

The Obstruction Evaluation Process and Temporary Cranes

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**Federal Aviation
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Where Does the FAA Get its Authority. . . .



Title 49, USC, Section 40103, Sovereignty & Use of Airspace

- **Sovereignty and Public Right of Transit – The U.S. Government has exclusive sovereignty of airspace of the United States**
- **Use of Airspace – The FAA shall develop plans and policy for the use of the navigable airspace and assign by regulation or order the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace**

Scope of Title 14, Code of Federal Regulations (14 CFR) Part 77

- **Part 77 establishes standards for determining obstructions to air navigation**

Obstruction Evaluation Study Identifies – FAAO 7400.2

- **The effect the proposal would have:**
 - **On the safe & efficient use of airspace (flying public)**
 - **On existing and proposed public-use and military airports and/or aeronautical facilities**
 - **On existing and proposed VFR/IFR departure, arrival, and en route operations, procedures, and minimum flight altitudes**



FAA Does Not Have Authority

- **We cannot:**
 - **Untimely delay or hold up construction projects**
 - **Issue building permits or licenses to build**
 - **Control land use issues**



Who must file notice?

- **14 CFR Part 77 – notice must be filed if the proposed construction or alteration is:**
 - **Greater than 200 feet in height above ground level**
 - **Near a public-use or military airport, heliport or seaplane base and will exceed the slope ratio**
 - **The proposed object is a traverse way which would exceed our standards**
 - **On a public-use or military airport or heliport**
 - **When requested by the FAA**



How do we study cranes?

- **14 CFR Part 77 establishes standards for aeronautical studies and outlines notice requirements**
- **Notice requirements are the same for all structures**
 - **at least 45 days prior to proposed construction**
- **Crane operators frequently file notice less than 30 days. When we push back, they tend to elevate politically due to economic/financial issues**
- **Final agency determinations must be issued timely**
 - **expectation is within 45 days from filing**



Challenges with Temporary Structures



- **We need to balance the needs of the National Airspace System and economic issues**
- **Accommodate the use of temporary equipment**
- **If we issue a determination of no hazard for a structure, it follows that the crane for that structure will be at a higher height**
- **Determinations must be issued at the maximum height required for the operation**
- **Often very short time from filing to crane use**



What OEG Negotiates/Coordinates



- **If the crane does not exceed any obstruction standards, a determination is issued and no coordination is necessary**
- **When a crane causes an increase in IFR minimums, OEG will negotiate to the lowest possible height**
- **If there are effects on key approaches at major commercial airports – OEG coordinates with airport director or operations manager prior to issuing the determination**
- **During the aeronautical study, OEG coordinates with Flight Procedures to determine IFR impact. If an IFR approach would be impacted OEG specifies the maximum height to protect the minimums**



Coordination Process

- **Determinations**
 - **OEG has responsibility for requesting NFDC NOTAMs for any cranes that have an IFR effect**
 - **OEG requests cancellations of any NFDC NOTAMs issued**
 - **On every determination for temporary structures there is an OEG Point of Contact listed**



Current Practice



- **Notifications –**
 - **When determinations are issued and there is an impact, OEG sends postcards/email notice to the Airport and ATCT Manager**
 - **Determinations exceeding obstruction criteria or with an IFR effect require 5 days prior notice by sponsor to**
 - **Airport Manager**
 - **ATCT (If Applicable)**
 - **OEG**




Process Change Proposal

- **Concerns were expressed that ATCT and airport managers are surprised by crane operations that they have no knowledge of**
- **We recently changed our automation to accommodate individual notification**
- **When a determination is issued, OEG will send a postcard/email to the airport and ATCT manager anytime a crane is within 20,000 of an airport, even if obstruction standards are not exceeded or there is no IFR effect**



What we need from Airport and ATCT Managers

- To receive immediate information - register to receive email notification from the iOE/AAA system
- If already registered, verify that your contact information is correct in the iOE/AAA system
- To register or update contact information go to: [\[https://oeaaa.faa.gov/oeaaa/external/portal.jsp\]](https://oeaaa.faa.gov/oeaaa/external/portal.jsp) and register as a new user. To activate a subscription, select the Subscription Preferences link on your Portal Page in the My Account section under Email Notifications. 

What we need from Airport - ATCT Managers

- **If you don't sign up for email notification, you may receive notice via the postal system "after" the crane is erected**
- **Be aware that you will receive notification on all crane determinations that are within 20,000 feet of an airport, whether it may have an impact or not**
- **Notification only indicates that determination has been issued. You will need to access the OE website to review the determination.**



Questions?

