



Mail Processing Center
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Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
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Aeronautical Study No.
2015-AEA-2913-OE

Issued Date: 12/18/2015

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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 99 Hudson (1)
Location:	Jersey City, NJ
Latitude:	40-42-56.06N NAD 83
Longitude:	74-02-05.05W
Heights:	12 feet site elevation (SE)
	899 feet above ground level (AGL)
	911 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, a high-dual system - Chapters 4,9(H-Dual),&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:

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

See attachment for additional condition(s) or information.

Any height exceeding 899 feet above ground level (911 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 06/18/2017 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 17, 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 27, 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 Darin Clipper, at (404) 305-6531. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-AEA-2913-OE.

Signature Control No: 253201679-275642548

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Additional information for ASN 2015-AEA-2913-OE

The proposed building consists of sixteen (16) study points filed under aeronautical study numbers 2015-AEA-2913-OE through 2015-AEA-2924-OE, and 2015-AEA-2926-OE through 2015-AEA-2929-OE not exceeding a height of 899 feet (ft.) above ground level (AGL), 911 ft. above means sea level (AMSL), located approximately 6.25 - 6.27 nautical miles (NM) northeast of Newark Liberty International Airport's (EWR) airport reference point (ARP), Jersey City, NJ.

Each of the sixteen proposed building points were studied separately under the following aeronautical study numbers at the location(s) and height(s) shown below:

1. 2015-AEA-2913-OE: 40-42-56.06N / 74-02-05.05W / 899 ft. AGL / 911 ft. AMSL
2. 2015-AEA-2914-OE: 40-42-55.47N / 74-02-04.39W / 899 ft. AGL / 911 ft. AMSL
3. 2015-AEA-2915-OE: 40-42-54.74N / 74-02-04.53W / 899 ft. AGL / 911 ft. AMSL
4. 2015-AEA-2916-OE: 40-42-54.32N / 74-02-05.40W / 899 ft. AGL / 911 ft. AMSL
5. 2015-AEA-2917-OE: 40-42-54.88N / 74-02-05.94W / 899 ft. AGL / 911 ft. AMSL
6. 2015-AEA-2918-OE: 40-42-55.11N / 74-02-05.54W / 899 ft. AGL / 911 ft. AMSL
7. 2015-AEA-2919-OE: 40-42-55.34N / 74-02-05.50W / 899 ft. AGL / 911 ft. AMSL
8. 2015-AEA-2920-OE: 40-42-55.65N / 74-02-05.79W / 899 ft. AGL / 911 ft. AMSL
9. 2015-AEA-2921-OE: 40-42-54.35N / 74-02-05.63W / 826 ft. AGL / 839 ft. AMSL
10. 2015-AEA-2922-OE: 40-42-54.81N / 74-02-06.08W / 827 ft. AGL / 839 ft. AMSL
11. 2015-AEA-2923-OE: 40-42-55.75N / 74-02-05.89W / 827 ft. AGL / 839 ft. AMSL
12. 2015-AEA-2924-OE: 40-42-56.09N / 74-02-05.29W / 827 ft. AGL / 839 ft. AMSL
13. 2015-AEA-2926-OE: 40-42-54.39N / 74-02-05.99W / 734 ft. AGL / 748 ft. AMSL
14. 2015-AEA-2927-OE: 40-42-54.70N / 74-02-06.28W / 736 ft. AGL / 748 ft. AMSL
15. 2015-AEA-2928-OE: 40-42-55.90N / 74-02-06.05W / 736 ft. AGL / 748 ft. AMSL
16. 2015-AEA-2929-OE: 40-42-56.13N / 74-02-05.64W / 736 ft. AGL / 748 ft. AMSL

The proposed building was issued a Notice of Presumed Hazard on September 14, 2015, and a request for further study was received on November 02, 2015.

To facilitate the public comment process in an efficient manner, all sixteen case studies for the proposed building were included in the public notice issued on November 03, 2015 under case study 2015-AEA-2917-OE, however, separate determinations will be issued for each individual case. After circularization to all known aviation interests and to non-aeronautical interests that may be affected by the building proposal, no letters of objection were received as a result of circularization, or any other additional comments or findings from other interested FAA offices.

The proposed building points were identified as obstructions under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as follows:

Section 77.17 (a) (1): A height more than 499 ft. AGL. The proposed building exceeds by up to the following:

1. 2015-AEA-2913-OE: Exceeds by up to 400 ft.
2. 2015-AEA-2914-OE: Exceeds by up to 400 ft.
3. 2015-AEA-2915-OE: Exceeds by up to 400 ft.
4. 2015-AEA-2916-OE: Exceeds by up to 399 ft.
5. 2015-AEA-2917-OE: Exceeds by up to 400 ft.
6. 2015-AEA-2918-OE: Exceeds by up to 400 ft.

7. 2015-AEA-2919-OE: Exceeds by up to 400 ft.
8. 2015-AEA-2920-OE: Exceeds by up to 400 ft.
9. 2015-AEA-2921-OE: Exceeds by up to 327 ft.
10. 2015-AEA-2922-OE: Exceeds by up to 328 ft.
11. 2015-AEA-2923-OE: Exceeds by up to 328 ft.
12. 2015-AEA-2924-OE: Exceeds by up to 328 ft.
13. 2015-AEA-2926-OE: Exceeds by up to 235 ft.
14. 2015-AEA-2927-OE: Exceeds by up to 237 ft.
15. 2015-AEA-2928-OE: Exceeds by up to 237 ft.
16. 2015-AEA-2929-OE: Exceeds by up to 237 ft.

After further study, it was found there would be no effects on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures as it relates to current and future runway extensions or proposals for surrounding public-use or military airports.

Study for possible visual flight rules (VFR) effect disclosed that the proposal would exceed both 77.17 (a) 1 but would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at surrounding airports (LGA, EWR, JFK), nor would the proposal affect any other known public-use or military airports. At 899 ft. AGL and below, the proposed building would not have a substantial adverse effect on VFR en route flight operations or on any VFR routes in the vicinity of this location to include the Hudson River VFR helicopter route as no letters of objection were received as a result of public circularization of this proposal.

The proposed building should be obstruction marked and/or lighted to make it more conspicuous to airmen should circumnavigation be necessary.

The cumulative impact of the proposed building, when combined with other proposed and existing structures, is not considered to be significant. Study did not disclose any adverse effects on existing or proposed public-use or military airports or navigational facilities, nor does the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed building point would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation as long as all conditions written within this determination are met.

Additional Conditions: Any construction that requires the use of a crane for this structure should be e-filed with the FAA at least 90-120 days prior to crane operations exceeding the structure height. When a crane is e-filed with the FAA, it is recommended that a lift plan, jump schedule, crane specifications documents, and marking and lighting plan be attached with the e-filed proposal to ensure the FAA evaluation is completed as expeditiously as possible. Additionally, based upon IFR impacts, either a 1A or 2C survey may be requested prior to crane determinations being issued based upon those impacts.

Case Description for ASN 2015-AEA-2913-OE

99 Hudson is a mixed-use project consisting of a 76-story high-rise residential tower with an 8-story podium consisting of structured parking



