encroachment permit issued by the county roads commissioner to install new 4G/5G-ready "small" cell antennas on telephone and light poles in the public right-of-way, rather than a use permit, which involves a public hearing before the Planning Commission.

The citizens of Napa deserve transparency and an opportunity to raise issues and provide oversight to ensure that all local, state, and federal laws are being followed BEFORE the cell antennas are installed, especially for citizens who live or work near to the proposed sites. This is extremely important as it is difficult to get them removed once constructed. Considerable research has already shown harm to human health, as well as to pollinators from this type of radiation. Neighboring cities, such as Sonoma, Petaluma, Mill Valley, and San Anselmo have already demonstrated more oversight and precaution in this matter. Our residents deserve the same right to transparency, to have a public voice about their concerns, and to be heard.

Thank you,

Dr. Carol Nagle  
3116 Vichy Ave.  
Napa, CA 94558

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**From:** Suzie Reynolds <rfwnapa@yahoo.com>  
**Sent:** Monday, July 12, 2021 8:39 PM  
**To:** PublicComment  
**Subject:** G5 Cell Towers

[External Email - Use Caution]

Dear County Board Members,

We are concerned with the lack of transparency and regulation of the current and future installation of cell antennas in the County's telecommunications ordinance. We were surprised by the close proximity of the new pole that went in next door to our property with no written notification nor warning to us. Furthermore, with the recent multiple car accidents near the current site (three in less than a year) and the large Winery that was approved on top of Soda Canyon Store, we feel this pole is in an extremely dangerous location. We are asking the Board to require a use permit instead of an encroachment permit as we were required to do to in order to build our Winery. We are also asking the pole be moved to a different site that is not close to homes nor business's. We feel the builders and County should have to abide and play by the same rules and regulations we had to incur. Thank you,

Steve and Suzie Reynolds