



TERRA LAWSON-REMER

VICE-CHAIR

**SUPERVISOR, THIRD DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS**

AGENDA ITEM

DATE: August 28, 2024

TO: Board of Supervisors

SUBJECT

STREAMLINING PERMIT PROCESSES AND CREATING A COUNTY BROADBAND UNIT TO INCREASE LOCAL BROADBAND CAPACITY (DISTRICTS: ALL)

OVERVIEW

Over the last decade, there has been an increasing need to have reliable internet service as it has become an integral and essential part of life. However, barriers exist to achieving digital equity and universal access. The County of San Diego (County) Comprehensive Broadband Plan helped to identify the census tracts that are considered to be “internet deserts,” and further distinguished that the digital divide has disproportionately impacted people of color, households that are lower-income, and those that are living in unincorporated and rural areas. Getting these individuals and families connected and engaged digitally, so that they can reliably access basic amenities such as workforce, public safety, healthcare, and social resources is imperative.

During the Covid-19 pandemic there was an unprecedented amount of federal funding that became available for broadband investment in communities that have been underinvested or uninvested in. In particular, \$1.86 billion in funding from the Bipartisan Infrastructure Law (BIL) was dedicated to the State of California through the Broadband Equity, Access, and Deployment (BEAD) Program. This program is being implemented in California by the California Public Utilities Commission (CPUC), and these funds should start to become available in the winter of 2025. As part of requirements for these funds, once allocated to a Broadband project, it must be completed within 18 to 24 months if the project is exempt from the California Environmental Quality Act (CEQA). Further, emphasizing the need for a timely turnaround on permitting processes for new broadband projects. There is a great opportunity to lead the way with innovative efforts at the County to meet current and future broadband infrastructure needs.

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On January 10, 2024 (05), an item was brought before the County of San Diego Board of Supervisors by Vice Chair Terra Lawson-Remer, to increase local broadband capacity by identifying ways to streamline and expedite new broadband projects. This item directed County staff to work with Internet Service Providers and regional broadband stakeholders to develop options to streamline permitting processes and expedite review times for new broadband infrastructure projects. Additionally, it requested that staff provide a report back to the Board in 120 days with recommendations for further action by the Board. This passed unanimously.

Following Board action, in May of 2024, the Board of Supervisors received a memorandum report back from the Land Use and Environment Group (LUEG) detailing staff action to streamline broadband infrastructure permitting timelines thus far, what the current processes are for Internet Service Providers, and their feedback on what could be improved. This memo provided the Board with three potential options for consideration to continue to improve upon programs and permitting processes.

Utilizing options and guidance from the May 13, 2024 memorandum, “**REPORT BACK ON STREAMLINING AND EXPEDITING NEW BROADBAND PROJECTS,**” which identified a goal for the approval of broadband permits shifting from 12 weeks to 6 weeks. This timeframe includes the time it takes applicants to make any necessary corrections and resubmit to County staff before permits can be issued. Actual timeframes for each permit may vary depending on applicant response times. Today’s item is requesting that the Board take action to ensure the review and approval of broadband application timelines at 45 days or less. It will pilot an expanded version of the annual encroachment permit, add two full time positions-focused on the permitting process, continue to create efficiencies for permitting, proposes to expand engagement and support of broadband initiatives, and support future broadband investments through a pilot program for a liaison between the County and Broadband stakeholders. This would focus on the Right-of-Way permits for broadband projects supporting permit processing and continue to make process improvements to further support broadband initiatives in the future. The pilot liaison will be a Management Fellow. Staff will work with applicants and ISPs to explore the need and opportunities to make the pilot liaison a permanent or longer-term role.

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER

1. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that these recommended actions are exempt because it can be seen with certainty that there is no possibility that these activities may have a significant effect on the environment. These activities simply adjust administrative processes, staffing, and budgeting for broadband review. Individual applications for broadband encroachment permits will receive CEQA review at that future time.

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2. Direct the Chief Administrative Officer to prioritize broadband project applications by requiring staff to guarantee and maintain a consistent process to complete the permit review for Broadband projects within 45 days.
3. Direct the Chief Administrative Officer to initiate a pilot through the Department of Public Works with an expanded version of the annual encroachment permit in the County Right-of-Way which would allow new broadband projects that meet certain standards and requirements to qualify.
4. Direct the Chief Administrative Officer to establish a pilot liaison to support future Broadband investments throughout the unincorporated areas. Approve the request to support Planning and Development Services, to manage communications and support internet service providers in expediting applications for Broadband Access and Equity Deployment Grant funding, overseeing permit applications, ensure that processes and communications are streamlined and regularly meeting with Internet Service Providers. Initial funding will result from operating transfer from the Department of Public Works, General Fund.
5. Establish appropriations of \$220,000 in Department of Planning & Development Services, Salaries & Benefits, based on permit fee revenue paid by customers *and* approve the request to add 2.00 staff years to prioritize broadband project applications and direct the Department of Human Resources to classify the positions at the appropriate level. **(4 VOTES)**
6. Establish appropriations of \$100,000 in Department of Public Works General Fund, Operating Transfer Out, based on unused portions of available prior year General Fund fund balance that were previously designated for broadband projects; *and* establish appropriations of \$100,000 in Department of Planning & Development Services, Salaries & Benefits, for temporary staff for a pilot liaison to support future Broadband investments, based on an Operating Transfer In from Department of Public Works, General Fund. **(4 VOTES)**

EQUITY IMPACT STATEMENT

It is essential that greater broadband access and connectivity is available across the County of San Diego, particularly within our ‘internet deserts’ that have most heavily impacted communities of color, low-income and unincorporated communities. Quality broadband infrastructure can make the difference in providing individuals with career opportunities, educational resources, communication technology, and sustained connection to community.

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SUSTAINABILITY IMPACT STATEMENT

Efforts to promote the development of Broadband networks in areas that are unserved or underserved can result in improved connectivity for families and businesses. This in turn enhances access to educational resources, hybrid or remote career options, and better remote communication technology. Ultimately helping to reduce vehicle miles traveled and create less greenhouse gas emissions by allowing individuals to utilize the internet remotely.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2024-25 Operational Plan in the Department of Planning & Development Services and Department of Public Works, General Fund.

If approved, this request will result in costs and revenue of \$220,000 in FY 2024-25 in Planning & Development Services for the addition of 2.00 staff years. The funding source is permit fee revenue paid by customers.

For the Pilot Liaison, at this time there is no funding source budgeted to support these Recommendation(s). If approved, this request will result in costs and revenue of \$100,000 within the Department of Planning & Development Services for the temporary staff for a pilot liaison in FY 2024-25.

The funding source is an operating transfer from the Department of Public Works, General Fund, based on unused portions of available prior year General Fund fund balance that were previously designated for broadband projects, resulting in no anticipated fiscal or service impacts to the Department of Public Works.

If additional key areas are identified, staff would return to the Board for additional direction and request for funding as needed. At this time there will be no change in net General Fund cost and the addition of 2.00 staff years.

BUSINESS IMPACT STATEMENT

Streamlining broadband deployment will be of great benefit to the general public as well as for businesses that are involved in the broadband deployment process, helping to create jobs and economic growth. Increased access to broadband will also benefit local businesses by providing a fast, reliable connection to the internet and internet marketplace.

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

Throughout San Diego County there are communities that lack access to affordable and reliable Broadband high-speed internet. This digital divide has disproportionately impacted people of color, households that are lower-income, and those that are living in unincorporated and rural areas. Getting these individuals and families connected and engaged digitally, so that they can

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reliably access basic amenities such as workforce, public safety, healthcare, and social resources is imperative.

During the pandemic there was an unprecedented level of government funding that became available for broadband investment in underserved and unserved areas through the Federal American Rescue Plan Act (ARPA) and the BIL. This presented a substantial opportunity to address gaps and improve access in the unincorporated areas of our County. \$1.86 billion in funding from the BIL was dedicated to the State of California through the Broadband Equity, Access, and Deployment (BEAD) Program. This program is being implemented in California by the California Public Utilities Commission (CPUC), and these funds will start to become available in the winter of 2025. As part of requirements for these funds, once allocated to a Broadband project, the project must be completed expeditiously within 18 to 24 months if it is exempt from the California Environmental Quality Act (CEQA). Emphasizing the need for timely turnaround on permitting processes for new broadband projects through the County of San Diego.

The County has taken several steps to bring efficiency to their broadband permitting practices over the last few years. In 2018, small cell wireless projects were prioritized and are to be completed within a 90-day timeframe, and in 2022 the Board asked that the Right-of-Way (ROW) permit issuance be analyzed for further improvements. This led to additional staff resources, training, and an annual permit program that certain Internet Service Providers are able to utilize for their maintenance programs. The annual permit program reduced the need for about 870 permits per year, which helped to eliminate the backlog of applications and reduced the processing time to 12 weeks. Lastly, in 2023, the Board directed staff to develop a system for streamlining the ROW permit process, from this action staff has worked to develop an online system that will allow applicants to apply and pay for permits, track the permit status and communicate directly with staff, this should cut the processing time in half from 12 weeks to 6 weeks.

There are still several additional actions that the County can take to make this process more streamlined. In January of 2024, Supervisor Lawson-Remer brought an item before the Board of Supervisors, which passed unanimously, to increase local broadband capacity by identifying ways to streamline and expedite *new* broadband projects. This item directed County staff to work with Internet Service Providers and regional broadband stakeholders to develop options to streamline permitting processes and expedite review times for new broadband infrastructure projects and provide a report back to the Board with recommendations for further action. In May of 2024, the Board received a memorandum report back from the Land Use and Environment Group (LUEG), which provided the Board with three potential options for consideration to continue to improve upon programs and permitting processes for broadband projects.

Utilizing the guidance of the memorandum and options provided, this item is requesting that the Board take action to reduce broadband application timelines, pilot an expanded version of the annual encroachment permit, directs the creation of two positions in Planning & Development Services (PDS), and a pilot liaison to expand engagement and support of broadband initiatives, continue to create efficiencies for permitting, and support future broadband investments. The

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County has a great opportunity to lead the region in its broadband permitting practices, so that current and future broadband projects are successful, and the digital divide can be bridged for our communities.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Sustainability, Equity, Empower, Community, and Justice Strategic Initiatives within the County of San Diego's 2024-2029 Strategic Plan by examining and utilizing policies and specific actions to support Broadband deployment to meet the needs of the unserved and underserved communities in the region.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Terra Lawson-Remer', with a stylized flourish at the end.

TERRA LAWSON-REMER
Supervisor, Third District

ATTACHMENT(S)

N/A