March 30, 2014

Dear Minister Moore,

Industry Canada’s recent changes to its CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems protocol provide opportunities for greater public input into the municipal cell tower antenna approval process. In light of growing public concerns about cell towers and their placement, we believe this is a step forward for Canadians, and for this we thank you.

In the same breath however, we must also note that, as citizens who have informed ourselves thoroughly about the scientific and health facts and controversy regarding the safety of electromagnetic frequency radiation emitted by cellular antennae, these changes are of little, meaningful value. We say this for three basic reasons:

   a) the proposed changes ignore public health concerns
   b) the proposed changes do not address non-tower antennae
   c) the proposed changes do not give municipalities adequate power to control cellular development in their own communities.

We address each of these further below.

A) Health Concerns
CPC-2-0-03 contains this statement in Section 4.2, regarding public consultation about the cellular antennae siting approval process:

"Concerns that are not relevant include:
• disputes with members of the public relating to the proponent’s service, but unrelated to antenna installations;
• potential effects that a proposed antenna system will have on property values or municipal taxes;
• questions whether the Radiocommunication Act, this document, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner"

In effect, any safety concerns of citizens associated with Safety Code 6 are deemed irrelevant by this clause. In other words, the issue of one’s own health, a subject of primary concern to most self-respecting citizens, not just for themselves but for their children and future generations - is considered trivial and simply disregarded by our federally-elected officials.

We find this a flagrant and unacceptable stance for our government to be taking.

While we are aware that Industry Canada relies upon Health Canada regarding cell tower safety issues, in the form of Safety Code 6, it is not acceptable for CPC-2-0-03 to simply disregard all health concerns of Canadians, and/or for Industry Canada to simply refer all health issues to Health Canada.

Industry Canada should be acutely aware that Health Canada (HC) has not updated Safety Code 6 in decades. It is a guideline based on the following:

- Safety Code 6 considers only the thermal effects of non-ionizing radiation. Biological/non-thermal effects are not recognized. Health Canada actually disregards any studies that address non-thermal effects, as Health Canada scientist James McNamee recently stated under oath. This decidedly
biased and unscientific approach removes thousands of studies from the 'weight of evidence' calculation, thus skewing results disproportionately in favour of maintaining the current standard.

- **The SC6 standard is based on rf-emf exposure from one source for a 6 minute period.** Yet Canadians are being irradiated continuously, and from multiple sources of wireless radiation. Children in schools are now being forced to endure rf-emf radiation exposure, a Class 2B possible carcinogen, for 14 years of their life. Meanwhile, there is no evidence to show this is safe over the long-term.

- **The SC exposure standard is applicable to a large, adult male,** tested on a non-human, SAM model, notwithstanding a stated 50-fold safety factor, which is highly inadequate. Such a standard ineffectively protects children, pregnant women and the immunologically compromised - the largest, and most vulnerable sub-set of our population. In particular, there is an admitted dearth of research (including by the 2010 federal government HESA panel) on the long-term effects of radiofrequency exposure on the growing brains and cells of children. Despite this, Safety Code 6 remains a 'one size fits all' standard.

- **Safety Code 6 is unacceptably lax as compared to countries comprising almost 1/3 of the world’s population (China, India, Russia and others).** Studies dating back decades up until the present suggest Canada’s standard is at least hundreds of thousands, if not millions, of times higher than it should be to adequately protect human health.

- **The most recent review of Safety Code 6 has been flawed from the beginning in two distinct ways:** Health Canada has not made the Royal Society of Canada review process transparent for Canadians; the trust of Canadians in the RSC review process has further dissolved in light of the make-up of the panel, which is largely biased in favour of a 'status quo' outcome.

- **Most importantly, there is a distinct conflict of interest between Industry Canada’s desire to provide and license more telecomm service providers and radiofrequency spectrum (receiving over $400 million dollars per year to do so), which demands no change to Safety Code 6 - and Health Canada’s mandate to protect Canadians through Safety Code 6 standards.** The former cannot occur without the latter remaining exactly as it is. There is no incentive, in fact there is a financial disincentive, to change Safety Code 6 in favour of greater public health protection. This conflict is an affront to Canadians who believe that the government is supposed to be protecting the long-term health of Canadians. Instead, it appears the government’s priority is a financial one, at the expense of citizen well-being. This is simply unacceptable.

B) Non-Tower Antennae

The change to require all new towers, regardless of height, to be subject to municipal and public consultation is a step forward. However, this excludes a huge number of antennae that are being quietly installed on rooftops, hydro and utility poles, and other non-tower structures – many of which can be in even closer proximity to where people live and work.

We have already seen in the City of Toronto the proposal to install cellular antennae on hydro poles. This will no doubt be proposed in many cities over time. And just as cellular providers built towers just under 15m high when the public notification requirement was for 15m and above, they will similarly attempt to install new antennae where no public notification is required – rooftops, hydro/utility poles, and other non-tower structures – as long as no new regulation prevents them from doing so.

Industry Canada’s decision to allow this loophole is either a conscious decision to benefit the cellular industry at the public’s expense, or it is an oversight. Whichever the case, it needs to be corrected in
favour of Canadians’ right to know these locations, by requiring all new antennae to be subject to municipal and public notification and consultation.

C) Municipal Control

Currently, municipalities are relegated to the role of a commenting agency to Industry Canada, perfunctorily advising as to whether a proponent has met the technical notification and consultation requirements of the municipal or default antenna siting protocol. This lack of autonomy causes feelings of extreme frustration and helplessness amongst municipal councils and the public alike, all of who feel powerless to control any cell tower siting outcome. It is a situation that can be very easily remedied by giving municipalities independent control over antenna siting approvals.

Just as the Planning Act gives primary responsibility to municipalities to regulate all local matters of land use planning, similar responsibility should be given to municipalities for antenna siting. It is arguably a land use issue involving structures being built/installed on land/property. These structures, particularly towers, can have major land use impacts relating to height, siting, and placement in relation to other land uses, which can significantly affect communities depending on their form and location.

Moreover, municipalities also want the services of telecomm industries for their citizens. Having more control over the process allows them to contextually balance the needs and desires of cellular proponents with those of their constituents. A more localized approach would likely guarantee better outcomes for all involved, and put some faith back into the approval process, something that is now sorely lacking.

Conclusion

While we appreciate the first forward steps taken by Industry Canada to allow greater public input into the antenna siting approval process, we believe these steps fall far short of the definition of ‘meaningful’ consultation. If the public’s basic concerns regarding health and safety continue to be ignored by government, any new, mandated consultation is meaningless. The appearance of having a voice is no substitute for actually having one.

Further, both Industry Canada and Health Canada must cooperatively address the health and safety issues of Safety Code 6; and the inherent conflict of interest underlying their individual mandates - both of which reflect a profound disservice to the health of Canadians.

Finally, the loophole allowing non-tower antennae without public notification or consultation should be closed; and more municipal control into the antenna siting approval process is required to more effectively address local concerns and needs.

We ask that you take all of the above into consideration in your review of this matter.

Sincerely,

Malini Menon
Heather Nixon-Kemp
don behalf of
Kawartha Safe Technology Initiative
www.kawarthasafetechnology.org

*Kawartha Safe Technology Initiative is a local organization based in Peterborough, Ontario, representing hundreds of informed and concerned citizens who object to the unchecked proliferation*
of wireless technology in our midst. This is based on mounting international evidence and warnings from numerous governments, doctors and scientists, linking prolonged microwave radiation exposure to serious health effects, particularly for children.