



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



September 14, 2018

Mr. Matthew Marcou
Associate Director for Public Space Regulation
District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

Re: Design Guidelines for Small Cell Infrastructure

Dear Associate Director Marcou:

At a regularly scheduled and properly noticed meeting¹ on September 13, 2018, our Commission voted 6-0 (with 5 Commissioners required for a quorum) to express our concerns regarding the draft Guidelines for Small Cell Infrastructure.

We have two procedural concerns:

1. Although the guidelines have been in development since November 2017, our ANC did not receive the draft guidelines until August 27, 2018 and DDOT declined requests to meet and answer questions until the public meeting on September 6, 2018. Given the monthly meeting schedule of the ANCs, a deadline of October 5 for submission of written comments (October 15 for in-person testimony) is unreasonable. The hearing should be rescheduled for sometime in November and the deadline for written comments be extended by at least thirty (30) days.
2. When a revised draft of the Design Guidelines has been prepared, incorporating both public comment and that of the installation companies, there must be another round of review, open meetings, and comment so that the public, including the ANCs can respond to changes. In the document. It will not be acceptable to deny the public an opportunity to comment on accommodations made to the installation companies.

A request (prior to end of comment period) for the following information:

- Why are the “Carriers and third (3rd) party service providers “who are not actual utilities and are not overseen by any local government agency or commission getting use of our right of way?
- Are they going to be afforded eminent domain in locations where residents are against the deployment of these systems but the Carriers say they must have them?
- What is the fee structure for the lease of each of these small cell locations? On what basis was that negotiated?

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoogroups.com, anc-6a@yahoogroups.com, and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.

And the following *initial* comments on the draft guidelines document:

Section 8.4: Spacing Among Streetscape Elements should be modified to include the following: "When requesting a permit, Installation companies forego any expectation that the tree canopy will be reduced or modified at that location, either on private or public property. They must factor into their selection process, the existence, and likely future growth, of all trees in public space or on private property and not subsequently request modification of the tree canopy. DDOT reserves the right to plant trees in all tree box location, whether or not a tree is present at the time of the small cell installation. Further, DDOT reserves the right to maintain said trees in whatever way necessary to ensure tree health and will not prune them, or allow them to be pruned, to accommodate small cell infrastructure.

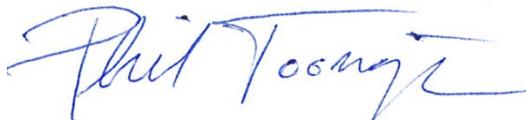
A new Section on monitoring and accountability should be added, perhaps as Section 5.6 under General Guidelines, to include the following:

- Validation of the electro-magnetic fields (EMF) levels of each location, as well as the "heat maps" for all frequencies must be provided by a qualified independent third-party testing company, at the expense of the carriers.
- These reports would be made public (at a minimum) when a new installation is completed and subsequently on an annual basis.
- DDOT should be held responsible to inspect each installation prior to, during and upon completion to make sure the physical guidelines/ requirements are adhered to.

Finally, ANC6A requests a representative attend an upcoming ANC6A Transportation and Public Space Committee meeting to help answer questions regarding this matter.

Thank you for giving consideration to our ANC's feedback on this important issue. Should you wish to discuss this letter with the Commission, please feel free to reach out to me, to our Vice Chair Mike Soderman or to our Transportation and Public Space Committee Chair Elizabeth Nelson each of whom are authorized to represent the Commission in this matter. We look forward to continued participation in this process.

On behalf of the Commission,



Phil Toomajian
Chair, Advisory Neighborhood Commission 6A