



# Board of Adjustment Staff Report

Meeting Date: May 5, 2022

Agenda Item: 8A

AMENDMENT OF CONDITIONS CASE NUMBER: WAC22-0003 (Extension of Time for WSUP19-0003, Vya Monopole)

**BRIEF SUMMARY OF REQUEST:** Extend the approval of Special Use Permit Case Number WSUP19-0003 for two additional years, until June 6, 2024

**STAFF PLANNER:** Roger D. Pelham, MPA, Senior Planner  
Phone Number: 775.328.3622  
Email: [rpelham@washoecounty.gov](mailto:rpelham@washoecounty.gov)

### CASE DESCRIPTION

For hearing, discussion, and possible action to approve an amendment of conditions to extend the approval of Special Use Permit Case Number WSUP19-0003 for two additional years, until June 6, 2024. The original approval was for a new wireless cellular facility consisting of a 150-foot-high monopole structure, equipment shelter, outdoor generator, and LP tank.

Applicant: Commnet of Nevada, Attn: Jourdan Enouen

Property Owner: United States of America – Bureau of Land Management, Attn: Lindsey Moyer

Location: On the south side of Dugway Road, approximately 1.5 miles southwest of its intersection with County Road 34, in the area of Vya, Northern Washoe County

APN: 061-010-49

Parcel Size: ± 774 acres

Master Plan: Rural

Regulatory Zone: General Rural

Area Plan: High Desert

Development Code: Authorized in Article 324, Communication Facilities and Article 810, Special Use Permits

Commission District: 5 – Commissioner Herman



**Vicinity Map**

### **STAFF RECOMMENDATION**

APPROVE

**APPROVE WITH CONDITIONS**

DENY

### **POSSIBLE MOTION**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Amendment of Conditions Case Number WAC22-0003 for Commnet of Nevada with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30 and in accordance with the High Desert Area Plan.

*(Motion with Findings on Page 7)*

**Staff Report Contents**

Amendment of Conditions ..... 3

Site Plan ..... 4

Background and Evaluation of Amendment Request ..... 6

High Desert Area Plan ..... 6

Reviewing Agencies..... 6

Recommendation..... 7

Motion..... 7

Appeal Process..... **Error! Bookmark not defined.**

**Exhibits Contents**

Conditions of Approval ..... Exhibit A

Agency Comments..... Exhibit B

Public Notice ..... Exhibit C

Project Application ..... Exhibit D

### **Amendment of Conditions**

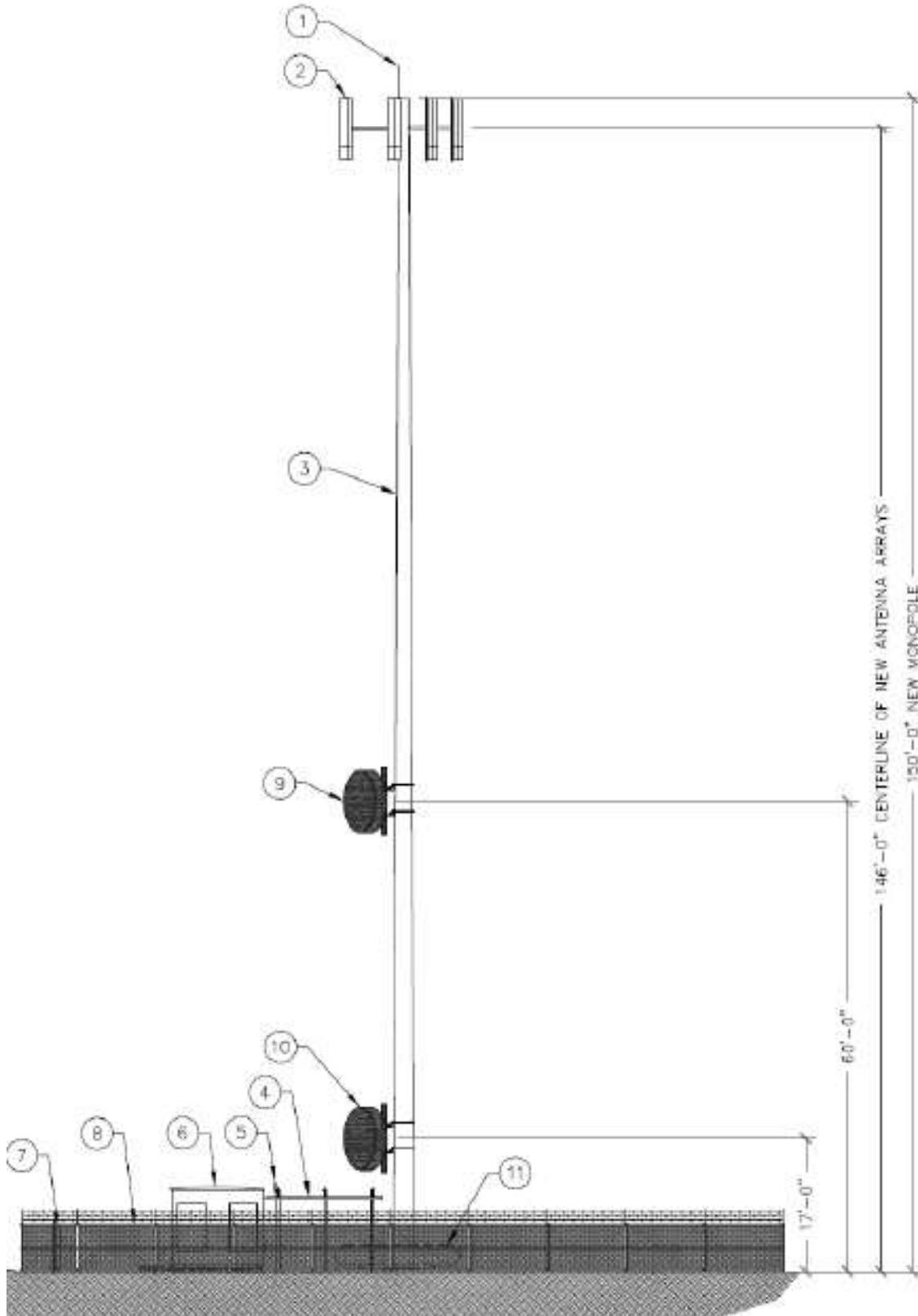
An amendment of conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an amendment of conditions application is submitted are listed below:

- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

The amendment of conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The amendment of conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, noticing, possible involvement of a citizen advisory board, agency review and analysis, and satisfying the required findings. If the Board of Adjustment grants an approval of the amendment of conditions request, an amended Action Order is created along with amended conditions of approval.

The subject property has a regulatory zone of General Rural (GR). The proposed use of a 150 foot tall monopole, which is classified as a Wireless Communication Facility per Article 324 of the Washoe County Development Code, is permitted in the GR zone with a special use permit (SUP) per WCC Section 110.324.50(e)(2). Special Use Permit Case Number WSUP19-0003 was approved in June of 2019, the applicant sought, and was granted an extension of time for one year in April, 2021 (WAC21-0002) the applicant is now seeking approval of another extension of time of this SUP from the Board of Adjustment, for an additional two years. The conditions of approval for Amendment of Conditions Case Number WAC22-0003 is attached to this staff report and will be included with the amended action order, if approval is granted by Washoe County Board of Adjustment.





**Project Evaluation**

**Background and Evaluation of Amendment Request**

Special Use Permit Case Number WSUP19-0003 was approved in June of 2019. The application materials indicate that delays occurred in obtaining final approval from the US Bureau of Land Management (BLM) caused by forest fires, COVID-19, and lack of staff. For these reasons, the applicant is seeking an extension of one year to obtain the necessary permits and approvals from Washoe County and the BLM for construction of the facility. It is the opinion of Planning Staff that there have been no significant changes to the situation, that the original evaluation remains valid and that approval of the extension of time is reasonable.

**High Desert Area Plan**

The subject parcel is located within the High Desert Area Plan. The following is the pertinent policy from the Area Plan:

***Relevant Area Plan Policies Reviewed***

Policy	Brief Policy Description	Complies	Condition of Approval
HD 2.13	The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.	Yes	NA

**Reviewing Agencies**

The following agencies/individuals received a copy of the project application for review and evaluation.

Agencies	Sent to Review	Responded	Provided Conditions	Contact
BLM - Surprise Field Office	X			
Environmental Protection	X			
Washoe County Engineering & Capital Projects	X			
Washoe County GIS	X			
Washoe County Land Development	X	X		Timber Weiss, tweiss@washoecounty.gov
Washoe County Planning & Building Director	X			
TMFPD	X	X		Brittany Lemon, blemon@tmfpd.us
Regional Transportation Commission (All Apps)	X			
Washoe-Storey Conservation District (All Apps)	X	X		Jim Shaffer, 775.750.8272

No new conditions were received from any of the above reviewing agencies. All conditions required by the contacted agencies from the original approved special use permit can be found in Exhibit A, Conditions of Approval.

### **Recommendation**

After a thorough review and analysis, Amendment of Conditions Case Number WAC22-0003 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

### **Motion**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Amendment of Conditions Case Number WAC22-0003 for Commnet of Nevada with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30 and in accordance with the High Desert Area Plan:

- a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert Area Plan;
- b) Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
- c) Site Suitability. That the site is physically suitable for a telecommunications facility (monopole), and for the intensity of such a development;
- d) Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
- e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.
- f) High Desert Area Plan Policy 2.3. The community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts

### **Appeal Process**

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s).

Applicant: Commnet of Nevada, LLC. Attn: Jourdan Enouen,  
Jourdan.enouen@commnetbroadband.com

Property Owner: United States of America – Bureau of Land Management,  
Attn: Lindsey Moyer,  
lmoyer@blm.gov



# Amended Conditions of Approval

Amendment of Conditions Case Number WAC22-0003 (Extension of Time for WSUP19-0003, Vya Monopole)

The project approved under Amendment of Conditions Case Number WAC22-0003 (Extension of Time for WSUP19-0003, Vya Monopole) shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on May 5, 2022. These Amended Conditions of Approval shall replace the Conditions of Approval for Special Use Permit Case Number WSUP19-0003 in their entirety. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Amended Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

**Unless otherwise specified**, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the amended conditions of approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

**Washoe County Planning and Building Division**

1. The following conditions are requirements of Planning and Building, which shall be responsible for determining compliance with these conditions.

**Contact Name – Roger Pelham, 775.328.3622, [rpelham@washoecounty.gov](mailto:rpelham@washoecounty.gov)**

- a. **The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall demonstrate conformance to State of Nevada Executive Order 2018-32, Order Establishing Use of the Nevada Greater Sage-Grouse Conservation Plan and Credit System. The Planning and Building Division shall determine compliance with this condition.
- d. The applicant shall submit complete construction plans and building permits shall be issued **on or before June 6, 2024**. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- e. All existing trees and landscaping removed as part of the construction of this facility shall be replaced at the rate of two trees for each tree removed and two bushes for each bush removed.
- f. The monopole tower shall not exceed 150 feet in maximum height, as approved under this special use permit WSUP19-0003.
- g. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- h. Prior to the issuance of a building permit, the applicant shall provide a certification by a professional that the facility complies with Federal Communications Commission (FCC) regulations for Radio Frequency Emissions (RFE).
- i. Prior to the issuance of a building permit the applicant shall record a statement of assurance that the wireless communications facility shall be removed if the use of the facility is discontinued for a period of twelve (12) consecutive months.
- j. The following **Operational Conditions** shall be required for the life of the unmanned wireless telecommunications monopole.
  - i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.

- ii. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Building Division.
- iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Building Division staff to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Building Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

**Washoe County Engineering and Capital Projects**

2. The following conditions are requirements of the Engineering Division, which shall be responsible for determining compliance with these conditions.

**Contact Name – Rob Wimer; 775.328.2059; [rwimer@washoecounty.gov](mailto:rwimer@washoecounty.gov)**

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The applicant shall provide documentation of easements for the lease area, access and utilities. A copy of the easements shall be submitted to the Engineering Division prior to the approval of a building permit.
- c. All existing and proposed easements shall be shown on the site and/or grading plan.

**\*\*\* End of Conditions \*\*\***

**From:** [Lemon, Brittany](#)  
**To:** [Pelham, Roger](#)  
**Cc:** [Way, Dale](#)  
**Subject:** WAC22-0003 (Vya Monopole Time Extension (WSUP19-0003) Conditions of Approval  
**Date:** Tuesday, March 22, 2022 10:58:27 AM  
**Attachments:** [image001.png](#)

Hi Roger,

"This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply."

<https://tmfpd.us/fire-code/>.

Thank you.

**Brittany Lemon**

**Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue**

[blemon@tmfpd.us](mailto:blemon@tmfpd.us) | Office: 775.326.6079 | Cell: 775.379.0584  
3663 Barron Way, Reno, NV 89511



**WASHOE COUNTY**  
**COMMUNITY SERVICES**  
INTEGRITY COMMUNICATION SERVICE

Reno, Nevada 89520-0027  
Phone: (775) 328-3600  
Fax: (775) 328-3699

March 24, 2022

**TO:** Roger Pelham, Senior Planner, CSD, Planning & Development Division  
**FROM:** Timber Weiss, Licensed Engineer, CSD  
**SUBJECT:** Amendment of Conditions Case Number WAC22-0003 (Vya Monopole Time Extension (WSUP19-0003))

**Project description:**

The applicant is proposing to approve an amendment of conditions to extend the approval of Special Use Permit Case Number WSUP19-0003 for two additional years, until June 6, 2024. The original approval was for a new wireless cellular facility consisting of a 150-foot-high monopole structure, equipment shelter, outdoor generator, and LP tank.

location: On the south side of Dugway Road, approximately 1.5 miles southwest of its intersection with County Road 34, in the area of Vya, Northern Washoe County, Assessor's Parcel Number: 061-010-49.

*The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:*

There are no conditions of approval for the WAC22-0003.



1365 Corporate Blvd.  
Reno NV 89502  
775 857-8500 ext. 131  
nevadaconservation.com

## Washoe-Storey Conservation District

Bret Tyler Chairman  
Jim Shaffer Treasurer  
Cathy Canfield Storey app  
Jean Herman Washoe app

March 21, 2022

Washoe County Community Services Department

C/O Roger Pelham, Senior Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WAC21-0002 Extension of Time for WSUP19-0003 Vya Monopole

Dear Roger,

In reviewing the amendment to extend the special use permit for two additional years, the Conservation District has the following comment on the project.

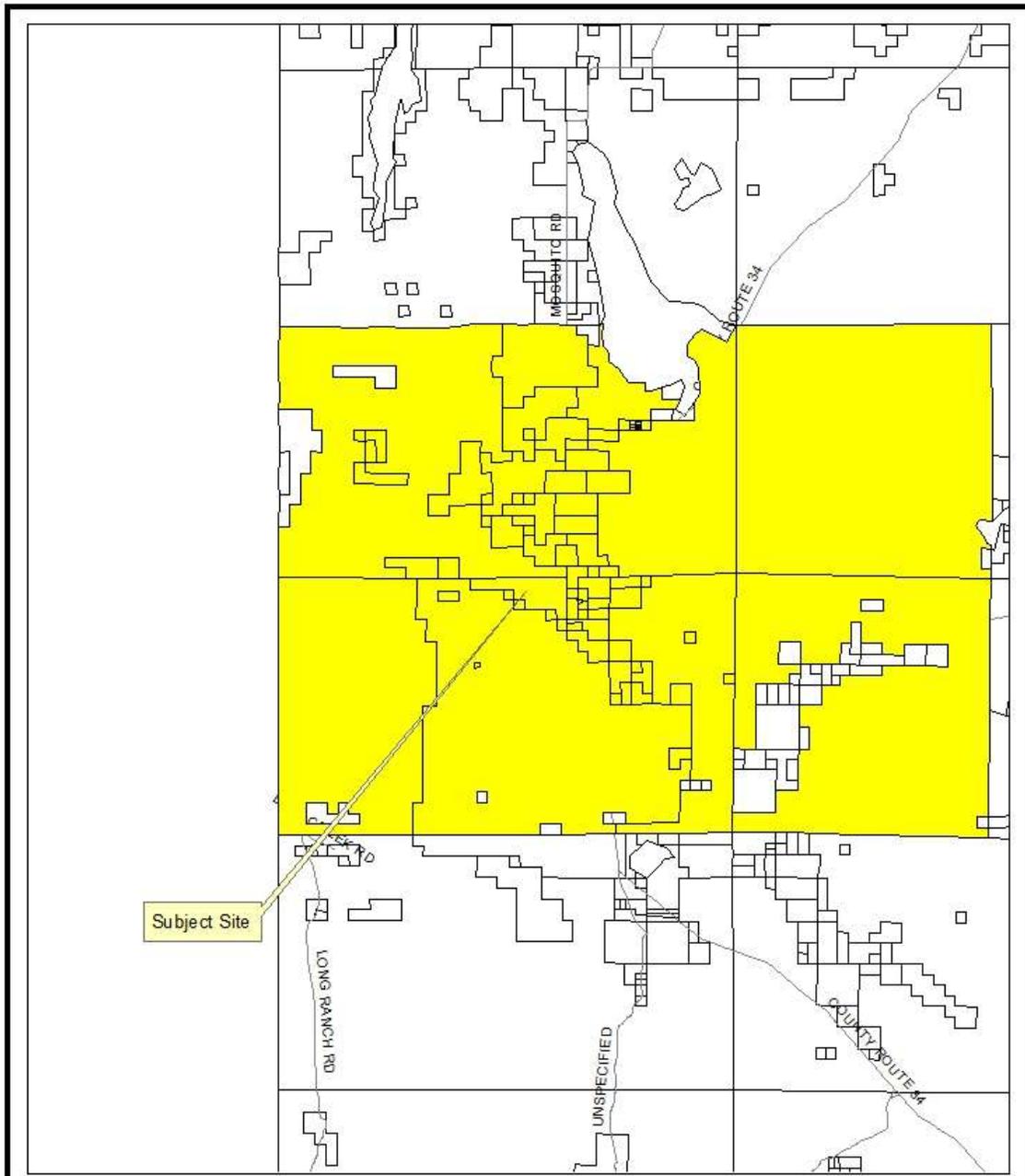
Concerning the mitigation requirements for mapping sage grouse habitat by the applicant, the Conservation District has been collaborating with farmers and other groups in protecting sage grouse habitat by placing sage grouse markers on barb wire fencing which is reflective so that sage grouse with their poor eyesight does not fly into these fences injuring themselves.

If barb wire fencing is within the sage grouse habitat concerning the project, contact Bret Tyler at the Conservation District for sage grouse markers.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources any questions call us at (775) 750-8272.

Sincerely,

Jim Shaffer



Mailing and Vicinity Map

WAC22-0003 Notice Map  
83 parcels selected at 22000 feet

Miles

Community Services  
Department

**WASHOE COUNTY**  
NEVADA

1001 E. North St.  
Reno, Nevada 89512 (775) 328-3600

Source: Planning and Building Division \\C:\Community Development Department\ArcView\maps and mailing labels\map-wac22-0003\_Publish\Info Date: 2/10/2022



March 5, 2022

Trevor Lloyd  
Washoe County  
Planning and Development Division  
1001 E. Ninth Street  
Reno, NV 89512

**RE: Amendment of Conditions Application for Case Number WAC21-0002 (Extension of Time for WSUP19-0003 Vya Monopole) 89000A Dugway Road, Gerlach, NV 89413**

Trevor,

Per our telephone conversation, please find enclosed an Amendment of Conditions Application for the above referenced Special Use Permit where Commnet of Nevada, LLC requests to amend condition 1 (d) for an additional two (2) years to allow completion of Sage-Grouse mitigation requirements, all final permitting and right of way grants to be issued by Washoe County and the Bureau of Land Management. The submittal contains the following documents.

**This application is for the March 8, 2022 submittal to be placed on the May 5, 2022 Board of Adjustment Agenda.**

1. Filing Fee Check
2. Washoe County Development Application
3. Amendment of Conditions Application Supplemental Information
4. Property Owner Affidavit
5. Proof of Property Tax Payment – not required, Federal lands
5. Site Plan and survey
6. Location Map
7. Flash Drive containing Application materials

Upon review, if you have any questions or need additional materials, I can be reached at (314) 640-5182 cell or (314) 569-2275 office.

Sincerely,

Julie Krekeler  
General Manager

Enclosures

749 Old Ballas Road, Creve Coeur, MO 63141 / (314) 569-2275 [www.ciscomm.com](http://www.ciscomm.com)

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name:			
Project Description:			
Project Address:			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets <b>AND</b> area locator):			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:                      Fax:		Phone:                      Fax:	
Email:		Email:	
Cell:                              Other:		Cell:                              Other:	
Contact Person:		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:                      Fax:		Phone:                      Fax:	
Email:		Email:	
Cell:                              Other:		Cell:                              Other:	
Contact Person:		Contact Person:	
<b>For Office Use Only</b>			
Date Received:                      Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

## **Amendment of Conditions Application Supplemental Information**

(All required Information may be separately attached)

### **Required Information**

#### **1. The following information is required for an Amendment of Conditions:**

##### **a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.**

Commnet of Nevada, LLC (Commnet Wireless) is seeking to extend the Board of Adjustment Action Conditions of Approval for Amendment of Conditions Case Number WAC21-0002 (Extension of Time for WSUP19-0003 Vya Monopole) for an additional two (2) years to obtain all required Bureau of Land Management final Right-of-Way grants, Sage-Grouse mitigation requirements, and the issuance of Washoe County's Building Permit.

The past several years has presented challenges as the Applegate/Susanville, CA, Bureau of Land Management Field Offices (BLM) has faced several obstacles including the California/Nevada forest fires, COVID-19, and short-staffing. Additionally, Commnet undertook consultations with Nevada Sagebrush EcoSystem Technical Team (SETT) and it was confirmed that this site is located in mapped habitat for the Greater Sage-Grouse. The field work was delayed in 2021 due to dry growing conditions and is scheduled for spring 2022. Once SETT approves the qualified biologists to perform the field work, it will be an approximate six-week process to complete all sage-grouse mitigation requirements for the State prior to the BLM issuing the Communication Use Lease with construction of the facility to commence shortly thereafter.

The additional two (2) years will be necessary to ensure adequate time frame to obtain all final grants and permits and construction of the telecommunications tower. Winter season can delay constructability.

##### **b. Identify the specific Condition or Conditions that you are requesting to amend.**

Commnet Wireless requests to amend condition 1 (d) of the Washoe County Planning and Building Division Board of Adjustment Action Order where it states that the applicant shall submit complete construction plans and building permits shall be issued on or before June 6, 2022.

While Commnet Wireless has submitted construction drawings and is working with Washoe County Planning and Building Department, the Bureau of Land Management must also review and approve all final changes to the construction drawings prior to issuing the final right of way grant. SETT mitigation requirements must also be completed.

##### **c. Provide the requested amendment language to each Condition or Conditions, and provide both the existing and proposed condition(s).**

Please refer to the Board of Adjustment Action Order dated May 6, 2021 - Amendment of Conditions Case Number WAC21-0002 (Extension of Time for WSUP19-0003 Vya Monopole)

Existing Condition 1 (d) language

The applicant shall submit complete construction plans and building permits shall be issued on or before June 6, 2022. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division

Proposed Condition 1 (d) language

The applicant shall submit complete construction plans and building permits shall be issued on or before June 6, 2024. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.

**2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.**

This telecommunications facility is part of the FirstNet nationwide buildout to provide an emergency broadband network dedicated to first responders (ie Fire, Police, EMT) for the ability to communicate on a single network for any public safety needs in the area. In addition, the tower will provide expansion of LTE for Commnet and any of its collaboration partners/collocators.

The approval of this Amendment is vital in the expansion of FirstNet's coverage to provide reliable communications for public safety.

# Property Owner Affidavit

**Applicant Name:** Commnet of Nevada, LLC

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA     )  
                                  )  
COUNTY OF WASHOE    )

I, CRAIG R. DRAKE  
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 061-010-49

Printed Name CRAIG R. DRAKE

Signed Craig R. Drake

Address 708 W. 12<sup>th</sup> St.

Alturas, CA 96101

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(Notary Stamp)

see att. Just  
Notary Public in and for said county and state

My commission expires: \_\_\_\_\_

\*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

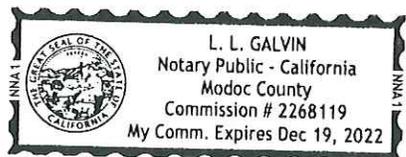
~~\_\_\_\_\_  
\_\_\_\_\_~~

~~Signature of Document Signer No. 1                      Signature of Document Signer No. 2 (if any)~~

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Modoc

Subscribed and sworn to (or affirmed) before me  
on this 4 day of April, 2019,  
by                      Date                      Month                      Year



(1) Craig R. Drake  
(and (2) \_\_\_\_\_),  
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence  
to be the person(s) who appeared before me.

Signature [Handwritten Signature]  
Signature of Notary Public

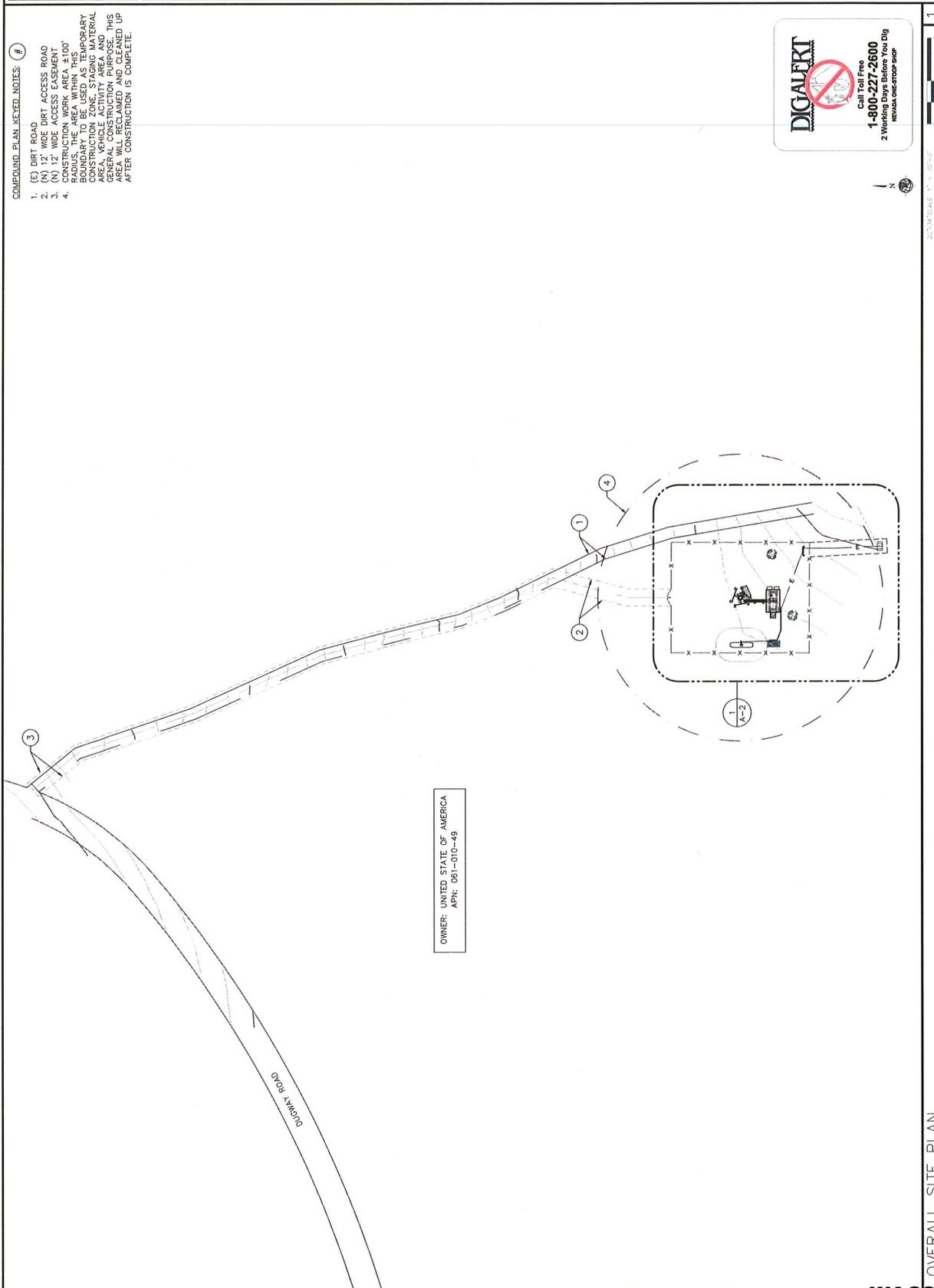
Seal  
Place Notary Seal Above

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_



**COMPOUND PLAN KEYED NOTES: #**

1. (E) DIRT ROAD
2. (N) 12' WIDE DIRT ACCESS ROAD
3. (N) 12' WIDE ACCESS EASEMENT
4. CONSTRUCTION WORK AREA ±100' RADIUS, THE AREA WITHIN THIS RADIUS SHALL BE USED AS A TEMPORARY CONSTRUCTION ZONE FOR STAGING MATERIAL AREA, VEHICLE ACTIVITY AREA AND GENERAL CONSTRUCTION PURPOSE. THIS AREA SHALL BE RESTORED TO ORIGINAL CONDITION AFTER CONSTRUCTION IS COMPLETE.

OWNER: UNITED STATE OF AMERICA  
 APN: 061-010-49

**DIGALERT**  
 Call Toll Free  
**1-800-227-2600**  
 2 Working Days Before You Dig  
 NEVADA ONE-STOP SHOP

	<p>1337 E. DESERT FLOWER LANE              PHOENIX, AZ 85048              PHONE: (480) 213-8824</p>	<p>PE SEAL</p>	<p>DESIGNER: JASON NGO                  LEAD EE: SEI                  LEAD CE/SE: SAM</p>	<p>SUBMITTALS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>H</td> <td>1/25/19</td> <td>COMMENTS</td> <td>JN</td> </tr> <tr> <td>I</td> <td>2/13/19</td> <td>COMMENTS</td> <td>JN</td> </tr> <tr> <td>J</td> <td>2/18/19</td> <td>COMMENTS</td> <td>JN</td> </tr> <tr> <td>K</td> <td>2/19/19</td> <td>FINAL CD</td> <td>JN</td> </tr> <tr> <td>L</td> <td>4/3/19</td> <td>REVISED CD</td> <td>JN</td> </tr> </tbody> </table> <p>THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY ADN ENGINEERING AND SHALL BE USED FOR THE PROJECT AND SITE SPECIFIC ONLY. NO OTHER THAN THAT WHICH RELATES TO THIS PROJECT IS TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF ADN ENGINEERING.</p>	REV	DATE	DESCRIPTION	BY	H	1/25/19	COMMENTS	JN	I	2/13/19	COMMENTS	JN	J	2/18/19	COMMENTS	JN	K	2/19/19	FINAL CD	JN	L	4/3/19	REVISED CD	JN	<p>SITE NAME                  VYA, NEVADA</p>	<p>PROJECT                  RAW LAND MONOPOLE</p>	<p>SITE ADDRESS                  LAT: 41° 35' 30.76358"N                  LONG: 119° 52' 47.14752"W                  89000A DUGWAY ROAD                  GERLACH, NV 89413</p>	<p>SHEET TITLE                  OVERALL SITE PLAN</p>	<p>SHEET NUMBER                  A-1</p>
REV	DATE	DESCRIPTION	BY																														
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OVERALL SITE PLAN 1

**LEGAL DESCRIPTIONS**

SECTION 5, TOWNSHIP 42 NORTH, RANGE 19 EAST, WASHOE COUNTY, NEVADA DESCRIBED AS FOLLOWS:

PARCEL A (1/4 AC. ABL)

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 5, TOWNSHIP 42 NORTH, RANGE 19 EAST, WASHOE COUNTY, NEVADA;

THENCE NORTH 77°02'00" EAST 3441.4 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°43'37" WEST 72.00 FEET TO A POINT HEREAFTER REFERRED TO AS POINT A-1;

THENCE CONTINUING SOUTH 89°43'37" WEST 3.00 FEET;

THENCE NORTH 00°02'33" EAST 92.00 FEET;

THENCE NORTH 89°43'37" WEST 38.50 FEET TO A POINT HEREAFTER REFERRED TO AS POINT B-1;

THENCE CONTINUING NORTH 89°43'37" WEST 38.50 FEET;

SOUTH 00°02'33" WEST 92.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 7.489 SQ.FT. MORE OR LESS.

PARCEL B (UTILITY EASEMENT)

BEING A STRIP OF LAND 10.00 FEET IN WIDTH, 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINS AT THE APPROPRIATED POINT A-1;

THENCE SOUTH 12°30'24" EAST 54.25 FEET TO THE POINT OF TERMINATION.

THE SPURNS OF THIS STRIP OF LAND ARE TO BE CONSIDERED OR SUBMITTED TO INTERSECT AT ALL ANGLE POINTS AND TO BEON OF THE SOUTH LINE OF PARCEL A-1;

CONTAINING 542 SQ.FT. MORE OR LESS.

PARCEL C (ACCESS EASEMENT)

BEING A STRIP OF LAND 12.00 FEET IN WIDTH, 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINS AT THE APPROPRIATED POINT B-1;

THENCE NORTH 60°00'00" EAST 30.57 FEET;

THENCE NORTH 14°37'01" WEST 54.43 FEET;

THENCE NORTH 28°42'37" WEST 38.11 FEET;

THENCE NORTH 28°42'37" WEST 32.34 FEET;

THENCE NORTH 12°34'41" WEST 44.10 FEET;

THENCE NORTH 14°43'29" WEST 57.25 FEET;

THENCE NORTH 24°39'31" WEST 97.94 FEET;

THENCE NORTH 18°44'18" WEST 65.71 FEET;

THENCE NORTH 33°32'34" WEST 42.50 FEET TO THE POINT OF TERMINATION.

THE SPURNS OF THIS STRIP OF LAND ARE TO BE CONSIDERED OR SUBMITTED TO INTERSECT AT ALL ANGLE POINTS AND TO BEON OF THE SOUTH LINE OF PARCEL A-1;

CONTAINING 5,291 SQ.FT. MORE OR LESS.

**PARENT PARCEL LEGAL DESCRIPTION**

LINE 10 WITHIN SECTION 5, TOWNSHIP 42 NORTH, RANGE 19 EAST, WASHOE COUNTY, NEVADA.

**OWNERSHIP INFORMATION**

OWNER = UNITED STATES OF AMERICA

CONTACT = N/A

ASSESSOR'S PARCEL NUMBER = 081-010-49

ASSASSING DOCUMENT # N/A

**TITLE REPORT DATA AND EXCEPTIONS**

NO TITLE REPORT PROVIDED.

**BASIS OF BEGINNINGS**

GRAND NORTH BEGINS UPON THE NORTH AMERICAN DATUM OF 1983 (NAD 83) (2011).

DISTANCES ARE BASED ON A GROUND SCALE FACTOR OF 1.0000000173. THE DISTANCES ARE BASED ON THE PROJECTIONS WITH A LATITUDE OF 39°43'37" NORTH.

THE PROJECTIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) WITH A MEAN SEA LEVEL DATUM OF 1988 HEIGHT OF 8167.20 FEET USING GEOID DA.

**PROPOSED TOWER COORDINATES**

IND BY LATITUDE = 41°32'50.73358" N

LONGITUDE = 119°32'27.19252" W

SITE GROUND ELEVATION = 5282.20

STATE PLANE COORDINATES IND BY NEVADA WEST ZONE

METERS (GROUND) = 499184.848

EASTING = 499184.848

NORTHING = 2270052.64

FEET (GROUND) = 16377.67

EASTING = 16377.67

NORTHING = 2270052.64

FEET (GROUND) = 53728.54

EASTING = 53728.54

NORTHING = 2270052.64

FEET (GROUND) = 17642.85

EASTING = 17642.85

NORTHING = 2270052.64

FEET (GROUND) = 53728.54

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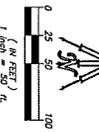
FEET (GROUND) = 17642.85

EASTING = 17642.85

NORTHING = 2270052.64

FEET (GROUND) = 53728.54

EASTING = 53728.54



**LEGEND**

- AW ASSESSOR'S PARCEL NUMBER
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- SECTION LINE
- GROUND LAYOUT/CONSTRUCTION AS DESCRIBED
- ELECTRIC PULL BOX
- ELECTRIC MANNER

**LINE TABLE**

LINE	BEGINNING	DISTANCE
L1	N89°48'37"W	72.00'
L2	N89°48'37"W	3.00'
L3	S01°02'33"E	92.00'
L4	S89°48'37"E	38.50'
L5	S89°48'37"E	38.50'
L6	N07°02'33"E	92.00'
L7	S57°02'33"E	54.25'
L8	N09°00'00"E	30.57'
L9	N14°37'01"E	54.43'
L10	N28°42'37"W	38.11'
L11	N28°42'37"W	32.34'
L12	N12°34'41"W	44.10'
L13	N14°43'29"W	57.25'
L14	N24°39'31"W	97.94'
L15	N18°44'18"W	65.71'
L16	N33°32'34"W	42.50'

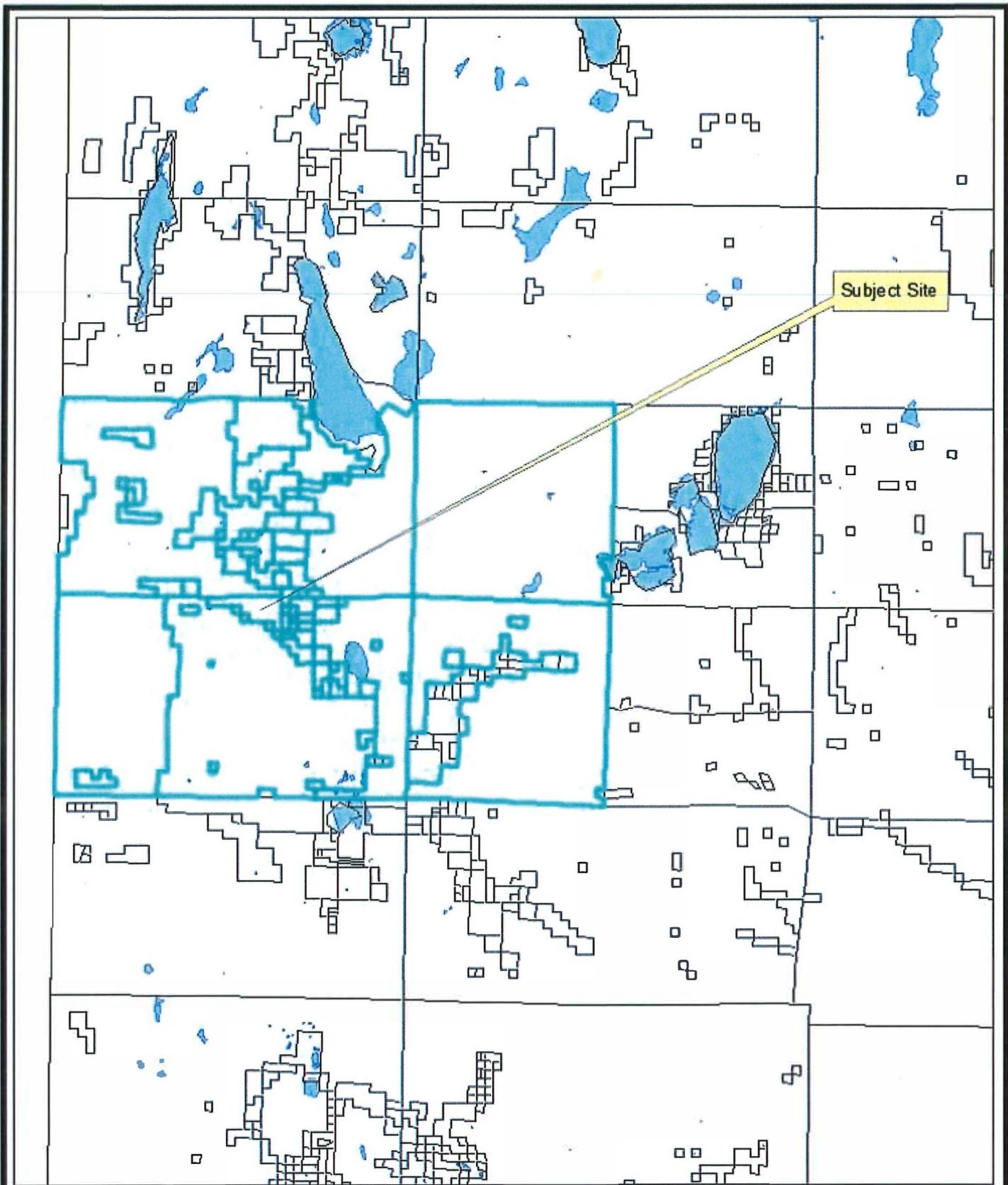
COMMNET WIRELESS, LLC  
 VYA SITE, WASHOE COUNTY, NEVADA  
 061-010-49  
 TOPOGRAPHY MAP

REV:	DATE:	DESCRIPTION:



WALLACE MORRIS ORBAN  
 SURVEYING, L.L.C.  
 LAND SURVEY CONSULTING  
 1250 LAMOLLE HIGHWAY, UNIT 624  
 ELKO, NEVADA 89801  
 PH: 775.753.3610 FAX: 775.753.3078

WAC22-0003  
 EXHIBIT D



**WSUP19-0003 Vya Monopole**  
 Noticing Map  
 83 Parcels Selected at 22000 feet



Community Services  
**WASHOE COUNTY**  
 NEVADA  
 1001 E. 4th St.  
 Reno, Nevada 89512 (775) 328-3600