

Section 6409(a) Modification Worksheet For Wireless Towers or Base Stations in the Public Right-of-Way

Purpose: This worksheet serves to assist the City of Carlsbad to determine whether a proposed collocation or modification to an existing tower or base station in the public right-of-way qualifies as an eligible facilities request and/or would cause a substantial change as defined by the FCC.

Instructions: Applicants must complete this worksheet and submit it with an application for a Section 6409(a) modification to collocate or modify transmission equipment on an existing tower or base station in the public right-of-way submitted for approval pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455(a)).

Any proposed modification submitted for approval pursuant to Section 6409(a) must answer two general questions: (1) is the proposed modification an eligible facilities request and if so, (2) will it cause a substantial change? Section 1 addresses the eligible facilities request question and Sections 2 through 7 address the substantial change questions.

In general, any “NO” answer in Section 1, or any “YES” answer in Sections 2 through 7 will disqualify the proposed modification from Section 6409(a).

The City may deem any application without a completed worksheet incomplete. If a response to any question requires additional space, applicants may attach additional pages to this worksheet so long as the responses are clearly labeled with the number that corresponds with the question. Questions about this worksheet should be submitted to the Planning Division at planning@carlsbadca.gov.

Applicant Name: _____

Phone: _____ **Email:** _____

Project Address: _____

Applicant's Site ID: _____

ELIGIBLE FACILITIES REQUEST

Section 1. EXISTING FACILITY

1.1. Answer the following questions if the proposed modification applies to a non-tower structure:

1.1.1 **Does the structure currently support wireless transmission equipment?** YES NO

1.1.2 **Has all the transmission equipment been deployed in accordance with the applicable siting and zoning regulations in effect when the deployment occurred?** YES NO

1.2. Answer the following question in the proposed modification applies to a tower:

1.2.1 **Has the tower been deployed in accordance with the applicable siting and zoning regulations in effect when the deployment occurred?** YES NO

- 1.3. Does the application include a copy of the most recent permit or regulatory approval issued in connection with this site? YES NO

If the answer in Line 1.3 is "NO" explain why the relevant permits and/or regulatory approvals are not attached:

- 1.4. Will the proposed modification maintain (and NOT replace) the existing support structure? YES NO

SUBSTANTIAL CHANGE FACTORS

Section 2. HEIGHT INCREASES

Rule: A modification substantially changes a base station or tower in the public right-of-way if it increases the height of the support structure as it existed on February 22, 2012 by more than 10% or 10 feet (whichever is greater). 47 C.F.R. § 1.6100(b)(7)(i).

- 2.1. Provide the following measurements:

2.1.1. overall height after the proposed modification: _____ feet

2.1.2. support structure height on February 22, 2012: _____ feet

2.1.3. subtract Line 2.1.1 by Line 2.1.2 _____ feet

2.1.4. multiply Line 2.1.2 by 0.1: _____ feet

- 2.2. Is the measurement in Line 2.1.3 greater than 10 feet AND greater than the measurement in Line 2.1.4? YES NO

Section 3. WIDTH INCREASES

Rule: A modification substantially changes a base station or tower in the public right-of-way if it adds an appurtenance that protrudes from the support structure by more than six (6) feet. 47 C.F.R. § 1.6100(b)(7)(ii).

- 3.1. Provide the furthest distance that any proposed appurtenance would protrude from the support structure: _____ feet

- 3.2. Is the measurement in Line 3.1 greater than six (6) feet? YES NO

Section 4. EQUIPMENT CABINETS

Rule: A modification substantially changes a base station or tower in the public right-of-way if it involves (i) more than four (4) new equipment cabinets; (ii) installation of any new ground-mounted equipment cabinets if none currently exist; or (iii) installation of any ground-mounted equipment cabinets that are more than 10% taller or voluminous than any existing ground-mounted cabinets associated with the base station. 47 C.F.R. § 1.6100(b)(7)(iii).

- 4.1. Provide the following quantities:
- 4.1.1. total proposed new equipment cabinets: _____
- 4.1.2. existing ground-mounted equipment cabinets: _____
- 4.1.3. proposed new ground-mounted equipment cabinets: _____
- 4.2. Provide the following measurements (unit of measure **required**):
- 4.2.1. height of the tallest proposed ground-mounted equipment cabinet: _____
- 4.2.2. height of the tallest existing ground-mounted equipment cabinet: _____
- 4.2.3. **multiply** Line 4.2.2 by 1.1: _____
- 4.2.4. volume of the most voluminous proposed ground-mounted equipment cabinet: _____
- 4.2.5. volume of the most voluminous existing ground-mounted equipment cabinet: _____
- 4.2.6. **multiply** Line 4.2.5 by 1.1: _____
- 4.6. **Is the quantity in Line 4.1.1 greater than four (4)?** YES NO
- 4.7. **Is the quantity in Line 4.1.2 zero (0) AND the quantity in Line 4.1.3 greater than zero (0)?** YES NO
- 4.8. **Is the measurement in Line 4.2.1 greater than the measurement in Line 4.2.3?** YES NO
- 4.9. **Is the measurement in Line 4.2.4 greater than the measurement in Line 4.2.6?** YES NO

Section 5. NEW EXCAVATION OR DEPLOYMENT AT GROUND LEVEL

Rule: A modification substantially changes a base station or tower in the public right-of-way if it entails any excavation or deployment outside the current boundaries of the leased or owned property and any access or utility easements related to the site, and further restricted to the area in proximity to the support structure and to other transmission equipment already deployed on the ground. 47 C.F.R. §§ 1.6100(b)(6), 1.6100(b)(7)(iv).

- 5.1. Mark the appropriate box(es) if the project plans contain the following items. Mark any box "N/A" if the item is not part of the scope of work for the proposed modification:
- Current boundaries of the area that the carrier/infrastructure provider leases or owns, including access and utility easements
 - All proposed equipment deployed on the ground
 - All proposed ground disturbance (excavation, trenching, boring, digging, etc.)

5.2. Describe all proposed ground disturbance and proposed equipment deployed on the ground:

5.3. **Will any new ground disturbance or equipment deployed on the ground be outside the leased or owned areas, including any associated easements for access or utilities, OR outside the proximity of the support structure or existing ground-mounted transmission equipment?**

<input type="checkbox"/> YES	<input type="checkbox"/> NO
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Section 6. CONCEALMENT ELEMENTS

Rule: A modification substantially changes a base station or tower in the public right-of-way if it would defeat the concealment elements of the support structure. 47 C.F.R. § 1.6100(b)(7)(v).

6.1. Mark the appropriate box(es) if the application contains the following items:

- Full-color photo simulations that depict how the site appears now and how it will appear after the proposed project
- Project plans that depict and call out all existing and proposed concealment elements (painting, stealth techniques, camouflaging, integration, etc.)

6.2. Describe the existing concealment elements and/or techniques:

6.3. Describe the proposed concealment elements and/or techniques and how, if at all, the proposed modification would alter the existing concealment elements:

6.4. **Will the proposed modification defeat the existing concealment elements of the facility?**

<input type="checkbox"/> YES	<input type="checkbox"/> NO
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Section 7. COMPLIANCE WITH PRIOR PERMIT CONDITIONS

Rule: A modification substantially changes a base station or tower in the public right-of-way if it does not comply with conditions associated with the siting approval for the original construction or subsequent modification(s) of the base station or tower. Noncompliance with prior permit conditions related to height, width, equipment cabinets and excavation would not cause a substantial change to the extent the condition is more restrictive than the applicable FCC thresholds (described in Sections 2 through 5 of this worksheet). 47 C.F.R. § 1.6100(b)(7)(vi).

[CONTINUE ON NEXT PAGE]

- 7.1. Mark the appropriate box(es) if the application contains all the following items:
- Copies of all prior permits and other regulatory approvals issued in connection with this site
 - All conditions of approval applicable the corresponding prior permits and other regulatory approvals
- 7.2. Identify the condition(s) corresponding to a prior permit or regulatory approval that the proposed modification would violate:
- _____
- _____
- _____
- 7.3. Identify the condition(s) corresponding to a prior permit or regulatory approval that the proposed modification would violate, but such condition(s) would be preempted by a “**NO**” answer in **Line 2.2, 3.2, 4.6, 4.7, 4.8, 4.9 or 5.3** of this worksheet:
- _____
- _____
- _____
- 7.4. **Are there any conditions identified in Line 7.2 that do not appear in Line 7.3?** YES NO

PREPARER’S CERTIFICATION

I have read and I understand this worksheet and all its instructions. All my responses on this worksheet are true, accurate and based on my personal knowledge about the proposed project to which this worksheet corresponds. I understand that the City of Carlsbad will rely on my responses to evaluate whether to process this application in accordance with the FCC’s regulations under 47 C.F.R. § 1.6100 *et seq.*, and I acknowledge that any inaccuracies may result in the application being deemed incomplete or the request for approval pursuant to Section 6409(a) being denied.

Applicant Name: _____

Applicant Signature: _____ Date: _____