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Testimony on Zoning Commission Case No. 01-02
(Text Amendment – Regulation of Antennas, Antenna Towers & Monopoles)

I am Charles I. Cassell an architect, former Chairman of the DC Historic Preservation Review Board, trustee of the Committee of 100 on the Federal City and Advisor Emeritus for DC to the National Trust for Historic Preservation.

I want to comment on a few aspects of the proposed antenna regulations.

I strongly agree that Regulation Section 2601.2 should clearly state that an applicant for tower erection must submit an environmental assessment (EA) or environmental impact statement in addition to other certification requirements. Environmental review of wireless facilities continues to fall under the ambit of state and local government jurisdictions under Section 332(c)(7) of the Communications Act and therefore, Regulation Sections 2601.2, as proposed should also state that an applicant must append a completed EA or EIS in addition for a facility that may be located in (1) wilderness areas, (2) wildlife preserves, (3), or (3) that affect threatened or endangered species or designated habitat, (4) Indian Religious Sites, (5) Located in flood plains, or (6) may significantly change surface features. Additionally, facilities that may affect historical or cultural structures, for example- district, sites, or buildings that are eligible for listing in the National Register of Historic Places. Must submit an Environmental Assessment of Environmental Impact Statement. An applicant who fails to comply with FCC RF exposure guidelines is required, under FCC regulations, to prepare either of the above documents or be subjected to possible of its application.

Although an applicant must demonstrate under federal regulations that it complies with FCC RF guidelines, the submission an EA or EIS is omitted under the Commission's proposed amendments indicating that an antenna complies with FCC regulations. I agree with OPC that it would benefit the community and assist the Board of Zoning Adjustment in approving an application, if the applicant is also required to file a copy of its EA or EIS, as file with the FCC, with the Commission as part of the certification requirements under Section 2601.2 (a)(j) this establishing that an antenna meets federal health and safety regulations.

I would point to and strongly support OPC's recommendation that the Zoning Commission continue to involve historical institutions in the application review and approval process.

ZONING COMMISSION
District of Columbia

Case **01-02**
District of Columbia
CASE NO. 01-02
EXHIBIT NO. 99