



Mail Processing Center
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Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
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Aeronautical Study No.
2022-AEA-16811-OE

Issued Date: 05/10/2023

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****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

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:	Tower Crane (22180.00.00) CN#1113/22_23-15 44th Rd, Qns
Location:	Queens, NY
Latitude:	40-44-55.43N NAD 83
Longitude:	73-56-37.78W
Heights:	15 feet site elevation (SE) 970 feet above ground level (AGL) 985 feet above mean sea level (AMSL)

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

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

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.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a 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 did not include an evaluation of the permanent structure associated with the use of this temporary structure. If the permanent structure will exceed Title 14 of the Code of Federal Regulations, part 77.9, a separate aeronautical study and FAA determination is required.

This determination concerns the effect of this temporary 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 Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Air Missions (NOTAM).

If you have any questions, please contact our office at (817) 222-5935, or kenneth.patterson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-AEA-16811-OE

Signature Control No: 560229955-584871259

(TMP)

Ken Patterson
Specialist

Proposal: To construct and/or operate a(n) Tower Crane to a height of 970 feet above ground level, 985 feet above mean sea level.

Location: The structure will be located 3.67 nautical miles southwest of LGA Airport reference point.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (1) by 471 feet - a height more than 499 feet above ground level.

Section 77.17 (a) (2) by 698 feet - a height that exceeds 287 feet above mean sea level within 3.67 nautical miles of LGA.

Section 77.17 (a) (3) by 219 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 985 AMSL 4D, LaGuardia (LGA) New York, NY. RNAV (RNP) Z RWY 22, increase *RNP 0.30 DA from 384 to 470, NEH 771 AMSL, W/1A, 384 to 449, NEH 824 AMSL. Increase RNP 0.30 DA from 437 to 599, NEH 766 AMSL, W1A, 437 to 560, NEH 818 AMSL. /// ILS or LOC RWY 13, ILS or LOC RWY 22, RNAV (GPS) RWY 13, RNAV (GPS) Y RWY 22, RNAV (GPS) Z RWY 31, RNAV (GPS)-B, LOC RWY 31, VOR RWY 4, increase CAT D circling MDA from 1260 to 1340, NEH 897 AMSL. W/2C, increase CAT C circling MDA from 1260 to 1300, NEH 960 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.
have no physical or electromagnetic effect on the operation of air navigation and communications facilities.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

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 Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that the FAA be notified 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Notification should be made to this office through your registered e-filing account. Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure.

NOTIFICATION IS REQUIRED AGAIN THROUGH YOUR REGISTERED E-FILING ACCOUNT WHEN THE TEMPORARY STRUCTURE IS REMOVED FROM THE SITE FOR NOTICE TO AIR MISSIONS (NOTAM) CANCELLATION.

It is required that the manager of LAGUARDIA, (718) 533-3401 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

It is required that the manager of Laguardia ATCT at (347) 846-1710 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Additionally, please provide contact information for the onsite operator in the event that Air Traffic Control requires the temporary structure to be lowered immediately.

This determination expires on 11/10/2024 unless extended, revised, or terminated by the issuing office.

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.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Air Missions (NOTAM) in order to coordinate the following:

At 985 AMSL 4D, LaGuardia (LGA) New York, NY. RNAV (RNP) Z RWY 22, increase *RNP 0.30 DA from 384 to 470, NEH 771 AMSL, W/1A, 384 to 449, NEH 824 AMSL. Increase RNP 0.30 DA from 437 to 599, NEH 766 AMSL, W1A, 437 to 560, NEH 818 AMSL. /// ILS or LOC RWY 13, ILS or LOC RWY 22, RNAV (GPS) RWY 13, RNAV (GPS) Y RWY 22, RNAV (GPS) Z RWY 31, RNAV (GPS)-B, LOC RWY 31, VOR RWY 4, increase CAT D circling MDA from 1260 to 1340, NEH 897 AMSL. W/2C, increase CAT C circling MDA from 1260 to 1300, NEH 960 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at oeaaa.faa.gov and review the NOTAM Efile Desk Reference Guide for assistance.

It is required that the FAA be notified at least 90 days prior to the crane reaching max height in order to coordinate the increase to the following Minimum Vectoring Altitude (MVA) Charts: ### New York TRACON (N90) Westbury, NY. N90_MVA_FUS3_2022, MVA, increase N90 Sector G from 1800 to 2000, NEH 849 AMSL. /// N90_MVA_FUS5_2022, MVA, increase N90 Sector G from 1900 to 2000, NEH 949 AMSL. Air Traffic is responsible for MVA amendments and changes are NOT subject to NOTAM. Crane is scheduled to reach final height in January of 2024.



