

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate
Kristina Gallagher

RE: 2017 October Update

DATE: October 24, 2017

The 2017 Legislative Session concluded in September, and the Legislators have now returned to their districts for the Fall Interim Recess. The Governor had until October 15th to sign, veto or pass legislation without his signature, therefore every piece of legislation that was before the Governor's desk has now been acted upon.

This year, the Governor vetoed more than one hundred measures, counting for approximately twelve percent of the measures that reached his desk. While the Governor typically vetoes 10 to 15 percent of bills that reach his desk, Legislators typically do not know what the outcome will be and how the Governor will act on their legislation, even if the legislation received no opposition. Although the Legislature has the ability to override vetoes with a two-thirds vote, they haven't since 1979.

One of the measures that was vetoed was SB 649 (Hueso), which was heavily opposed by the County of Santa Barbara, along with a broad coalition of both counties and cities. SB 649 would have eliminated discretionary review for the installation of small cells in significant portions of communities and everywhere within the public-right-of-way, and would have specifically limited the ability to consider public input and aesthetics impacts of small cells installed within the public right-of-way in all zones. Further, this bill would have diminished Santa Barbara County's ability to review and permit telecommunications facilities based on local standards. The Governor agreed with local governments by stating in his veto message that, "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."

The County's sponsored legislation, AB 556 (Limon) was signed by the Governor on October 2nd, and is now chaptered into law. Knowing that the Governor vetoed a prior version of the bill, we engaged with the Administration early on in the Legislative process to address any of the concerns the Governor had with the bill. We worked out final amendments for the Governor's office while the bill was on the Senate Floor. The County worked closely with the author's office, the Assembly Local Government Committee and the Senate Governance and Finance Committee in order to finalize the language of the bill, as well as secure a bipartisan vote. Finally, we held multiple conversations with the Administration over the details of the bill, and the benefits it held for the County, which ultimately resulted in securing the Governor's signature.

AB 556 (Limon) had support from both CSAC and the County of Ventura and will change the current \$100 maximum fine for a single occurrence or \$500 maximum after multiple violations of local zoning codes or permit conditions, to allow the County the option to increase these fines to \$150 for a first time violation and up to \$2,500 per violation after three or more violations, and would allow counties to impose larger administrative fines for professionally organized special events that are held on private property and are commercial in nature.

In the final weeks of session, we closely monitored rumors of legislation that would have placed a freeze on any new forming Community Choice Aggregation (CCA) organizations. The County opposed AB 726 (Holden) and AB 813 (Holden) unless they were amended with the California Community Choice Association's (CalCCA) amendments, which proposed to postpone the deadline to file implementation plans for CCA's, and imminent CCA procurement that achieves stated policy goals should count towards mandates. Both of the bills were also held in the Senate Rules Committee and became two year bills.

Although the 2017 session is completed, it is only the first year of a two-year session meaning that there is still legislation that is left over that wasn't able to meet deadlines to clear both houses before Fall interim recess. These two-year bills will be considered when the Legislature will reconvene on January 3rd, and will need to clear their house of origin before the California constitutional deadline of January 31st.

Along with monitoring approximately another 2,500 bills that will be introduced by the February deadline for bill introductions, we will need to remain our focus on the two-year bills that were heavily opposed this year. These bills include AB 1250 (Jones-Sawyer), AB 726 (Holden) and AB 813 (Holden), AB 653 (Ridley-Thomas), and AB 1603 (Ridley-Thomas).

Housing Package

The Governor along with Assembly Speaker Anthony Rendon and Senate President Pro Tempore Kevin de Leon announced on July 17th that they plan to pass a package of bills to address the housing crisis in California after the Legislature adjourned from legislative summer recess.

As previously reported, the major components of the legislative package that were aimed at addressing California's housing affordability crisis passed the Assembly house vote on the evening of September 14th when the Assembly passed six crucial housing bills.

On September 29th, The Governor signed 15 housing bills in San Francisco, explaining that, "The new laws will help cut red tape and encourage more and affordable housing, including shelter for the growing number of homeless in California." The housing package, which was done as part of negotiations during the cap and trade program, was done in effort to increase the supply and affordability of housing in California.

Senate Bill 2 (Atkins) The bill creates the Building Homes and Jobs Act, and is a permanent funding source for affordable housing through a \$75 to \$225 fee on real estate transactions and is

expected to generate as much as \$258 million per year for low-income housing development and programs to combat homelessness.

Senate Bill 3 (Beall) The bill places a \$4 billion bond on the November 2018 ballot. If approved by voters on the 2018 state ballot, \$1 billion would be used to help military veterans purchase homes with low or no down payment at below-market interest rates. The other \$3 billion would pay for housing development programs.

Senate Bill 35 (Wiener) The bill streamlines the approval process for infill developments in local communities that have failed to meet their regional housing needs.

Senate Bill 166 (Skinner) The bill requires cities to maintain an ongoing supply of housing construction sites for residents of various income levels.

Senate Bill 167 (Skinner)/ AB 678 (Bocanegra) The bills, which are identical, increase the standard of proof required for a local government to justify a denial of low-and moderate income housing development projects.

Senate Bill 540 (Roth), The bill allows developers to approve local housing projects under one master plan and environmental review document. Fifty percent of projects would be affordable for low-income households, with an additional 10 percent of low-income housing required in market-rate housing projects.

AB 72 (Santiago) The bill strengthens the state's ability to enforce laws that require local government to achieve housing goals, specifically it would enable the Department of Housing and Community Development (HCD) to refer cities to the Attorney General if they fail to plan accordingly.

73 (Chiu) The bill gives local governments incentives to create housing on infill sites near public transportation, by providing incentive payments following area-wide environmental review.

AB 571 (E. Garcia) This bill makes it easier to develop farmworker housing by easing qualifications for the Farmworker Housing Tax Credit.

AB 879 (Grayson) The bill authorizes a study of local fees charged to new residential developments that also include a proposal to substantially reduce such fees.

AB 1397 (Low) This bill makes changes to the definition of land suitable for residential development to increase the number of sites where new multifamily housing can be built.

AB 1505 (Bloom) This bill authorizes cities and counties to adopt an inclusionary ordinance for residential rental units in order to create affordable housing.

AB 1515 (Daly) This bill allows housing projects to be afforded the protections of the Housing Accountability Act if the project is consistent with local planning rules despite local opposition.

AB 1521 (Bloom) This bill gives experienced housing organizations a first right of refusal to purchase affordable housing developments in order to keep the units affordable.

Tribal Tax Issues

AB 653 (Ridley-Thomas) is legislation sponsored by the Chumash Tribe, which was amended on August 23rd to state that beginning the 2018-19 fiscal year, property owned in fee or held in trust by a federally recognized Indian Tribe, or owned in fee or held in trust by a charitable nonprofit organization is exempt from taxation if the following conditions are met: The tribe has submitted an initial written request or trust application to the US Department of the Interior and the department has determined that the initial written request trust application is complete, and that the tribe has submitted both of the following to the assessor: documents establishing that the tribe is federally recognized and documents establishing that the initial written request or trust application is under consideration by the US Department of the Interior. The property is used primarily for tribal housing, an essential governmental function, or other charitable purposes including but not limited to, tribal religious, education, museum, hospital, and cemetery facilities or for the preservation of agriculture and open space.

AB 653 was set for hearing in the Senate Governance and Finance Committee on August 30th. After lengthy discussions between the sponsors, the County, our legislative delegation, CSAC and the rural counties, the sponsors and author decided to cancel the hearing. The bill is now a two-year bill.

It is our understanding that the sponsors of the bill are planning on working on possible ways to address their issues with the County of Santa Barbara, CSAC and RCRC during the fall interim. The last conversation was about looking at broadening the current property tax exemption for affordable tribal housing.

Cannabis

The passage of Prop 64 allowed the recreational use of marijuana in California which created a number of cannabis policy, trailer bill language and regulations by the Bureau of Marijuana Control, CalCannabis and the Department of Public Health this session. In addition to Prop 64, which was approved in 2016, the Governor signed into law the Medical Cannabis and Regulatory Safety Act (MCRSA) in 2015. These two laws contained several differences; therefore in addition to the \$94.6 million appropriated in the budget to implement California's cannabis laws, the budget package included trailer bill SB 94 that merged provisions of MCRSA together with Prop 64.

Most of the cannabis issues this year were worked through a compromised deal by the Assembly, Senate and Administration through the cannabis trailer bill language in SB 94 and the clean-up cannabis trailer bill AB 133, with a majority of policy bills becoming either two-year bills or receiving a veto from the Governor.

Although the CalCannabis Cultivation Licensing program, the Bureau of Cannabis Control, and the Department of Public Health published their proposed draft regulations for implementing

MCRSA in the Spring, SB 94 and changed current law. In order to be consistent with changes in the law, the Bureau had to withdraw proposed regulations and is working on the creation of new rules for both medical and commercial cannabis through a new emergency rulemaking to take place this November.

Meanwhile, the CalCannabis Cultivation Licensing program prepared a Draft Program Environmental Impact Report in accordance to CEQA, which provided information of potential environmental effects associated with the implementation of cannabis cultivation regulations. CalCannabis is still anticipating issuing state cannabis cultivation licenses beginning January 1, 2018.

Cannabis Related Legislation

AB 64 (Bonta) contains a variety of provisions. It adds clarity about for-profit and non-profit types of businesses operating under the Medical Cannabis Regulation and Safety Act (MCRSA), and makes changes to storefront access requirements and restrictions on advertising. AB 64 also makes changes to trademark laws and certain marks related to cannabis that are lawful under state law, and advances a \$3 million loan from the state's general fund to the California Highway Patrol for adopting protocols to determine driver impairment. The bill was held on suspense, and is now a two-year bill.

Licensing and Testing

AB 238 (Steinorth) relates to collective bargaining agreements and employees of licensed distributors. The bill is on the inactive file, and is now a two-year bill.

AB 1527 (Cooley) would prohibit a former employee of a state or local licensing authority from being employed by a person or entity licensed under AUMA or MCRSA for at least one year. The author cancelled the hearing; therefore this bill is a two-year bill.

SB 311 (Pan) relates to testing, and would authorize a licensee to perform testing of cannabis or cannabis products obtained from another licensee for the purpose of quality assurance. The bill is now a two-year bill.

Packaging and Advertising

AB 175 (Chau) would require manufacturers of edible cannabis products to submit packaging and labeling to the state for review of compliance with requirements of Prop 64, including child resistant packaging and labels that do not appeal to children. The bill is now a two-year bill.

AB 350 (Salas) specifies that cannabis products are deemed to appeal to children or easily confused with commercial candy if the product is in the shape of a person, animal, insect, fruit, or any other shape associated with candy. The bill was vetoed by the Governor on October 6th, with a statement that said, "This bill would chapter our specific provisions in the recently enacted trailer bill, therefore I cannot sign it at this time."

SB 663 (Nielsen) specifies that a package or label of cannabis or cannabis products is deemed to be attractive to children if the package or label has specific characteristics, including resembling any candy, snack food, baked good, or beverage commercially sold without marijuana. The bill was vetoed by the Governor on September 11th, stating that the current law already prohibits cannabis and cannabis products from being designed to be attractive to children.

State Requirements

AB 389 (Salas) would require the state to post a consumer guide on the regulation of medical and recreational cannabis online. The bill is now a two-year bill.

AB 1002 (Cooley) would rename the existing California Marijuana Research Program as the Center for Cannabis Research and would expand the purview of the program, including cultivation for research purposes and examining testing methods for detecting harmful contaminants in marijuana, including mold and bacteria. The bill was held on suspense, and is now a two-year bill.

AB 1135 (Wood) relates to public stakeholder input on disbursements to the Department of Health Care Services from the California Marijuana Tax Fund. This bill is now a two-year bill.

AB 1627 (Cooley) transfers the regulation of testing laboratories under AUMA from the State Department of Public Health to the Bureau of Marijuana Control. The bill is now a two-year bill.

Finance and Tax Issues

AB 420 (Wood) The bill would allow the deduction of business expenses under the Personal Income Tax Law, as provided, for a cannabis or marijuana trade or business. The bill was held on the Senate Suspense File, and is now a two-year bill.

AB 963 (Gipson) addresses various aspects of taxation related to cannabis. It would require distributors to provide retailers with evidence of prepayment tax amounts collected, and then allow the retailers to credit the prepayments against the amounts due for the same period. AB 963 would authorize a system for prepayment of the excise tax that utilizes stamps or other markings. It also makes changes to taxable sales of medical cannabis products to persons with identification cards, including requiring county health departments to issue identification cards with the capability of storing data, and would limit the sales and use tax exemption for medical purchasers to only sales made with these types of cards. AB 963 would adjust the suspension, revocation, or denial of state permits in some cases related to taxation. Finally, the bill would extend the pilot program for combating criminal tax evasion until January 1, 2020 – with a Cannabis Criminal Enforcement Team to work on these issues specifically. The bill is on the inactive file per the Author’s request, and is now a two year bill.

AB 844 (Burke) would change requirements for grantees applying for funding through the California Marijuana Tax Fund. The bill was held on suspense, and is now a two-year bill.

Public Safety

SB 698 (Hill) sets standards for driving under the influence, and would make the first violation punishable as an infraction, requiring successful completion of a three-month program and installation of an ignition interlock device for six months. This bill is now a two-year bill.

AB 903 (Cunningham) would amend AUMA by requiring the Highway Patrol to use funding from the California Marijuana Tax Fund to study the viability of standards for marijuana impairment. This bill was held on the suspense file, and is now a two year bill.

AB 729 (Gray) would require license suspension for certain types of violations. It would also require licensees to post signs visible from public entrances to indicate “No Person Under 21 Allowed,” among other security measures; AB 729 also prohibits the sale or distribution of

cannabis or cannabis products in a vending machine. The bill would authorize licensees and employees to refuse to sell cannabis to a person unable to produce adequate identification, and would authorize peace officers or local and state licensing authorities the ability to enter and conduct inspections. AB 729 also contains zoning restrictions, and would prohibit licensees from being located within a 600-foot radius of a playground, hospital, or church, unless a local authority or licensing authority specifies a different radius. This bill is now a two year bill.

Interactions with the Federal Government

AB 845 (Wood) would, if federal law authorizes the prescription of a controlled substance containing cannabidiol, a physician to prescribe that substance in accordance with federal law. The bill was held on suspense, and is now a two-year bill.

AB 1578 (Jones-Sawyer) would prohibit a state or local agency from taking certain actions to assist a federal agency investigate, detain, detect, report or arrest a person for cannabis activity that is authorized by the state of California, unless ordered by a judge. The bill was placed on the inactive file, and is now a two year bill.

Park and Water Bond

The Governor originally linked the housing package along with the water and park bond, which was in AB 18 (E. Garcia) and SB 5 (De Leon).

SB 5 (De Leon) proposes the Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, subject to voter approval in the November, 2018, election. SB 5 (De Leon) moved forward, and has \$4 billion in general obligation bonds to implement its provisions, including \$175 million for Coastal protection with \$85 million for state coastal conservancy. The bill was signed by the Governor on October 15th. We worked with the County, Assemblywoman Limon and the author to try to secure funding for the Gaviota Coast.

Bills of Interest to the County

AB 114 (Public Health) The County was in strong support of the MHSA trailer bill because it preserves critical MHSA funding that might have otherwise been clawed-back to the state, which would have reduced the local control granted in MHSA to implement the local plan to address Santa Barbara County mental health needs. The trailer bill was chaptered on July 10th, and is now law.

AB 334 (Cooper) Federal VAWA legislation passed in 2011 mandated the provision of free sexual assault forensic medical exams for patient/victims who do not want to cooperate with law enforcement agencies. The original California statute passed in 1977 mandating that local law enforcement agencies pay for sexual assault exams was amended after 35 years to comply with VAWA. The amended statute specified that law enforcement agencies could be reimbursed \$300 by Cal OES out of their State VAWA appropriation for exams involving the non-cooperative patient/victim. The legislation passed the Senate Judiciary Committee with a 6-1

vote, but the author pulled the bill out of the Senate Public Safety Committee, therefore the bill is now a two-year bill. The County is in support of the bill.

AB 556 (Limon) The County was the sponsor of the bill. The bill will allow Counties to impose larger administrative fines for one-time violations of the County's ordinances specifically where permits are available and when knowledgeable businesses chose to ignore the required permit. The bill will focus on one-time events that purposely don't acquire a permit due to the fee of the permit costing less than the violation fine. The bill passed the Senate Governance and Finance Committee on June 28th with a 6-1 vote, and passed the Senate Floor 30-10, and was concurred in the Assembly. The bill was signed by the Governor on October 2nd and is now chaptered into law.

AB 653 (Ridley-Thomas) The legislation is sponsored by the Chumash Tribe, and was amended on August 23rd to state that beginning the 2018-19 fiscal year, property owned in fee or held in trust by a federally recognized Indian Tribe, or owned in fee or held in trust by a charitable nonprofit organization is exempt from taxation if the following conditions are met: The tribe has submitted an initial written request or trust application to the US Department of the Interior and the department has determined that the initial written request trust application is complete, and that the tribe has submitted both of the following to the assessor: documents establishing that the tribe is federally recognized and documents establishing that the initial written request or trust application is under consideration by the US Department of the Interior. The property is used primarily for tribal housing, an essential governmental function, or other charitable purposes including but not limited to, tribal religious, education, museum, hospital, and cemetery facilities or for the preservation of agriculture and open space. The author of the bill cancelled the Committee hearing, and the bill is now a two-year bill. The County opposed the legislation.

AB 722 (Limon) The bill will allow a member of the Santa Barbara County Board of Supervisors or by any public officer of the County of Santa Barbara or his or her deputy to serve on the board of directors of the Isla Vista district. The bill passed the Assembly Floor 60-13, and passed the Senate Governance and Finance Committee 7-2. The bill then passed the Senate Floor with a 27-12 vote, and was concurred in the Assembly. The bill was signed by the Governor on October 2nd, and is now chaptered into law.

AB 726 (Holden) and AB 813 (Holden) The legislation would have created a freeze on any new forming Community Choice Aggregation (CCA) organizations and restricted the ability to expand existing Community Choice Energy (CCE) programs. The County of Santa Barbara was opposed to AB 726 and AB 813, unless CalCCA's amendments were adopted. The bills were held in the Senate Rules Committee and are now two-year bills.

AB 1250 (Jones-Sawyer) The County is in strong opposition to the bill. The bill creates specific conditions and requirements that would apply when a county enters into a new contract or renews or extends an existing contract, and also specifies the conditions that must be met in order to permit a personal services contract. The Chair of the Senate Appropriations Committee claimed that there needs to be more negotiations on the bill. The bill was held in the Senate Rules Committee and is now a two year bill.

AB 1472 (Limon) The bill details in statute what the California State Lands Commission (SLC) may take into consideration when reviewing an application to assign, transfer or sublet a lease or permit of state lands for oil and gas production. Assemblymember Limon asked the County for support of the bill, and the County was looking at amendments. The bill passed the Senate Natural Resources Committee 9-0 on June 13th, and was enrolled July 10th, but was vetoed by the Governor with a message that said, "This bill outlines the factors that the CA State Lands Commission may consider when evaluating an application to assign, transfer, or sublet oil and gas lease. The Commission currently has broad authority to assess whether an applicant is able to meet the obligation under the proposed lease. Therefore the bill is unnecessary."

AB 1603 (Ridley-Thomas) This bill provides that persons who are employed jointly by a public agency and any other employer (e.g., a private staffing agency or registry) at specified public clinics or hospitals are public employees subject to the Meyers-Milias-Brown Act. The bill was ordered to the inactive file, and is now a two-year bill. The County will wait until next year to take a position on the bill.

SB 1 (Beall/Frazier) The merged legislation proposed an additional \$5.2 billion annually for road repairs and mass transit, by readjusting the state's obsolete gas tax and reform the user-pays system to ensure all motorists contribute their fair share to the maintenance of the roads. The bill was signed by the Governor on April 28th.

SB 35 (Wiener) The bill will result in the prevention of local discretionary land use authority, and bypass the environmental review process by creating a streamlined, ministerial approval process for development proponents of multi-family housing, if development meets specified requirements and the local government in which the development is located has not produced enough housing units to meet its regional housing needs assessment. The bill was a part of the Housing Package, and passed the Assembly Floor on September 14th with a 47-27 vote, and then concurred in the Senate with a 23-14 vote. The bill was signed by the Governor on September 29th. The County was in opposition to this bill.

SB 44 (Jackson) The County supported this legislation. The legislation requires that for the fiscal year (FY) 2018-19, out of those funds deposited into the General Fund by the commission from tideland oil revenues that the sum of \$2 million be transferred to the fund and be available, upon appropriation, for the purpose of implementing the coastal hazard and legacy oil and gas well removal and remediation program. The legislation has passed the Assembly Natural Resources Committee on July 10th with a 10-0 vote and has passed the Assembly Appropriations Committee 16-0. The bill passed the Assembly Floor with a 76-0 vote, and was concurred in the Senate. The bill was signed by the Governor on October 10th and is now chaptered into law.

SB 190 (Mitchell) The proposed bill would have fees related to local home detention programs be only payable by adults. SB 190 would remove the County's ability to send Institution accounts to the FTB COD leaving accounts uncollectible. The bill also repeals the following: \$100 per day fee for parents who refuse to pick up their minor children from the County's Juvenile Hall or Los Prietos Boys' Camp, the public defender fees paid by parents for their minor child's legal representation, and the Foster Parent training fund. The bill passed the

Assembly Floor 57-9, and was concurred in the Senate. The bill was signed by the Governor on October 11th and is now chaptered into law. The County opposed the bill.

SB 231 (Hertzberg) The County was in support of this bill. This bill defines "sewer" for the purposes of the Proposition 218 Omnibus Implementation Act. Storm water is a key source of local water supply and careful management is necessary now more than ever due to California's continuing cycles of drought. It can also carry pollutants into groundwater, creeks, rivers and the ocean. The bill passed the Assembly Floor with a 41-29 vote and was concurred in the Senate. The bill was signed by the Governor on October 6th, and is now chaptered into law.

SB 349 (Lara) This bill would require minimum staffing ratios for dialysis clinics and a minimum transition time between dialysis patients, as follows, commencing January 1, 2020. The bill increases the likelihood of quality care for individuals with End Stage Renal Disease by reducing the risk of infections, cardiac related and other causes of death. The author of the bill announced that this will be a two-year bill on September 8th. The County is in support of the legislation.

SB 588 (Hertzberg) This bill substantially revises the existing state rigs-to-reefs program that allows for the partial removal of oil and gas platforms in state or federal waters if the remaining portion is converted into an artificial reef and certain conditions are met. The bill passed the Assembly Water, Parks and Wildlife Committee on June 29th with a 12-2 vote, and then was referred to the Assembly Natural Resources Committee but didn't meet the policy deadline, therefore is now a two-year bill. County opposes the bill.

SB 649 (Hueso) County was opposed to the bill. This bill would have established a statewide framework for streamlining the permit-siting process of small cell wireless facilities that meet specified requirements. Specifically, this bill would have required an administrative permit in lieu of a discretionary permit, limited fees to between \$100 and \$850 for small cell installations in the utility right-of-way, and ensured access to most vertical infrastructure in the utility right-of-way and also within a commercial or industrial zone. This bill also required permits for wireless telecommunications facilities would be automatically renewed for equivalent durations. The bill passed the Assembly Appropriations Suspense File, and passed the Assembly Floor with a 46-16 vote, and then was concurred in the Senate. The bill was vetoed by the Governor on October 15th.

Conclusion

The County had a very successful year, including supporting the passage of many critical pieces of legislation including our sponsored legislation that will give counties the ability to impose larger land use fines. With the Legislature adjourned, the County will now need to work on legislative priorities for next year.

While the Legislature begins the second year of the two year session on January 3rd, November and December are crucial for laying the foundation for the next year. We are at the disposal of the County, and have offered to set a time to come to Santa Barbara to work on the platform and legislative priorities.

We will continue to work with staff on any interim negotiations and keep the committee and Board updated. As always, should you or your staff have any questions, please don't hesitate to let us know.

DAS WILLIAMS
First District, Vice Chair

JANET WOLF
Second District

JOAN HARTMANN
Third District, Chair

PETER ADAM
Fourth District

STEVE LAVAGNINO
Fifth District



COUNTY OF SANTA BARBARA

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September 15, 2017

The Honorable Jerry Brown
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: Senate Bill 649 (Hueso) – Wireless Telecommunication Facilities – Request for Veto

Dear Governor Brown:

I am writing on behalf of the Santa Barbara County Board of Supervisors to respectfully request your veto on Senate Bill (SB) 649. The Board of Supervisor's adopted a 2017 Legislative Platform that opposes the preemption of local control, including the consideration of health effects, in Federal and State telecommunications legislation. The 2017 Legislative Platform does support the repeal of all current limitations imposed on local jurisdiction to regulate the placement, construction and modification of wireless facilities, including small cell systems.

SB 649 would eliminate discretionary review for the installation of small cells in significant portions of communities and everywhere within the public-right-of-way. This broad language would appear to limit county's discretion and the ability to consider public input and aesthetics impacts of small cells installed within the public right-of-way in all zones (including residential neighborhoods) or anywhere inside or outside of the public right-of-way in mixed use residential/commercial zones. Instead counties would only be able to approve small cells located in these areas through an "administrative permit." The bill would also, for the first time, prohibit cities and counties from precluding the leasing of their so-called "vertical infrastructure", including streetlights and stoplights, for the installation of wireless telecommunications facilities. Moreover, the bill would impose a cap developed for utility poles on the rents that cities or counties could charge for the use of their publicly-owned non-utility pole vertical infrastructure. All of these provisions diminish Santa Barbara County's ability review and permit telecommunications facilities based on local standards.

For these reasons, the Santa Barbara County Board of Supervisors respectfully requests your veto on SB 649 (Hueso).

If you have questions about the Board's position, please contact the County's Legislative Coordinator, Dennis Bozanich at 805-568-3403 or dbozanich@countyofsb.org.

Sincerely,

Cliff Berg
Governmental Advocates, Inc.

cc: Senator Ben Hueso, Author
Tom Dyer, Chief Deputy Legislative Secretary, Office of Governor Jerry Brown
Assemblymember Jordan Cunningham, 35th Assembly District
Assemblymember Monique Limon, 37th Assembly District
Senator Hannah-Beth Jackson, 13th Senate District
Members, County of Santa Barbara Board of Supervisors
Mona Miyasato, County Executive Officer
Dennis Bozanich, Legislative Coordinator, County of Santa Barbara Board of Supervisors

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First District, Vice Chair

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September 15, 2017

The Honorable Jerry Brown
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: Senate Bill 44 (Jackson) – Coastal hazard and legacy oil and gas well removal – Request for Signature

Dear Governor Brown:

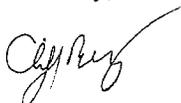
I am writing on behalf of the Santa Barbara County Board of Supervisors to respectfully request your signature on SB 44 (Jackson). The Board of Supervisor's adopted a 2017 Legislative Platform that supports the funding for cleanup and removal of abandoned oil and gas wells. The 2017 Legislative Platform also supports the urgent prioritization of wells that pollute the marine environment.

Though the establishment of a \$2 million revolving fund is critical to providing complete removal and cleanup of these abandoned wells, it's important to note the significant number of legacy wells in Summerland, Elwood and in the Rincon areas of Santa Barbara County. The Division of Oil, Gas and Geothermal Resources and the State Lands Commission have identified 198 high priority legacy wells in the on shore and near shore environment of Santa Barbara County. The revolving fund is a modest amount and will require many years to eliminate the safety and environmental hazards associated with legacy oil and gas wells.

For these reasons, the Santa Barbara County Board of Supervisors respectfully requests your signature on SB 44 (Jackson).

If you have questions about the Board's position, please contact the County's Legislative Coordinator, Dennis Bozanich at 805-568-3403 or dbozanich@countyofsb.org.

Sincerely,



Cliff Berg
Governmental Advocates, Inc.

cc: Senator Hannah-Beth Jackson, Author
Tobias Halvarson, Legislative Director, Senator Hannah-Beth Jackson
Graciela Castillo-Krings, Deputy Legislative Secretary, Office of Governor Jerry Brown
Assemblymember Jordan Cunningham, 35th Assembly District
Assemblymember Monique Limon, 37th Assembly District
Members, County of Santa Barbara Board of Supervisors
Mona Miyasato, County Executive Officer
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