



MAYOR AND CITY COUNCIL

October 30, 2018

Senator Dianne Feinstein
United States Senate
331 Hart Office Building
Washington, D.C. 20510

Senator Kamala Harris
United States Senate
112 Hart Office Building
Washington, D.C. 20510

Dear Sen. Feinstein and Sen. Harris,

RE: Opposition to S. 3157 (Thune & Schatz) STREAMLINE Act

On behalf of the City of Napa, we urge your opposition to S. 3157, the STREAMLINE Act, which would force local governments to lease out publicly owned infrastructure, eliminate reasonable local environmental and design review, and eliminate the ability for local governments to negotiate fair leases or public benefits for the installation of “small cell” wireless equipment on taxpayer-funded property.

Just this year, the wireless industry pursued similar failed legislation here in California that sought to achieve many of the elements present in this draft bill. The City of Napa was especially concerned about shifting authority away from our residents, businesses, and communities over to a for-profit industry whose shareholder returns potentially outweigh their considerations for the health, safety, aesthetic, and public benefits of our community.

To be clear, the City of Napa shares in the goal of ensuring all our residents have access to affordable, reliable high-speed broadband and eagerly welcome installation of wireless infrastructure in collaboration with local governments. However, the plain language in S. 3157 will not help in achieving these goals.

Instead, this bill would impose sharply reduced “shot clock” time limits for local governments to process potentially unlimited wireless facility applications for all sizes, “deem granted” applications for facilities when local governments are unable to meet the stringent time limits regardless of its safety impacts or delays caused by incomplete applications.

The draft bill also interferes with the ability for our City to manage our own property and our ability to receive appropriate compensation for its use. The City of Napa actively manages the rights of way to protect our residents' safety, preserve the character of their communities, and maintain the availability of the rights of way for current and future uses. By stringently limiting those factors that we may consider in our own land use decisions, and restricting compensation only to the "actual costs" we incur to process applications, this would limit our ability to adequately serve and protect our residents.

On behalf of the City of Napa, thank you for your consideration of our opposition. As Congress considers efforts to improve the rollout of wireless and broadband deployment, we urge you to carefully consider efforts that are more balanced and to reject attempts aimed to undermine input from your constituent residents, businesses, and local governments for this critical infrastructure.

For these reasons, we strongly urge your **OPPOSITION** to S. 3157.

Sincerely,

Jill Techel
Mayor
City of Napa

cc: Congressman Mike Thompson, fax: (707) 251-9800
Amy Brown, DiMare, Brown, Hicks & Kessler, LLC, abrown@lawpolicy.com
Meg Desmond, League of California Cities, mdesmond@cacities.org