



Office of the Mayor

3300 Capitol Avenue, Building A | P.O. Box 5006, Fremont, CA 94537-5006

510 284-4011 *ph* | 510 284-4001 *fax* | www.fremont.gov

March 23, 2022

The Honorable Scott Wiener
California State Senate
10th and O Offices, Suite 6630
Sacramento, CA 95814

**Re: Senate Bill 379 (Wiener) Residential solar energy systems: permitting
Comment Letter from the City of Fremont**

Dear Senator Wiener:

On behalf of the City of Fremont, I want to thank you, your staff, and the co-sponsors of SB 379 for engaging in conversations with us regarding concerns with certain provisions the bill. I also write to express Fremont's intention to remain neutral once the City's suggested amendments around liability are included in the bill language, and so long as no new provisions place additional layers of liability on municipalities.

The City of Fremont truly does appreciate the intent and potential usefulness of SB 379, as automated solar permitting allows for city staff to focus time and efforts on larger, more complex permitting issues. As mentioned earlier, we look forward to seeing the amendments listed below incorporated in the bill.

In section 2 (h), removing the existing language and incorporating the following:

- All liabilities and immunities, including but not limited to the immunities in Government Code sections 818.4, 818.6 and 821.2, applicable to cities, counties, and cities and counties shall apply to any permits issued or inspections conducted for projects and applicants that obtain permits through an online, automated permitting platform.

In addition to the bill amendments around municipal liability, we hope to continue working with your office to address the concerns around the potential adverse impacts to municipal ISO ratings – as the instant permitting/automated plan review (via the SolarApp+ or similar app) may not meet the requirements of the Insurance Services Office (ISO).

If you or your staff have any follow-up questions or wish to reengage in dialogue about this bill, our City's advocate, Andres Ramirez, can be reached at aramirez@townsendpa.com or at 916.505.9863

Thank you again for your collaboration and for your dedicated work in this important policy space.

Sincerely,

A handwritten signature in blue ink that reads "Lily Mei".

Lily Mei
Mayor of Fremont