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Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2014-ASO-14024-OE

Issued Date: 12/11/2015

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**** 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:	Building Pt 2
Location:	Miami, FL
Latitude:	25-46-39.51N NAD 83
Longitude:	80-11-18.91W
Heights:	8 feet site elevation (SE)
	1041 feet above ground level (AGL)
	1049 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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

__X__ 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)

See attachment for additional condition(s) or information.

This determination expires on 06/11/2017 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 is subject to review if an interested party files a petition that is received by the FAA on or before January 10, 2016. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on January 20, 2016 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

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 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 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.

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.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Michael Blaich, at (404) 305-6462. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2014-ASO-14024-OE.

Signature Control No: 238439775-274837565 (DNH)
Mike Helvey
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)

The proposed Building consists of 4 Aeronautical Study Numbers (2014-ASO-14023-OE through 14026, representing the four corners of the building). All four corners of building were evaluated at 1049 feet above mean sea level (AMSL).

The structure will be located approximately 5.58 nautical miles (NM) east of the Miami International Airport (MIA) reference point, Miami, Florida and extends to approximately 5.60 NM east of MIA reference point and from 100.95 degrees azimuth clockwise to 101.19 degrees azimuth.

The proposals would exceed the Obstruction Standards of Title 14 of the Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17 (a)(1) --- > Exceeds from 539 to 542 feet.

Section 77.17 (a)(2) MIA --- > Exceeds from 580 to 581 feet.

Section 77.19 (e) MIA - RWY 27: Transitional Surface --- > Exceeds by 336, 353, and 354 feet.

Section 77.17(a)(3): A height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria).

Minimum Vectoring Altitudes (MVA) increase of 200 feet:

The proposal will increase the MIA_FLL_MVA 2013 Area "C" MVA from 1800 feet AMSL to 2000 feet AMSL.

The proposal will increase the MIA_MULTI_MVA 2013 Area "C" MVA from 1800 feet AMSL to 2000 feet AMSL.

The proposal will increase the MIA_MIA_MVA 2013 Area "C" MVA from 1800 feet AMSL to 2000 feet AMSL.

Proposal has the following IFR Effect at MIA:

RNAV (GPS) Z RWY 27, increases LNAV Minimum Descent Altitude from 560 feet AMSL to 1300 feet AMSL.

HEDLY TWO and THREE DEPARTURE (RNAV), WINCO TWO DEPARTURE (RNAV), PADUS TWO and THREE DEPARTURE (RNAV), and VALLY TWO and THREE DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 12, Standard with minimum climb gradient increase from 229 feet per NM to 300 feet per NM to 1400 feet AMSL, an increase from 1200 feet AMSL.

HITAG TWO DEPARTURE (RNAV) and JONZI TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 12, Standard, increases from anticipated minimum climb gradient of 500 feet per NM to 520 feet per NM to 800 feet AMSL.

POTTR SIX and SEVEN DEPARTURE (RNAV) TAKE-OFF MINIMUMS: RWY 12, Standard with minimum climb gradient increase from 233 feet per NM to 300 feet per NM to 1400 feet AMSL, an increase from 1200 feet AMSL.

MIAMI THREE DEPARTURE, TAKE-OFF MINIMUMS: RWY 12, Standard with minimum climb gradient increase from 242 feet per NM to 290 per NM to 1400 feet AMSL, an increase from 1200 feet AMSL.

PLAN on FILE: Obstacle penetrates RWY 8L 40:1 Departure Surface by 303 feet requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES, (PROPOSED), RWY 8L, Standard, increases from anticipated minimum climb gradient of 382 feet per NM to 300 feet AMSL to 1400 feet AMSL, Take-Off with 300 - 1 + .25 (Ceiling-visibility) NA.

EONNS TWO DEPARTURE (RNAV), MNATE TWO DEPARTURE (RNAV) and SKIPS TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 8L, 300 - 1 + .25 (ceiling - visibility), increases from anticipated minimum climb gradient of 221 per NM to 1200 feet AMSL, to 285 feet per NM to 1400 feet AMSL, or Standard, with anticipated minimum climb gradient of 382 feet per NM from 300 feet AMSL to 1400 feet AMSL.

JONZI TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 8L, Standard, increases from anticipated minimum climb gradient of 500 feet per NM to 520 feet AMSL, to 700 feet AMSL.

PLAN on FILE: obstacle penetrates RWY 8R 40:1 Departure Surface by 354 feet requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES, (PROPOSED), RWY 8R, anticipated Standard, increases minimum climb gradient to 305 feet per NM to 1400 feet AMSL.

EONNS TWO DEPARTURE (RNAV), MNATE TWO DEPARTURE (RNAV) and SKIPS TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 8R, 300 - 1 + .25, increases from anticipated minimum climb gradient of 237 feet per NM to 1200 feet AMSL, to 305 feet per NM to 1400 feet AMSL, or Standard with anticipated minimum climb gradient of 382 feet per NM to 300 feet AMSL to 1400 feet AMSL.

JONZI TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 8R, Standard, increases from anticipated minimum climb gradient of 500 feet per NM to 520 feet AMSL, to 800 feet AMSL.

MIAMI THREE DEPARTURE, TAKE-OFF MINIMUMS: RWY 8R, Standard with minimum climb gradient increase from 242 feet per NM to 310 feet per NM to 1400 feet AMSL, an increase from 1200 feet AMSL.

PLAN on FILE: Obstacle penetrates RWY 09 Initial Climb Area (ICA) by 326 feet requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES, (PROPOSED), RWY 09, Standard, increases from anticipated minimum climb gradient of 240 feet per NM to 1200 feet AMSL, to 292 feet per NM to 1400 feet AMSL.

EONNS TWO DEPARTURE (RNAV), MNATE TWO DEPARTURE (RNAV), PADUS TWO and THREE DEPARTURE (RNAV), VALLY TWO and THREE DEPARTURE (RNAV) and SKIPS TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 09, Standard, increases from anticipated minimum climb gradient of 233 feet per NM to 1200 feet AMSL, to 292 feet per NM to 1400 feet AMSL.

POTTR SIX and SEVEN DEPARTURE (RNAV), HEDLY TWO and THREE DEPARTURE (RNAV) and WINCO TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 09, anticipated Standard increases to minimum climb gradient of 292 feet per NM to 1400 feet AMSL.

HITAG TWO DEPARTURE (RNAV), and JONZI TWO DEPARTURE (RNAV), (PROPOSED), TAKE-OFF MINIMUMS: RWY 09, Standard, increase from anticipated minimum climb gradient of 500 feet per NM to 520 feet AMSL, to 800 feet AMSL.

MIAMI THREE DEPARTURE, TAKE-OFF MINIMUMS: RWY 09, Standard with minimum climb gradient increase from 242 feet per NM to 292 feet per NM to 1400 feet AMSL, an increase from 1200 feet AMSL.

Section 77.17(a)(4): A height that increases en route criteria.

Minimum Obstruction Clearance Altitudes (MOCA) increase of 100 feet and 300 feet:

The proposal would necessitate the increase of the MOCA on BR49V from DHP VORTAC, 130 Radial, to LUVLY Intersection from 2000 feet AMSL to 2100 feet AMSL.

The proposal would necessitate the increase of the MOCA on AR11 and BR66V from VKZ VOR/DME, 058 Radial, to JANUS Intersection from 2000 feet AMSL to 2100 feet AMSL.

The proposal would necessitate the increase of the MOCA on V295 from VIRGINIA KEY (VKZ) VOR/DME, 018 Radial, to KAINS Intersection from 1800 feet AMSL to 2100 feet AMSL.

Minimum En Route Altitudes (MEA) increase of 100 feet:

The proposal would necessitate the increase of the MEA on BR49V from DOLPHIN (DHP) VORTAC, 130 Radial, to LUVLY Intersection from 2000 feet AMSL to 2100 feet AMSL.

The proposal would necessitate the increase of the MEA on AR11 and BR66V from VIRGINIA KEY (VKZ) VOR/DME, 058 Radial, to JANUS Intersection from 2000 feet AMSL to 2100 feet AMSL.

Part 77 Obstruction Standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study in order to determine if they would have significant adverse effect on protected aeronautical operations. While the obstruction standards trigger formal aeronautical study, including circularization, they do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds an obstruction standard of Part 77 does not provide a basis for a determination that the structure would constitute a hazard to air navigation.

MIA Air Traffic Control Tower (ATCT) did not object to any of the increases to the departure climb gradients, or to the raised minimums on the approach procedure at the Miami International Airport.

Minimum Vectoring Altitudes: These altitudes are based upon obstruction clearance requirements only (see Order 8260.19). The area considered for obstacle clearance is the normal operational use of the radar without regard to the flight checked radar coverage. It is the responsibility of individual controllers to determine that a target return is adequate for radar control purposes. MVAs are developed by terminal facilities, approved by the Terminal Procedures and Charting Group and published for controllers on MVA Sector Charts. Any structure that would cause an increase in an MVA is an obstruction and a study is required to determine the extent of adverse effect. Radar coverage adequate to vector around such a structure is not, of itself, sufficient

to mitigate a finding of substantial adverse effect that would otherwise be the basis for a determination of hazard to air navigation.

MIA ATCT and MIA Air Route Traffic Control Center (ARTCC) agreed to the change to the airspace by increasing Area "C" MVA from 1800 feet AMSL to 2000 feet AMSL in the location of this proposal.

This increase is not considered substantial. However, the proponent is required to give at least 6 weeks prior notice of construction so that the MVA chart can be revised.

Minimum Obstruction Clearance Altitudes: MOCAs assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 NM of the associated VOR navigational facility. For that portion of the route segment beyond 22 NM from the VOR, where the MOCA is lower than the MEA and there are no plans to lower the MEA to the MOCA, a structure that affects only the MOCA would not be considered to have substantial adverse effect. Other situations require study as ATC may assign altitudes down to the MOCA under certain conditions.

During Internal coordination, Miami ARTCC agreed to increase the MOCAs from 100 to 300 feet where this proposal is located. This increase is not considered substantial and the proponent will provide 6 weeks' notice prior to construction.

Minimum En Route Altitudes: MEAs are established for each segment of an airway or an approved route based upon obstacle clearance, navigational signal reception, and communications. The MEA assures obstruction clearance and acceptable navigational signal coverage over the entire airway or route segment flown. Any structure that will require an MEA to be raised has an adverse effect. Careful analysis by the appropriate Flight Procedures Team and air traffic personnel is necessary to determine if there would be a substantial adverse effect on the navigable airspace. Generally, the loss of a cardinal altitude is considered a substantial adverse effect. However, the effect may not be substantial if the aeronautical study discloses that the affected MEA is not normally flown by aircraft, nor used for air traffic control purposes.

During internal coordination, Miami ARTCC agreed to the MEAs by 100 feet in the location of this proposal.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation.

Details of the proposed structure were circularized to the aeronautical public for comment. No letters of objection were received during the comment period.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.

TOPO Map for ASN 2014-ASO-14024-OE

Sectional Map for ASN 2014-ASO-14024-OE