



Legislation Details (With Text)

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Title: Supervisor Novasel recommending the Board of Supervisors authorize the Chair to sign a letter to the Federal Communications Commission (FCC), with copies to Senator Dianne Feinstein, Senator Kamala Harris and the California Congressional Delegation, opposing the FCC's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment.

FUNDING: There is no funding required for this item.

Sponsors:

Indexes:

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Attachments: 1. A - Draft Letter to FCC Secretary Dortch 9-18-18, 2. Executed Letter to FCC Secretary

Date	Ver.	Action By	Action	Result
9/18/2018	1	Board of Supervisors	Approved	Pass

Supervisor Novasel recommending the Board of Supervisors authorize the Chair to sign a letter to the Federal Communications Commission (FCC), with copies to Senator Dianne Feinstein, Senator Kamala Harris and the California Congressional Delegation, opposing the FCC's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment.

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DISCUSSION/BACKGROUND

On September 17, 2018, the California State Association of Counties notified counties of the FCC's Declaratory Ruling and Third Report and Order, and that the wireless telecommunications industry is now pursuing many of the same preemptions of local government authority that they unsuccessfully sought in California in 2017 via SB 649 (Hueso). Parties that want to raise objections to the draft order must do so by Wednesday, September 19, 2018.

On September 26, 2017, the Board approved a recommendation by Supervisor Ranalli to send a letter to Governor Brown requesting that he veto SB 649 (Hueso) (Legistar No. 17-0705). The primary basis for this request was that SB 649 eliminated the County's discretionary review of the placement of additional cell structures on County lands, including street lights, utility poles, traffic signals, public buildings or any other location telecommunications companies may deem appropriate, thereby eroding local control of community aesthetics.

Similarly, the FCC's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment would limit necessary local discretion and public review as it pertains to the siting of new infrastructure in the public domain.