

Boynton Beach City Commission
City of Boynton Beach
100 East Ocen Avenue
Boynton Beach, FL 33435
Via Email: cityclerk@bbfl.us

November 18, 2024

Re: Public Comment for City Commission Meeting of November 19, 2024 –
Boynton Beach Wireless Telecommunications Permitting and Ordinances

Dear City Commission,

In light of the legal status of the Federal Communication Commission's Human Exposure Guidelines for Radio-Frequency/Microwave Radiation and the decision of federal agencies to cease any further study, I am again requesting review and update of the City's 2018 Telecommunications Ordinances and halts to residential and school deployments.

The Federal Communication Commission (FCC) has been unable to assure their approvals for wireless telecommunications safety since August 2021¹ when their guidelines were remanded by the court as inadequate based on a preponderance of evidence of harm. As of January of this year, the Food and Drug Administration (FDA) has ended the studies they commissioned from the National Toxicology Program (NTP)² that have shown more evidence of harm. It has been announced these agencies will do no more studies and the FCC has no time limit to answer the Court's remand for adequate Human Exposure Guidelines for Radio-Frequency/Microwave Radiation.

With these developments, many have been waiting for a rollback of 5G while industry went on with 6G (Wireless Body Area Networks) and 7G (Optical Networks and Satellites) without any kind of national, state or local response for the protection of Life & Property. No rollback, no FCC response to the court's remand. It has become all too apparent that the FCC will not timely answer the court's remand, where they have no time limit, thus pulling the rug out from under Local Authorities for assuring the safety of wireless telecommunication facilities and devices.

Over the last five years I have experienced numerous problems with City Management on matters of improper permitting, improper responses to records requests and failure to keep current ordinances and enforce them to fulfill fiduciary responsibilities for the health and safety of the public. I have been making records requests for Wireless Telecommunication Facilities permitting in the City of Boynton Beach since 2020 and filing complaints with the Federal Communications Commission and Local Authorities for that long. I have repeatedly requested that the City's 2018 Ordinances be revised to stay up-to-date and in compliance with technological, health, safety, environmental and legal developments, yet these out-dated ordinances remain in place, allowing residents to be subjected to the abuses of a Wireless

Telecommunications Wild West while more and more invasive and harmful wireless systems are deployed.

Local Authorities have always had jurisdiction over the power output of wireless telecommunication facilities.³ State Law's on placements do not, and never have, changed that and I am asking the City Commission to have expert legal review and updated done of our 2018 Telecommunication Ordinances to assure all available authorities are enacted to protect Public Safety.

The recent Boynton Beach deployments of wireless networks into the right-of-ways of residential areas has exacerbated alarms over privacy problems as people have become aware that these privacy invasions have gone past reading our email and listening to our conversations and on into our bodies for bio-surveillance, harvesting and control. This has been done through improper oversight of Wireless Body Area Networks (WBAN), originally for Telehealth as Medical Body Area Networks in 2014⁴ and subsequently mandated for all. Now WBAN is in use without proper oversight, making the few ever richer while the many get sicker and poorer.

The intra Human Body Communication (HBC)⁵ band of WBAN is an electrical band with a field that extends several inches out from the body and is accessed by wireless networks. What is obscured about the use of this band is that it involves running electricity through the subject's body, which constitutes electrocution, particularly when used for real time monitoring. This band should not be used without full, free and informed consent of the subject, yet that does not seem to be required. Know that this is also the basis of the Digital ID and probably why it is being surreptitiously implemented.

The connection of WBAN to the body can be detected as send and receive HBC bands, allocated by the FCC, centered at 16 MHz and 27 MHz⁶, by a common spectrum analyzer. I have seen such clearly, on a person with no medical devices, apparently being "bootstrapped" through their cell phone, while they were standing in the driveway of my home here in Boynton Beach. The bands were not observed when the phone was out of range and they were not observed on me standing next to the subject, with their phone.

President Elect Trump has declared he will win the race on A.I. This is a problem because A.I. feeds off data, including biometric data and energy being harvested from us though WBAN. His Vice President Elect Vance is associated with Peter Theil who wants to live forever on biologicals that may so similarly be harvested without the consent of the subject. I do not see that they will stop our exploitation. I implore the City to cease deploying wireless systems into residential areas and schools and update City Ordinances appropriately to protect privacy and set limits. Many communities across the Country have been doing this and the City would benefit from an expert review from an attorney such as Andrew Campanelli⁷ in a multitude of ways.

Most recently I got a letter about a so called "smart" water meter that would be deployed into the right-of-way of my home. Supposedly it is a replacement in kind, but such a deployment is actually in violation of the City's telecommunication ordinances that requires a permit. The

current installation does not appear to have been done under the required permit so there is no legitimate "in kind" telecommunications permit. Approximately 23,000 meters to be installed over the next three years are described on the City's web page Boynton-Beach.org/279/Utilities. The web page advertises real-time monitoring that is a massive increase in cost and exposure to harmful and invasive microwave radiation deployed onto residential areas, compared to a system of monthly billing spot readings from vehicles with base stations. Will there also be FlexNet wireless telecommunications systems of base stations deployed into our residential communities to provide the networks? Or are they planning to use Wireless Body Area Networks, i.e. our bodies as low-cost networks, for these real time transmissions? Or will they continue to overload the unlicensed bands? "Smart" water monitoring systems have not demonstrated cost benefits for residential service. The problems with health, safety and privacy far outweigh any benefit. Please stop these malinvestments into networks of this toxic technology.

Residents must be offered an opt-out program from real-time monitoring. It is simply a matter of the network programming for wireless transmissions to and from the meters. The wireless transmissions should be under the control of the resident and normally off with the exception of a monthly meter reading. Otherwise, there should be an opt out program like FPL has for our electrical meters.

In the event of rising salinity in the aquifers or other conditions creating water shortages, conservation should be focused on large commercial and industrial consumers with the highest usage per meter. Wireless transmissions to the many properties of small consumers only increases the watering needs of landscaping that is also susceptible to harm from wireless radiation.

The same privacy, health, safety and environmental arguments of the water meter deployments apply to the ongoing deployment of the SDPBC Wi-Fi Mesh Network Poles. The system does not produce high speed internet. Besides the personal cyber security threat they pose to residents, the poles are a property value debasement and an unchecked storm hazard. They should be absolutely removed at the request of any homeowner within 600 feet of them.

Consider what side of these matters you take. Wireless Body Area Networks currently constitute an ugly business involving biometric surveillance, control, harvesting and alterations of human bodies and brains without the subject's consent. How will the A.I. decide to route the networks of the cloud? Let us make the appropriate corrections to this course in a lawful and enlightened manner.

Any contracts for wireless technology can be challenged due to the legal status of the FCC Human Exposure Guidelines for Radio-Frequency/Microwave Radiation per the ruling in Case 20-1025 EHT/CHD v FCC re: FCC Order 19-126 re: the FCC's Insufficient Analysis of the Adequacy of the RF/MW Radiation Exposure Guideline. With the discontinuation of the NTP studies, it is

plain the FCC cannot answer the Court's remand. The technology has never delivered on performance and the health, safety, security and environmental impacts are devastating.

And as one more major matter I must bring to your attention regarding the deficiencies of our Ordinances, the permitting of wireless telecommunication Facilities at the schools needs legal review. There is a Florida Building Code Exemption 453.2.2 for schools, but that pertains to the building codes only. Kindly be advised that the State statute that the School District of Palm Beach County Facilities Service Department uses to regulate WTF is FS 553.80(6)⁸ for Enforcement and the statute does not otherwise include any authority to do permitting. SDPBC Facilities Service Department does reviews for tower structure and electrical, according to building codes, but inappropriately leaves the antennas to the carrier's discretion. How are the City's Telecommunications Ordinances, excluding those relating to Florida Building Codes, including the requirements for permits, managed at the schools? I must suggest that this is yet another major issue for a Telecommunications Ordinance Review that is way overdue.

Your consideration would be appreciated. Please let me know if you have any questions

Regards,

A handwritten signature in blue ink that reads "Luanne Moore". The signature is fluid and cursive, with the first name "Luanne" written in a larger, more prominent script than the last name "Moore".

Luanne Moore, P.E.
133 Buffet Key
Boynton Beach, FL 33426

Endnotes

¹Case 20-1025 EHT/CHD v FCC re: FCC Order 19-126 re: the FCC's Insufficient Analysis of the Adequacy of the RF/MW Radiation Exposure Guideline <https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/>

²Cell Phone Radio Frequency Radiation <https://ntp.niehs.nih.gov/whatwestudy/topics/cellphones>

³ Misinterpretation of which telecommunication services are **exclusive** under FS 337.401, was used to create the misconception that there was an exemption under the state law, from review of antennas under federal laws. The regulation of antenna effective radiated power is not under the exclusive jurisdiction of the FPSC or the FCC. See analysis <https://scientists4wiredtech.com/florida/337-401/> FS 337.401 3. (g) *A municipality or county may not use its authority over the placement of facilities in its roads and rights-of-way as a basis for asserting or exercising regulatory control over a provider of communications services regarding matters within the **exclusive** jurisdiction of the Florida Public Service Commission or the Federal Communications Commission, including, but not limited to, the operations, systems, qualifications, services, service quality, service territory, and prices of a provider of communications services.*

⁴ Medical Body Area Networks https://transition.fcc.gov/bureaus/oet/ea/presentations/files/oct14/11-MBANS_Final-October_2014-SKJ.pdf

⁵ Human Body Communication (HBC) Band <https://www.biorxiv.org/content/10.1101/2020.11.23.394395v1.full>

⁶ IEEE Standard Overview including reference to the active use of the Human Body Communication band. https://www.researchgate.net/publication/224215458_An_overview_of_IEEE_802156_standard

⁷ Attorney Andrew Campanelli <https://campanellipc.com/attorneys/andrew-j-campanelli/>

⁸ Rule for Schools <https://m.flsenate.gov/Statutes/553.80>