



CITY OF  
*Palos Verdes Estates*

OFFICE OF  
THE MAYOR

July 13, 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**

The City of Palos Verdes Estates respectfully urges 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.

You may recall that in November 2017, anticipating S. 3157 and having just received Governor Brown’s veto of SB 649, we expressed to you our strong concern about this bill. Now that it is before us, it is clearly and obviously detrimental to residents and communities for all the reasons previously anticipated. To reiterate, in short, it provides unwarranted and unnecessary authority to telecommunication carriers without providing for appropriate City and public input, allows for structures to be indiscriminately constructed at the expense of property values and privacy, and potentially reverses the Ninth Circuit Court of Appeals’ decision of *Sprint v. PVE* by eliminating local discretion over aesthetics.

The City of Palos Verdes Estates is a small residential community with no street lights or signals, featuring narrow, winding streets and hillside homes. Over a quarter of the City has been designated as permanent, public open space and parkland. The City also retains its character through strict zoning and architectural controls. As such, telecommunications equipment, that we all recognize is essential for our daily lives, is sited through a very thoughtful, deliberative, reasonable and public process that balances the interests and needs of residents and wireless carriers. Thus, our elected officials play a critical role in balancing the aesthetic values of our community with the benefits of state-of-the-art wireless technology. Palos Verdes Estates has spent significant time considering and approving new wireless telecommunication applications

through the public hearings process. This balanced process has been successful without compromising our aesthetics values or our property values. Local control is working as it should.

Passage of S. 3157 will have significant consequences in Palos Verdes Estates. For example, we are concerned that it will allow for the indiscriminate placement of telecommunications equipment in view corridors, have noise impacts from cooling fans placed too close to homes and allow for facilities that are inconsistent with the aesthetic values of our community. By stringently limiting those factors that the City can consider in our own land use decisions, and restricting the compensation we receive to the "actual costs" for processing applications, the City is unable to adequately serve and protect residents.

The bill also imposes sharply reduced "shot clock" time limits for cities 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. This will result in our single City Planner being burdened by numerous applications while the City would not receive reasonable funding for the work that would be required.

In conclusion, S. 3157 also interferes with the City's authority to manage our own property. Cities actively manage the rights of way to protect their residents' safety, preserve the character of the community, and maintain the availability of the rights of way for current and future uses. S. 3157 will result in City properties, including parks and recreation facilities within neighborhoods, becoming concentration points for new telecommunications facilities.

The City of Palos Verdes Estates has the goal of ensuring all our residents have access to affordable, reliable high-speed broadband, however; the language of S. 3157 does not help in achieving this outcome.

We respectfully request you oppose S. 3157 (Thune & Schatz) STREAMLINE Act and achieve a more balanced approach to supporting the deployment of telecommunications.

Sincerely,



Betty Lin Peterson

Mayor

City of Palos Verdes Estates

c: Honorable Ted Lieu, 33<sup>rd</sup> District  
League of California Cities  
Palos Verdes Estates City Council