

July 12, 2018



The Honorable Kamala Harris
112 Hart Senate Office Building
Washington, DC 20510

RE: Opposition to STREAMLINE Small Cell Deployment Act S. 3157

Dear Senator Harris:

On behalf of the City of San Pablo, I am writing to express the City's opposition to any legislation that would limit local control of infrastructure, and specifically oppose the "Streamlining The Rapid Evolution And Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act" (S. 3157).

As written, S. 3157 upends local authority in the name of expediting corporate technological expansion. We share Congress's goal of ensuring efficient, safe, and appropriate deployment of new broadband technology, but co-opting local infrastructure without local permission is the wrong solution.

The bill would compel local governments to permit access to publicly owned infrastructure, prevent even reasonable local environmental and design review, and seriously hinder municipalities' ability to negotiate fair leases or public benefits for the installation of "small cell" wireless equipment on taxpayer-funded property.

S. 3157 would also impose sharply reduced "shot clock" time limits for local governments to process potentially unlimited wireless facility applications for all sizes, and would "deem granted" applications for facilities when local governments are unable to meet the federally-mandated time limits, regardless of the proposal's safety or environmental impacts or delays caused by incomplete applications.

Additionally, limiting fees and rates to direct and actual costs strips cities of the ability to analyze and identify the cost-benefit of this technology to its residents. Cities regularly negotiate with providers to ensure appropriate compensation to taxpayers for private, profit-generating use of public property and to incentivize development that benefits community residents. City governments should not be beholden to corporations' bottom lines in setting local fees, have to justify permitting structures to private entities who want special treatment, or be forced to subsidize private development at the cost of other critical local services such as road maintenance and public safety.

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The State of California considered similar legislation (SB 649) last year. The bill received widespread opposition from local jurisdictions, and though the bill passed both houses, Governor Brown vetoed the bill. It was not reintroduced in this session. California cities like ours understand that we cannot adequately govern if essential local decisions are outsourced to corporations who are not accountable to our residents. This should not be a corporate function, and local jurisdictions like the City of San Pablo will fight to maintain purview over our own cities.

Local governments should have the time and flexibility to ensure that small cell wireless infrastructure is deployed not just quickly, but safely and correctly, in communities throughout the nation.

We are concerned that shifting local authority to a for-profit industry will cause shareholder returns to potentially outweigh our resident, business, and community considerations for the health, safety, aesthetic, and public benefits of our city.

For these reasons, we urge you to oppose S. 3157. Thank you for your work on behalf of your constituents, and we look forward to working with you on this issue.

Sincerely,



Genoveva Garcia Calloway
Mayor

cc: Senator Dianne Feinstein
Congressman Mark DeSaulnier