

September 10, 2016

Dear Illinois Resident,

We are requesting your support in changing [IL Statute 55 ILCS 5/5-12001.1](#) as it currently denies “Due Process” by local government and rural citizens. This law exists to support the Federal Telecommunications Act of 1996 to ensure fairness between carriers and vendors when it comes to site location (ex: you cannot say no to Carrier A and then turn around and say yes to Carrier B for a site). Nothing in the Telecommunications Act of 1996 forbids local authorities from applying general and nondiscriminatory standards derived from their zoning codes. It also ensures the local government make quick decisions (ex: shot clock) in determining if request should be approved or denied and provide that decision in writing.

Let’s take a closer look at how this statute limits local government authority in a majority of all 102 counties in Illinois:

- Only 12 of 102 IL counties have a population of 180,000 or more. Therefore, 11.76% of the Illinois population still has local government authority on telecommunication tower placement. “Due Process” is granted to these communities, Section(h) of IL Statute.
- For the remaining 90 counties who have a population less than 180,000, the “facility is permitted” automatically with no other considerations, Section(g) of IL Statute. The local government and the community have no “Due Process”.
- Due to [IL Statute 65 ILCS 5/11-13-1](#), Section(g)(1)(A) of IL Statute 55 is no valid since the Village of Gladstone (located within 1.5 mile of site) does not have a population of at least 25,000.

“Due Process” should not be determined based on population size. A tax payer in one part of Illinois should not be granted more civil rights than another. We, citizens of the State of Illinois, should have “Equal Protection” under the law. The local government (ex: City Board, County Board, Zoning Board, etc.) is currently empowered, by the people, to make these decisions for all other structures being built. Why must the State dictate that only the top 11.76% continue to have “due process” on telecommunication structure site approval? When it comes to any other zoning matter, the local government is responsible as they have the most knowledge on local landscape and impacts.

In addition to the population size change, we request more consideration be placed on towers being placed within a mile of a State Park. The FCC does not require an Environmental Assessment to be done unless one is requested. We firmly believe if a tower is being sited within one mile of an Illinois State Park that it should be required to have an Environmental Assessment completed and local government should have “due process” granted to determine local impacts.

The current law provides a guarantee to telecommunication tower companies and site consultants that if they find a single landowner willing lease to property to them, they are done with their search. This prohibits any consideration of other sites as an alternative or even co-location to existing structures. This law is trying to silence rural land owners and communities. We have a voice and it is time to be heard. If the structure has no other locations available then so be it. But let those local government officials who are closest to the impact make that determination.

If you live in one of the larger counties or municipalities please stand up and support your rural neighbors. We need your voice to ensure that our state is level and fair when it comes to granting "due process". Instead of our government passing laws that put corporations before communities, it is more important they work to balance the budget so our children can have a great education and then our seniors and veterans have access to health care and services they need for the best quality of life.

It is never too late to do the right thing. I look forward to working with you on this change to bring rural community voices back to Illinois.

Thank you,

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