

Governor Vetoes Legislation Solano County Twice Opposed

Daily Republic
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October 18, 2017

FAIRFIELD — A bill that would have given wireless companies nearly unfettered access to telephone poles and other public structures – legislation opposed by the Solano County supervisors twice – was vetoed Monday by the governor.

The bill, authored by Sen. Ben Hueso, D-San Diego, cleared the Legislature despite a broad-based opposition by cities, counties, environmental groups, labor organizations and consumer advocates.

“There is something of real value in having a process that results in extending this innovative technology rapidly and efficiently. Nevertheless, I believe that the interest which localities have in managing rights of way requires a more balanced solution than the one achieved in this bill,” Gov. Jerry Brown said in his veto message.

The Board of Supervisors sent a letter of opposition to the bill in June and a second letter of opposition in September after the bill had been amended but did not satisfy all the county’s concerns.

“There are social and environmental injustices packed into this measure. California’s treasured coastal zone and historical districts are exempted from this bill – but inland and less scenic parts of the state are not. The practical implication of this policy juxtaposition is that wireless carriers will install unsightly and bulky equipment in urban areas and spend more money and resources complying with local design standards that are more attractive in affluent coastal and historical areas. That is outrageous – every community should matter,” the board’s September letter states.

“Further, the change in permitting from discretionary to ministerial means that for most of California, there will be no environmental review. That means that a wireless carrier could place a refrigerator-sized set of equipment on a sidewalk, in a city or county park, on top of a city or county hall, and there will be no evaluation of whether that is appropriate for the area, or if it ensures that it is compliant with the Americans Disabilities Act.”

Board Chairman John Vasquez could not be reached Monday for comment.

“(Governor Brown’s) action today recognizes that it’s bad policy to put telecommunications industry profits ahead of the rights of California businesses and residents to have a say over how their public infrastructure is used,” League of California Cities President and South San Francisco Councilman Rich Garbarino said in a statement released through the Rural County Representatives of California.

“Cities support expanding connectivity but not through a policy that would have shifted power and resources from our communities to a billion-dollar industry,” Garbarino added.

California State Association of Counties President and Alameda County Supervisor Keith Carson added, “This bill would have allowed telecom companies to usurp local authority and install unsightly equipment on public property with little or no local input. The veto of this bill puts the telecom companies on notice that they have to sit down with local governments and address this issue fairly, and in a way that recognizes local government authority.”

Even AARP celebrated the governor’s action.

“AARP believes that all consumers should have access to telecommunications, energy and other utility services; but also that the process for the creation and maintenance of these services should be transparent and subject to reasonable public oversight,” Nancy McPherson, state director of AARP, said.

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