CITY OF FREMONT NEBRASKA

AIRPORT ADVISORY COMMITTEE

January 17th, 2019
8:15 A.M.
Fremont Municipal Airport Terminal Building
1203 West 23rd Street, Fremont, Nebraska

1. Meeting called to order with Open Meetings Act announcement.
2. Roll call.
3. Approval of the December 20th, 2019 meeting minutes.
4. Approval of contract for terminal building.
5. Review FAA public notices regarding proposed towers.
6. Airport C.I.P. (Capital Improvement Program)
7. Discussion of maintenance items
8. Adjournment.

The agenda was distributed to the Mayor, City Council, and Advisory Committee members on January 10th, 2019. The official current copy is available at City Hall, 400 East Military, Public Works Department Office. The Advisory Committee reserves the right to go into Executive Session when necessary. A copy of the Open Meeting Law is posted at the Airport terminal building for review by the public. The Board reserves the right to adjust the order of items on this agenda.

CITY OF FREMONT NEBRASKA

AIRPORT ADVISORY COMMITTEE

Meeting Minutes: December 20, 2019

1. Meeting called to order with Open Meeting announcement.

   Meeting was called to order at 8:15 A.M. Open Meeting Act is posted on the wall of the Airport Terminal, the Act Poster was pointed out to those in attendance.

2. Roll call.

   Board Members Present: Ron Spahni, Bill Dugan, Dave Monke, Jennifer Weiss-Assman, Robert Steenblock, Mike McGillick, Eric Johnson,

   Guests: David Goedeken, Jim Kjeldgaard, Greg Kjeldgaard, Ron Vlach, Brian Newton

3. Approval of the November 15th, 2019 meeting minutes.

   Motion by Dave Monke and seconded by Ron Shahni, to approve the November 15th, 2019 minutes with one amendment, motion passed by vote of members, (all voting yes on role call vote)

   Amendment to minutes was to show that Bill Dugan was present at the November 15th meeting.

4. Terminal Master Plan Project Update and Discussion.

   Staff briefed Board regarding progress, and schedule for Terminal Apron Project. Terminal Apron project is progressing through the FAA process, construction will begin in the spring. There will be a pre-construction meeting prior to the start of project, most likely in January. Board members requested they be invited to the precon. meeting. Board asked that the Architect be brought into a meeting with the Board prior to the final concept design phase. Staff reported they are in contact with and negotiating the terms of the scope of service with Davis Design regarding the terminal building design services.

5. Discussion of Maintenance Items

   Board discussed misc. maintenance concerns. The roadway to the AWOS has been completed by the Street Department. Greg Kjeldgaard reported he attended a workshop regarding waterfowl control at airports.

6. Adjournment.

   Motion by Bill Dugan, and seconded by Eric Johnson, to adjourn, motion passed by vote of members, (all voting yes on role call vote) Meeting was adjourned at 8:45.

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

November 20, 2018

Re: FY 2021-2023 Federal AIP Grants
NDOT Capital Improvement Program

Dear Airport Sponsor:

Your airport is a part of the National Plan for Integrated Airport System (NPIAS) and therefore is eligible for funding through the federal Airport Improvement Program. The FAA is working on the planned federal funding program for Federal Fiscal Years 2021 to 2023. To be considered for funding in FY2021 (and beyond), you need to review the following:

Capital Improvement Plan

Enclosed is the latest *Capital Improvement Plan* for your airport. **Review improvement needs (or wants) at your airport and ensure that they are on the plan**. Any changes to the plan should be noted.

Although federal and state funds are shown for certain items, these are based on estimates – actual project costs and funds are uncertain. See the attachment for requirements that must be met before your airport will be considered for federal AIP funds.

Your airport receives federal non-primary entitlement to fund eligible projects. The enclosed list titled *Potential Federal Funds Available* provides anticipated available entitlement funds. Note that the 2017 entitlement expires in the current fiscal year. If you have any remaining 2017 entitlement, we encourage you to either use the funds at your airport before they expire or transfer them to another Nebraska airport.

Airport Officials

Please update, sign, and date the enclosed form.

Kyle Schneweis, P.E., Director
Department of Transportation
1500 Highway 2
PO Box 94759
Lincoln, NE 68509-4759
dot.nebraska.gov

OFFICE 402-471-4567
FAX 402-479-4325
NDOT.ContactUs@nebraska.gov

Aeronautics Division
3431 Aviation Road, Ste. 150
PO Box 82088
Lincoln, NE 68501
OFFICE 402-471-2371
FAX 402-471-2906

Navigational Aids Office
Kearney Municipal Airport
5065 Airport Road
Kearney, NE 68847
OFFICE 308-865-5696
FAX 308-865-5697

ACIP Data Sheets

To be considered for 2021 funding, you need to have an ACIP data sheet on file for each major work item. **If your airport needs to submit a data sheet for a planned project, it is noted on the Capital Improvement Plan.** Data sheets can be prepared by you, your consultant, or NDOT. A sample CIP data sheet and instructions are enclosed.

We should receive all new CIP data sheets no later than January 24, 2020 in order to present the requests to the Nebraska Aeronautics Commission and subsequently to the FAA before the February deadline. Nebraska law requires that your requests for funding (data sheets) be approved by the Commission prior to submittal to the FAA.

Previously Submitted/Approved data sheets do not need to be resubmitted.

Action Items

Please review the enclosed information and return the following items to me by January 25, 2019:

- Capital Improvement Plan – mark requested changes
- Airport Officials List – mark changes or write in "OK" and sign
- ACIP Data Sheets, **if needed** – new and/or revised

A complete and accurate Capital Improvement Plan in an important tool to maintain/grow your airport. If you are interested in meeting with us to discuss your plan, please contact me. I can be reach at either anna.lannin@nebraska.gov or (402) 472-7931

Sincerely,

Anna Lannin

Anna Lannin, P.E.
Planning & Programming
Division of Aeronautics
Nebraska DOT

Enclosure

REQUIREMENTS THAT MUST BE MET BEFORE YOUR AIRPORT WILL BE CONSIDERED FOR AIRPORT IMPROVEMENT PROGRAM (AIP) FUNDING

1. The proposed work must be shown on a current Airport Layout Plan (ALP) that has been approved by the FAA.

2. The project must be reasonable, justified, necessary, and eligible for federal participation.

3. Each major work item must be on a separate, signed and dated ACIP data sheet and include adequate justification and detailed cost estimate.

4. FAA must have made an environmental determination on the proposed project.

5. Land - In order to be considered for funding for land reimbursement, the land must be acquired or a purchase agreement must be negotiated.

6. The sponsor must have available the necessary matching share (10 percent). The FAA considers the first two years of the CIP as work the sponsor is committed to accomplishing should funding become available. To assure that the limited AIP funds are used during the fiscal year obligated, the FAA has adopted the policy that grants must be based upon bids and the grant application based on bid must be submitted by May 1 of the year programmed.

7. You must agree to abide by the grant assurances required for airport funding. The electronic format of the grant assurances is available at:
http://www.faa.gov/airports/aip/grant_assurances/media/airport_sponsor_assurances.pdf

8. For airports with an AIP project approved after January 1, 1995, for pavement replacement or new pavement, the sponsor is required to implement a pavement maintenance program to ensure the pavement is properly maintained at the airport. Failure to have such a plan could impact future consideration for AIP funds. The plans are typically completed by NDA (Dave Lehnert, dave.lehnert@nebraska.gov). Questions for the FAA can be directed to:

   Dan Wilson, P.E.
   FAA Airports Division, ACE-621F
   901 Locust, Room 364
   Kansas City, MO 64106-2325

9. Before eligibility for funding revenue-producing facilities (i.e. fueling facilities and hangars) can be approved, a sponsor must submit, to the FAA, justification for the project and a statement that airside development needs are met or a financial plan that shows how airside needs over the next 3 years will be met. Note that the Central Region policy states that if the airport sponsor is planning to fund a project in the next three years using state apportionment or discretionary funds, any revenue-producing facilities are ineligible.

Capital Improvement Program

FREMONT MUNI
FREMONT

	Year	Description	Total Cost	Federal	State	Local
Phase I						
	2021	Auto parking for new terminal	$255,822	$0	$0	$255,822
	2021	Utilities for terminal building	$485,000	$0	$0	$485,000
	2021	Construct terminal building	$950,000	$0	$0	$950,000
	2023	ALP Update with Feasibility Study	$350,000	$315,000	$0	$35,000
		Phase I Subtotal	$2,040,822	$315,000	$0	$1,725,822
Phase II						
	2025	Seal coat asphalt apron & connecting taxiway	$95,648	$86,083	$0	$9,565
	2026	MALSR	$1,296,000	$1,166,400	$0	$129,600
	2028	Construct hangar	$850,000	$600,000	$0	$250,000
		Phase II Subtotal	$2,241,648	$1,852,483	$0	$389,165
Phase III						
	2032	Seal asphalt pavement	$117,720	$105,948	$0	$11,772
	2035	Complete Parallel Taxiway	$850,000	$765,000	$0	$85,000
	2037	Expand apron (west apron)	$1,200,000	$1,080,000	$0	$120,000
		Phase III Subtotal	$2,167,720	$1,950,948	$0	$216,772
		Total Development Costs	$6,450,190	$4,118,431	$0	$2,331,759
Not Funded						
	2022	Rehabilitate existing apron (east apron)	$335,000			
	2022	apron expansion to west (east apron)	$620,000			
	2022	Apron expansion to east (east apron)	$365,000			
	2032	Ground Transportation / Courtesy Car	$5,000			
	2032	Expand Auto Parking (1050 s.y.)	$36,750			
		Not Funded Subtotal				

Potential Federal Funds Available
Non-Primary Entitlement

Airport: **Fremont Municipal Airport**
Fremont, Nebraska

Federal Fiscal Year	Entitlement Funds
2017	**$0**
2018	**$0**
2019	**$0**
2020	**$150,000**

Potential Funds Available in 2020: **$150,000**

Note:
- All entitlement funds are subject to appropriation by Congress.
- Any remaining FY2017 funds will expire the end of the fiscal year.

Nebraska Department of Aeronautics
Airport Officials List

Printed 11/20/2019

FREMONT MUNI **FREMONT**

Airport Sponsor
CITY OF FREMONT

Official Contact Person:

Brian Newton, Interim City Administra
400 EAST MILITARY AVENUE
FREMONT, NE 68025-5141

Phone: 402-727-2636
Fax: 402-727-2667
E-mail: brian.newton@fremontne.gov

Airport Authority Members:		**Daytime Phone:**
Airport Advisory Board	Jennifer Weiss-Assmann	402-720-4804
Director of Public Works	Dave Goedeken	402-727-2636
Airport Advisory Board	Ron Spahni	402-719-7819
City Clerk	Tyler Ficken	402-727-2633
~~Interim City Administrator~~	Brian Newton	402-727-2630
Mayor	Scott Getzschman	402-727-2630
Airport Advisory Board	Dave Monke	402-720-0815
Airport Advisory Board	~~Brad Blum~~	~~402-753-3236~~
Airport Advisory Board	Bob Steenblock	402-720-2806
~~Airport Advisory Board~~	~~Ron Vlach~~	~~402-721-1341~~
Airport Advisory Board	~~Mike Kempenar~~	~~402-727-7497~~
Airport Advisory Board	Tom Randall	402-533-8544
Airport Advisory Board	Michael McGillick	402-680-9199
Attorney	Oliver Glass	402-727-2725

Bill Dugan Sr. 721-2880
Eric Johnson 430-3102

Meeting Date and Time: 2nd & last Tuesday, 7:00 p.m.-City Council

Airport's Attorney: ~~Oliver Glass~~ ~~402-727-2725~~ Pat Sullivan 402-359-9550

Airport Manager: MARK VYHLIDAL
Phone: 402-727-2691
Fax: 402-727-2690
E-mail: mark.vyhlidal@fremontne.gov

Please make corrections, sign and return this form to:

Nebraska Department of Aeronautics
P.O. Box 82088
Lincoln, NE 68501-2088

Completed by:

Signature *Date*

FEDERAL AVIATION ADMINISTRATION

CAPITAL IMPROVEMENT PROGRAM (CIP)
AIRPORTS DIVISION – CENTRAL REGION

CIP DATA SHEET INSTRUCTIONS

1. The AIP project types are those in FAA Order 5100.38, AIP Handbook, Appendices D through T, which identifies factors to consider for justification, eligibility, and the required usable unit of work/outcome.
2. Select the desired FFY that you desire the project. (*Example: FY19 is October 1st, 2018, to September 30th, 2019*).
3. Provide the estimate of total cost (engineering, administrative, legal, appraisal costs, etc.) and breakout of federal, state, and local shares. Attach a detailed cost estimate showing unit costs; aggregate in square yards (S.Y.), concrete paving in square yards (S.Y.) and asphaltic paving in tons. Separate the costs for land acquired in fee and land acquired in easement. NOTE: Cost estimates cannot include an amount for contingencies.
4. Provide a detailed scope of the project and justification. Attach a sketch that clearly identifies the scope of the project. This information is required to determine if the project has been properly planned and is ready for funding assistance. Failure to provide and/or verify this information in this section will result in follow-up correspondence and revisions to the Data Sheet.
   - Justification - Describe the need, objectives, method of accomplishment, and the benefit expected to be obtained from the assistance. For some projects, the FAA must determine if a project is justified based on the applicable critical aircraft for the project. Reference paragraph 3-12 in FAA Order 5100.38, AIP Handbook, and Advisory Circular (AC) 150/5000-17, Critical Aircraft and Regular Use Determination.
   - Is the proposed development project on your approved Airport Layout Plan (ALP)? Proposed projects, with the exception of planning and equipment acquisition, are to be shown on the approved Airport Layout Plan (ALP).
   - All AIP funded projects must have a NEPA (environmental) determination from the FAA before a project can commence. If you have received a determination, please identify. If not, please continue working with your State Airport Planner and our Environmental Specialist.
   - Proposed pavements projects:
     - Identify most recent PCI score and date. If more than one type of pavement segment (runway, taxiway, apron) is part of the project, identify the PCI score and date of each pavement segment.
     - Include existing and proposed dimensioning (length, width, square footage, square yards, etc.).
     - Apron expansion/reconstruction - Include calculations based on Appendix 5 of AC 150/5300-13, Airport Design, showing justification for the size of apron needed. Central Region has prepared an apron sizing worksheet to assist with sizing aprons. Please request this worksheet from your State Airport Planner to complete and attach to your Data Sheet.
   - Verification of clear approach and departure surfaces in accordance with AC 150/5300-13, Airport Design, and FAA Order 8260.3, The United States Standard for Terminal Instruments Procedures (TERPS). If these surfaces are not clear, you will need to coordinate with your State Airport Planner to begin the planning process to mitigate obstacles. The sponsor must demonstrate that a plan has been developed before a grant can be issued.
   - Will the proposed project impact a FAA owned facility/equipment? If so, please identify the equipment. A FAA reimbursable agreement with the Air Traffic Organization (ATO), Central Service Area, NAS Planning and Integration Office will be required as part of the proposed project.
   - Proposed snow removal equipment (SRE) acquisition – Include an inventory of the airport's existing airport SRE and sizing calculations based on AC 150/5200-30, Airport Winter Safety and Operations, and AC 150/5220-20, Airport Snow and Ice Control Equipment. Central Region has prepared a SRE inventory and sizing worksheet to assist with these calculations. Please request this worksheet from your State Airport Planner to complete and attach to the Data Sheet.
   - Verify that the useful life of a facility, equipment, or pavement being rehabilitated, reconstructed, or replaced has been met (or prior to) grant issuance. Reference paragraph 3-13 and Table 3-8 in FAA Order 5100.38, AIP Handbook.
   - If the proposed project will involve the disposal of AIP funded equipment, reference the criteria for that effort in Table 5-39 of FAA Order 5100.38, AIP Handbook.
   - Revenue producing projects (fuel systems, hangars) - At minimum, provide the date of the submitted statement/letter that demonstrates all airside needs have been met, that runway approach/departure surfaces are clear of obstructions, and that any airside need within the next three years will be accommodated through local or nonprimary entitlement funds.
   - The sponsor must own all land upon which AIP funds will be expended for development. If the sponsor does not control the land (i.e. fee simple or easement) the project cannot commence. Verify that your required Exhibit 'A' Property Map reflects current conditions.

FEDERAL AVIATION ADMINISTRATION

CAPITAL IMPROVEMENT PROGRAM (CIP)
AIRPORTS DIVISION - CENTRAL REGION

CIP DATA SHEET

SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Click here to enter text.		
AIP Project Type:	Click here to enter text		
Local Priority:	Select Local Priority	**Federal Share:**	**$** Click here to enter text.
FFY Requested:	Click here to enter text	**State Share:**	$Click here to enter text.
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing that clearly identifies the scope of the project.		**Local Share:**	$Click here to enter text.
		Total Project Cost:	**$** Click here to enter text.

Click here to enter text.

SPONSOR SIGNATURE BLOCK			
Signature:		**Date:**	Click here to enter a date.
Printed Name:	Click here to enter text.	**Title:**	Click here to enter text.
Phone Number:	Click here to enter text.	**Email:**	Click here to enter text.

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

December 19, 2019

Brian Newton, Interim City Administrator
City of Fremont
400 East Military Avenue
Fremont, NE 68025-5141

Subject: Proposed Public Notice 2019-ACE-7398-OE

Dear Mr. Newton:

There is a public notice out for a new antenna tower near Hooper. This tower is to be built to a height of 338' above ground level. The tower is approximately 7.34 miles northwest of the airport.

The FAA is allowing for public input for this antenna tower. If you have any comments or concerns you can mail them to:

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

However any comments/concerns must reach the FAA on or before January 17th, 2020. A copy of the Public Notice and a rough guideline to what the FAA is looking for in comments are included.

If you have any questions feel free to call or email. 402-471-7925 or thomas.jacobson@nebraska.gov

Sincerely,

Thomas Jacobson
Engineering, Division of Aeronautics
Nebraska DOT

Enclosures

Kyle Schneweis, P.E., Director
Department of Transportation
1500 Highway 2
PO Box 94759
Lincoln, NE 68509-4759
dot.nebraska.gov

OFFICE 402-471-4567
FAX 402-479-4325
NDOT.ContactUs@nebraska.gov

Aeronautics Division
3431 Aviation Road, Ste. 150
PO Box 82088
Lincoln, NE 68501
OFFICE 402-471-2371
FAX 402-471-2906

Navigational Aids Office
Kearney Municipal Airport
5065 Airport Road
Kearney, NE 68847
OFFICE 308-865-5696
FAX 308-865-5697

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2019-ACE-7398-OE

Issued Date: 12/11/2019

Pyramid Network Services, LLC c/o RJ McLaughlin
Dodge County
6615 Towpath Rd.
East Syracuse, NY 13057

**** PUBLIC NOTICE ****

The Federal Aviation Administration is conducting an aeronautical study concerning the following:

Structure:	Antenna Tower Hooper
Location:	Hooper, NE
Latitude:	41-33-16.97N NAD 83
Longitude:	96-35-17.51W
Heights:	1276 feet site elevation (SE)
	338 feet above ground level (AGL)
	1614 feet above mean sea level (AMSL)

The structure above exceeds obstruction standards. To determine its effect upon the safe and efficient use of navigable airspace by aircraft and on the operation of air navigation facilities, the FAA is conducting an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77.

** SEE REVERSE SIDE FOR ADDITIONAL INFORMATION **

In the study, consideration will be given to all facts relevant to the effect of the structure on existing and planned airspace use, air navigation facilities, airports, aircraft operations, procedures and minimum flight altitudes, and the air traffic control system.

Interested persons are invited to participate in the aeronautical study by submitting comments to the above FAA address or through the electronic notification system. To be eligible for consideration, comments must be relevant to the effect the structure would have on aviation, must provide sufficient detail to permit a clear understanding, must contain the aeronautical study number printed in the upper right hand corner of this notice, and must be received on or before 01/17/2020.

This notice may be reproduced and circulated by any interested person. Airport managers are encouraged to post this notice.

If we can be of further assistance, please contact our office at (816) 329-2508, or vee.stewart@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ACE-7398-OE.

Signature Control No: 419693232-425030058 (CIR)
Vee Stewart
Specialist

Attachment(s)
Part 77
Additional Information
Map(s)

Additional Information for ASN 2019-ACE-7398-OE

Proposal: To construct and/or operate a(n) Antenna Tower to a height of 338 feet above ground level, 1614 feet above mean sea level.

Location: The structure will be located 3.83 nautical miles southeast of SCB Airport reference point.

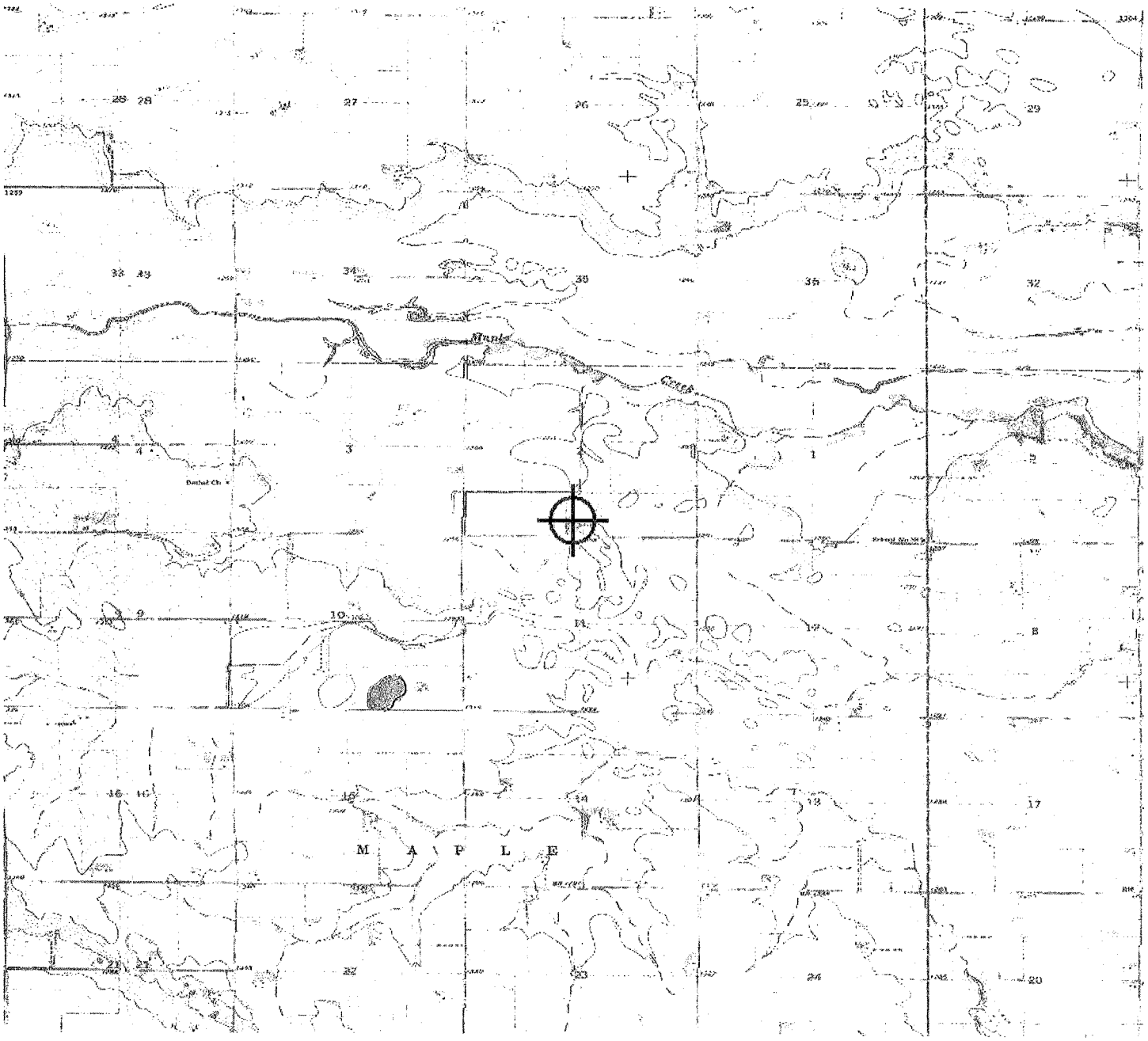
Part 77 Obstruction Standard(s) Exceeded:
Section 77.17 (a) (2) by 7 feet - a height that exceeds 1607 feet above mean sea level within 3.83 nautical miles of SCB.

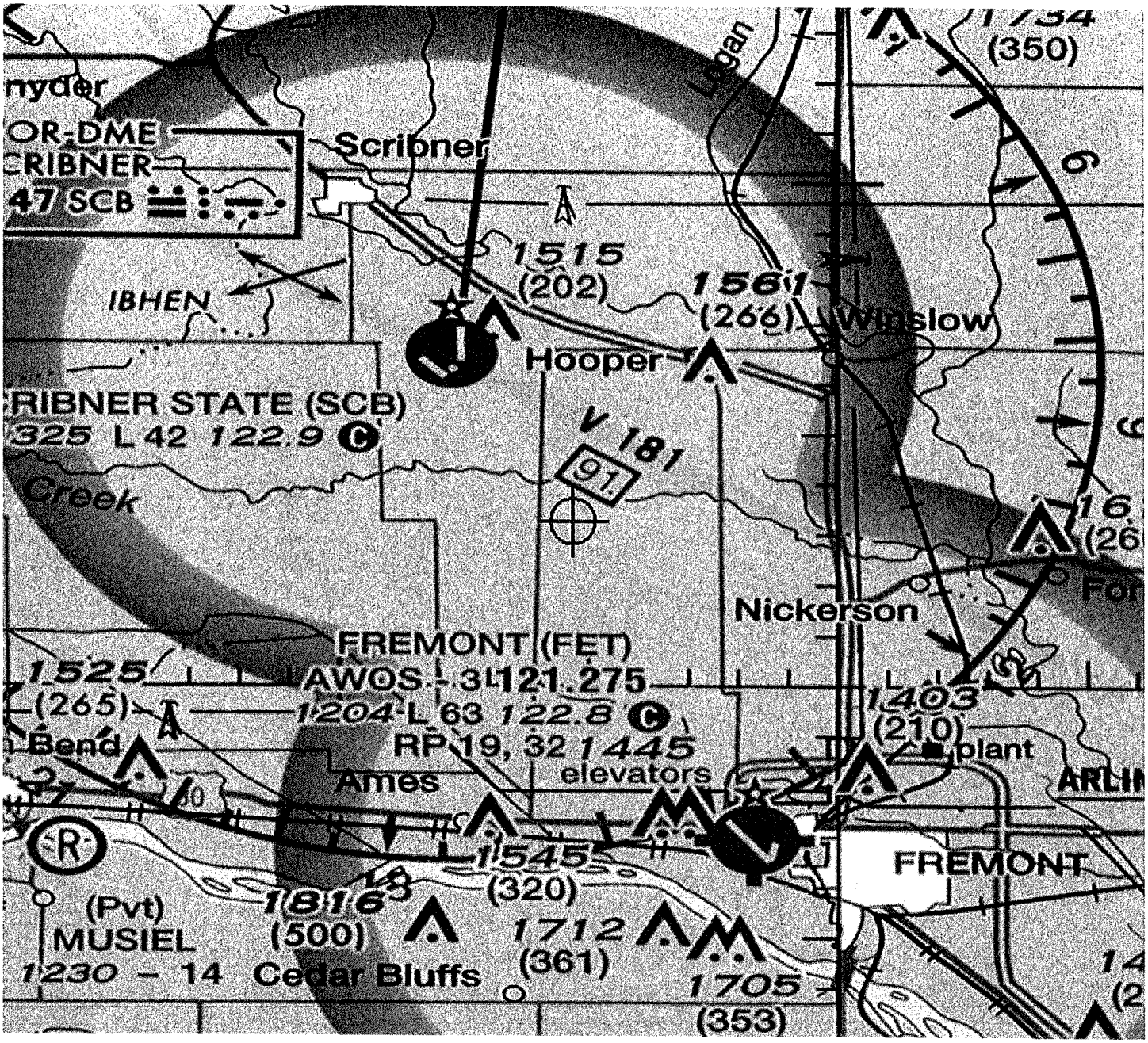
Section 77.17 (a) (3) by 17 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate increasing the VOR/DME RWY 35 minimum altitude at (FAROD) from 1940 feet AMSL to 1960 feet AMSL.

Preliminary FAA study indicates that the above mentioned structure would:
have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
not exceed traffic pattern airspace
have no physical or electromagnetic effect on the operation of air navigation and communications facilities.
have no effect on any airspace and routes used by the military.

Abbreviations:
ACE, Central Region
AGL, Above Ground Level
AMSL, Above Mean Sea Level
CFR, Code of Federal Regulations
DME, Distance Measuring Equipment
NEH, No Effect Height
NM, Nautical Mile
NPH, Notice of Presumed Hazard
OE, Obstruction Evaluation
RWY, Runway
TERPS, Terminal Approach Procedures
VHF, Very High Frequency
VOR, VHF Omnidirectional Radio Range System

Map for ASN 2019-ACE-7398-OE

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Cedar Bluffs
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"Commenting On Airspace Studies" –presentation at the Central Region Annual Conference, Kansas City (Sept 2009)

(subtitled "How to help preserve your Approach Minimums")

Recommended:

Set up acct on the OE/AAA website **(you can request postcard notification of Circularized cases within a given radius of your airport)**

"View Circularized Cases" –these are the ones that have been put out for public **aviation** comment

--select State; click on Study; click Circularization (Public Notice)

"The FAA is supposed to send a postcard to an airport alerting them that there is a Study going on near the airport." (But [clearly] unreliable, so register formally)

Submitting comments:

Need to log in (= need to have registered. No cost)

Right side of ASN data page

Electronic submittals preferred – they're automatically uploaded into Study

They're looking for hard data. How many ops use a particular Approach? How often? How will the structure cause ops to change; route? Altitude? How many IFR ops would be affected every week/month/year?

"Comments are very important – but *quality* is more important than *quantity*."

OE/AAA looks at **two criteria**:

14 CFR Part 77 ("Federal law")

-- contains notice criteria (defines when notice to FAA is **required**)

-- defines whether a structure would be an **obstruction** (it ***does not*** define whether or not a structure would be a ***hazard***)

Order 7400.2, "Procedures for handling airspace matters"

Specific guidance for determining Hazard / No Hazard

If there's a "problem" with a submitted Study:

--if it's a **proposed** structure, they look at altering / mitigating the proposal

--if it's an **existing** structure, they look at adjusting aviation procedures

How does a structure get a **Determination of Hazard**?

It must be determined to have a **Substantial Adverse Effect** on air navigation.

What determines a Substantial Adverse Effect?

The "easy" one: It **causes electronic interference** to **operations of a NAVAID**

"There is a public law stating that you cannot build anything that interferes with or disrupts a NAVAID."

OR, it has the combination of a **defined adverse effect AND** a **significant volume of activity affected**

Examples of **defined adverse effects**: (do not guarantee 'Hazard' in and of themselves)

--exceeds a Part 77 obstruction standard
--requires change to an existing or planned IFR for a Public-use airport
--requires VFR operation to change its regular flight course or altitude (does not apply to Military Training Routes or ops under exemption waiver)
--restricts clear view of airport movement areas
--derogates airport capacity and/or efficiency
--will affect future VFR/IFR ops as indicated by a Plan On File
--affects the usable length of an existing or planned runway (e.g., would require a displaced threshold)

[To Repeat: none of the above ^^^ are enough, *by themselves*, to be a HAZARD]

What constitutes a **significant volume of activity**?

--There must be an indication of regular and continuing activity
--Normally considered **an *average* of 1 IFR op a week, OR 1 VFR op a day**

DEFINED ADVERSE EFFECT + SIGNIFICANT VOLUME OF ACTIVITY AFFECTED = DETERMINATION OF HAZARD

Some common objections that are perfectly legit but will not automatically confer Hazard status:

"It exceeds Part 77 obstruction standards"
"It'll have an economic impact on our community (and/or airport)"
"It'll cause a problem for Traffic Pattern Operations"
"The structure is within (x) miles of our airport"
"It'll impact an IFR structure"
"It would affect our airport's capacity"

...thus the emphasis on providing the reviewers with hard data regarding number/type/frequency of operations (they will look up the 5010 Forms on their own). "If an airport can give me hard data on how many operations use a particular approach, and how often, that gives me data I need to determine Substantial Adverse Effect." (Which allows for a Determination of Hazard...?)

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

December 19, 2019

Brian Newton, Interim City Administrator
City of Fremont
400 East Military Avenue
Fremont, NE 68025-5141

Subject: 2019-ACE-7399-OE

Dear Mr. Newton:

There is a proposed antenna tower near North Bend. This tower is to be built to a height of 338' above ground level and AMSL 1662'. The tower is approximately 11.94 miles northwest of the airport.

The FAA has issued a "Determination of No Hazard to Air Navigation." As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(MDual),&12.

A copy of this study is enclosed.

If you have any questions feel free to call or email. 402-471-7925 or thomas.jacobson@nebraska.gov

Sincerely,

Thomas Jacobson
Engineering, Division of Aeronautics
Nebraska DOT

Enclosures

Kyle Schneweis, P.E., Director
Department of Transportation
1500 Highway 2
PO Box 94759
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Aeronautics Division
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PO Box 82088
Lincoln, NE 68501
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FAX 402-471-2906

Navigational Aids Office
Kearney Municipal Airport
5065 Airport Road
Kearney, NE 68847
OFFICE 308-865-5696
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Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2019-ACE-7399-OE

Issued Date: 12/10/2019

Pyramid Network Services, LLC c/o RJ McLaughlin
Dodge County
6615 Towpath Rd.
East Syracuse, NY 13057

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower North Bend
Location:	Hooper, NE
Latitude:	41-32-17.79N NAD 83
Longitude:	96-44-01.42W
Heights:	1324 feet site elevation (SE)
	338 feet above ground level (AGL)
	1662 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 06/10/2021 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licencee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

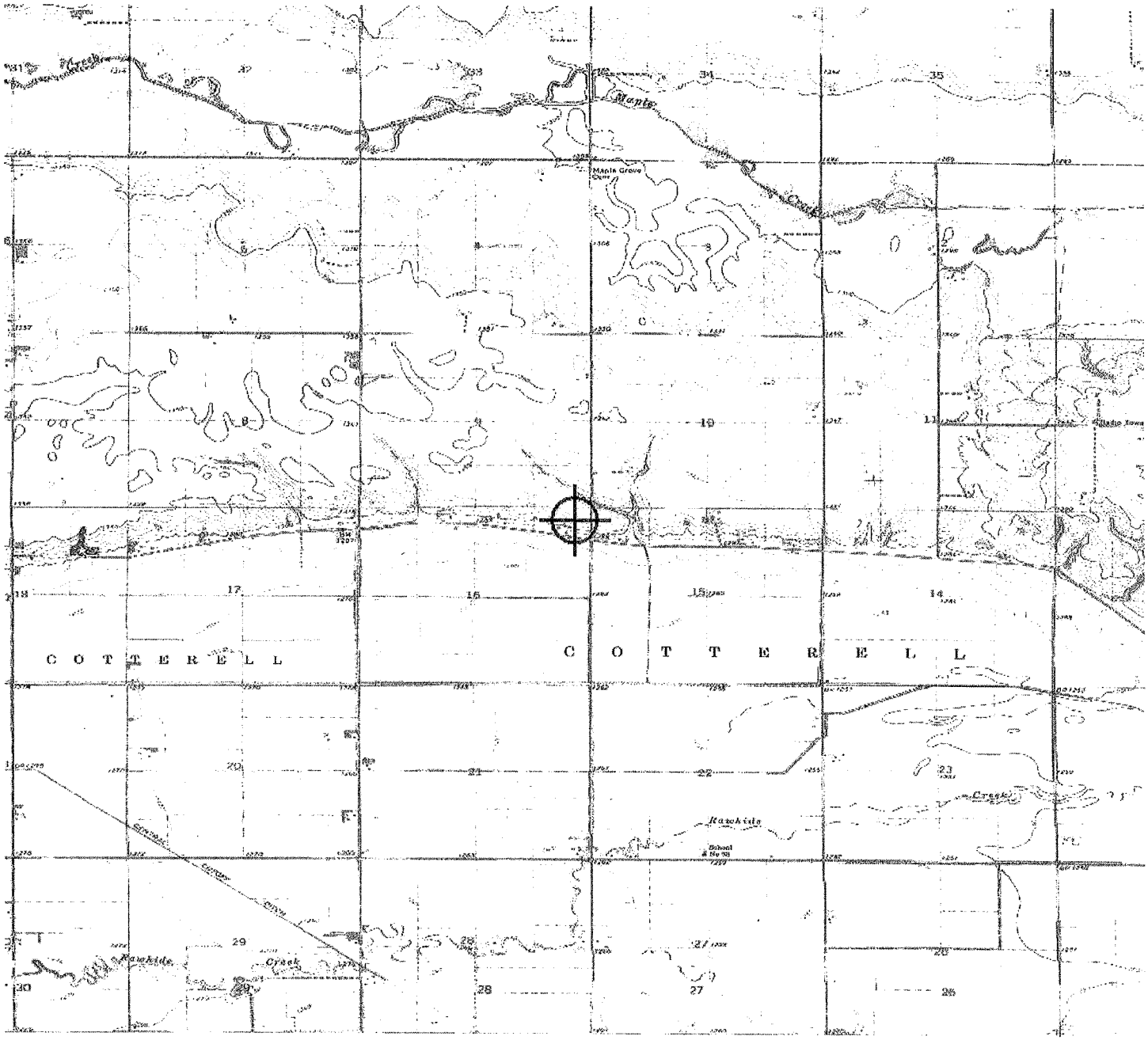
If we can be of further assistance, please contact our office at (816) 329-2527, or marla.wierman@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ACE-7399-OE.

Signature Control No: 419693303-424926888 (DNE)
Marla Wierman
Technician

Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2019-ACE-7399-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

TOPO Map for ASN 2019-ACE-7399-OE