



**CITY OF**  
**FREMONT**  
**NEBRASKA**

**AIRPORT ADVISORY COMMITTEE**

**January 17th, 2019**

**8:15 A.M.**

**Fremont Municipal Airport Terminal Building  
1203 West 23<sup>rd</sup> 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.*



## **AIRPORT ADVISORY COMMITTEE Minutes of December 21<sup>st</sup>, 2018**

### 1. Meeting called to order with Open Meeting announcement.

Meeting was called to order at 8:15 a.m.

### 2. Roll call.

Board Members Present: Ron Spahni, Bill Dugan, Jennifer Weiss-Assman, Ron Vlach, Mike McGillick, Brad Blum, Eric Johnson

Guests: Jim Kjeldgaard, Greg Kjeldgaard, Steve Landholm, Brian Newton, Robert Steenblock, Tammy McKeighan, David Goedecken

### 3. Approval of the November 16<sup>th</sup>, 2018 meeting minutes.

Motion by Blum, Seconded by Johnson, to approve the November 16<sup>th</sup>, 2018 minutes, motion passed by vote of members.

### 4. Terminal Master Plan project update and discussion.

- a. Discuss Consultant Progress
- b. FAA Report

Davis Design and Burns-McDonnell have prepared and submitted all the documentation to the NDA and FAA. The Submittal has been conditionally approved by the FAA. Staff is working with NDA and FAA submitting remaining documentation as requested.

### 5. Discuss 2019 Airport C.I.P.

Staff distributed proposed 2019 Airport C.I.P. for discussion, main topic of discussion was the construction of the Terminal and Terminal Apron.

### 6. Maintenance Items

- a. Open

Discussed status of the operation of the west gate.

### 7. Adjournment.

Meeting was adjourned at 8:35

# 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](http://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 is 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 reached at either [anna.lannin@nebraska.gov](mailto:anna.lannin@nebraska.gov) or (402) 472-7931

Sincerely,



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](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](mailto: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              |
|--------------------------------|--|--------------------|--------------------|------------|--------------------|
| <b>Phase I</b>                 |  |                    |                    |            |                    |
| 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           |
| <b>Phase I Subtotal</b>        |  | <b>\$2,040,822</b> | <b>\$315,000</b>   | <b>\$0</b> | <b>\$1,725,822</b> |
| <b>Phase II</b>                |  |                    |                    |            |                    |
| 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          |
| <b>Phase II Subtotal</b>       |  | <b>\$2,241,648</b> | <b>\$1,852,483</b> | <b>\$0</b> | <b>\$389,165</b>   |
| <b>Phase III</b>               |  |                    |                    |            |                    |
| 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          |
| <b>Phase III Subtotal</b>      |  | <b>\$2,167,720</b> | <b>\$1,950,948</b> | <b>\$0</b> | <b>\$216,772</b>   |
| <b>Total Development Costs</b> |  | <b>\$6,450,190</b> | <b>\$4,118,431</b> | <b>\$0</b> | <b>\$2,331,759</b> |
| <b>Not Funded</b>              |  |                    |                    |            |                    |
| 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           |                    |            |                    |
| <b>Not Funded Subtotal</b>     |  |                    |                    |            |                    |

# Potential Federal Funds Available Non-Primary Entitlement

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

| Federal Fiscal Year | Entitlement Funds |
|---------------------|-------------------|
| 2017                | <b>\$0</b>        |
| 2018                | <b>\$0</b>        |
| 2019                | <b>\$0</b>        |
| 2020                | <b>\$150,000</b>  |

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 |
| * <u>Interim City Administrator</u> | Brian Newton             | 402-727-2630 |
| Mayor                               | Scott Getzschman         | 402-727-2630 |
| Airport Advisory Board              | Dave Monke               | 402-720-0815 |
| Airport Advisory Board              | <del>Brad Blum</del>     | 402-753-3236 |
| Airport Advisory Board              | Bob Steenblock           | 402-720-2806 |
| <del>Airport Advisory Board</del>   | <del>Ron Vlach</del>     | 402-721-1341 |
| Airport Advisory Board              | <del>Mike Kempenar</del> | 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 402-339-9550

**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 1<sup>st</sup>, 2018, to September 30<sup>th</sup>, 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

# CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)

AIRPORTS DIVISION - CENTRAL REGION

| SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION   |                           |                            |                              |
|---|---------------------------|----------------------------|------------------------------|
| <b>Airport Name, LOCID, City, State:</b>  | Click here to enter text. |                            |                              |
| <b>AIP Project Type:</b>  | Click here to enter text  |                            |                              |
| <b>Local Priority:</b>  | Select Local Priority     | <b>Federal Share:</b>      | \$ Click here to enter text. |
| <b>FFY Requested:</b>   | Click here to enter text  | <b>State Share:</b>        | \$Click here to enter text.  |
| <b>Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing that clearly identifies the scope of the project.</b> |                           | <b>Local Share:</b>        | \$Click here to enter text.  |
|   |                           | <b>Total Project Cost:</b> | \$ Click here to enter text. |
| Click here to enter text.   |                           |                            |                              |
| SPONSOR SIGNATURE BLOCK   |                           |                            |                              |
| <b>Signature:</b>   |                           | <b>Date:</b>               | Click here to enter a date.  |
| <b>Printed Name:</b>  | Click here to enter text. | <b>Title:</b>              | Click here to enter text.    |
| <b>Phone Number:</b>  | Click here to enter text. | <b>Email:</b>              | 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 17<sup>th</sup>, 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](mailto: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](http://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)<br>338 feet above ground level (AGL)<br>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](mailto: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

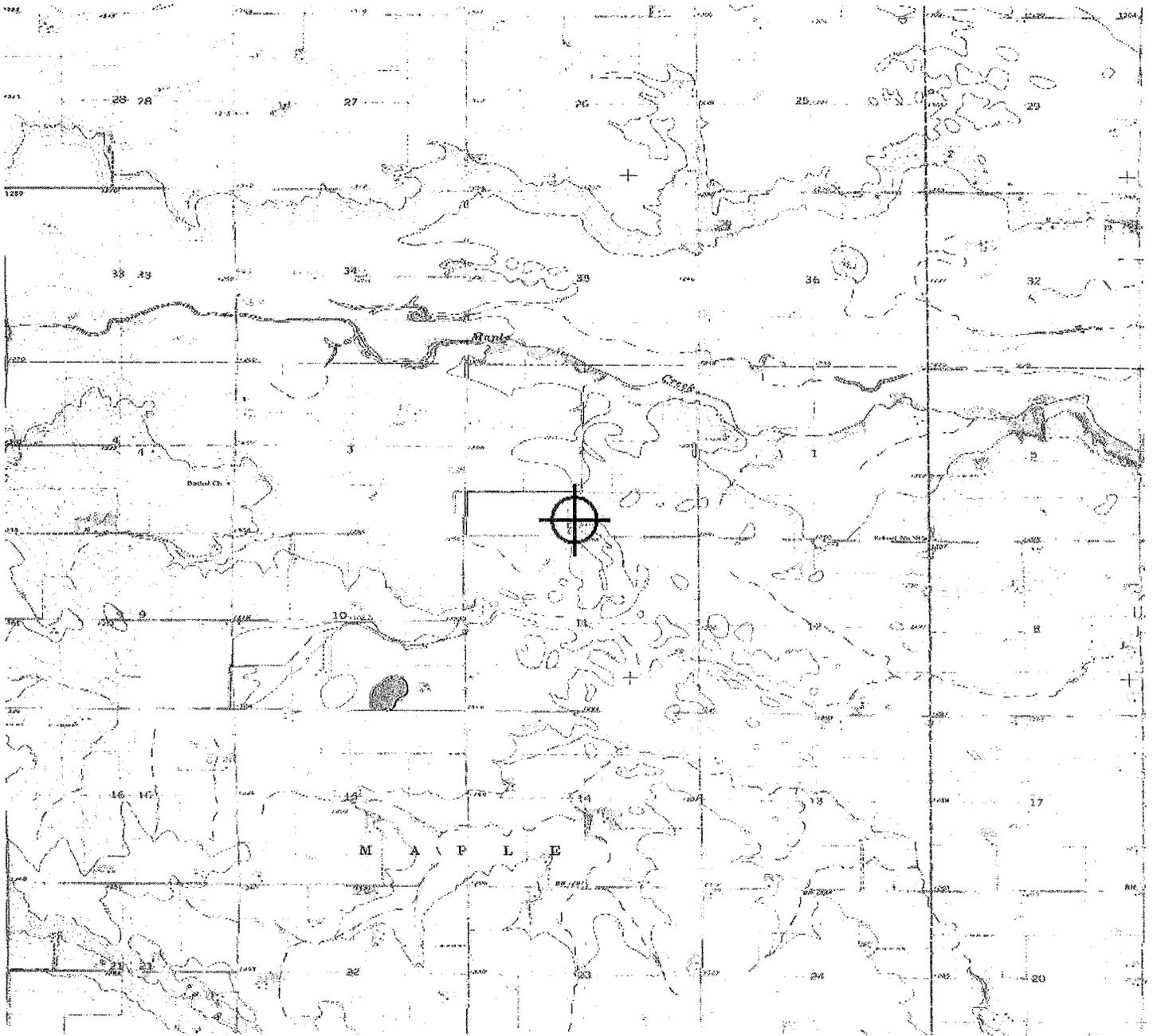
RWY, Runway

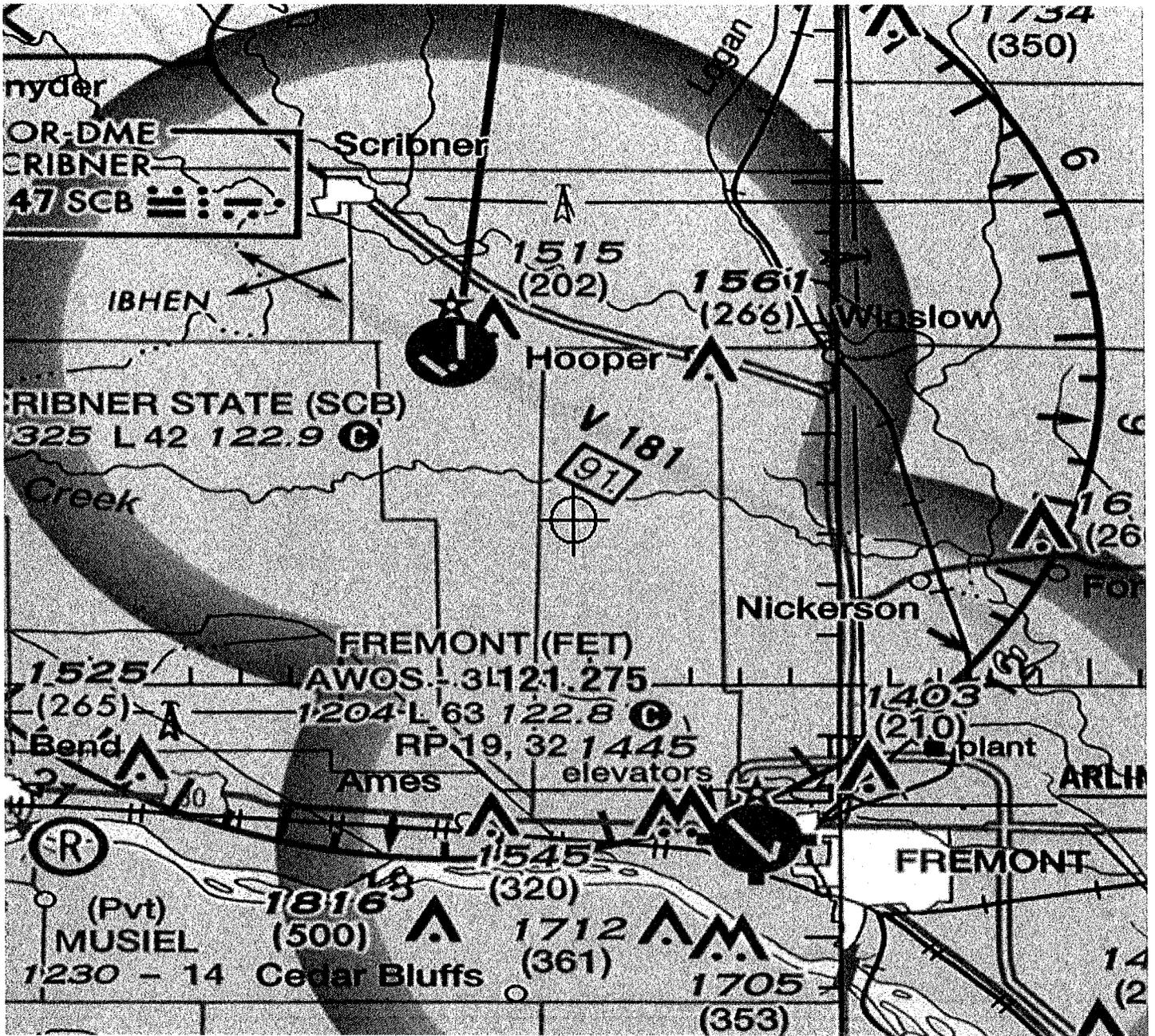
TERPS, Terminal Approach Procedures

VHF, Very High Frequency

VOR, VHF Omnidirectional Radio Range System

Map for ASN 2019-ACE-7398-OE





“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 <sup>^^^</sup> 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:

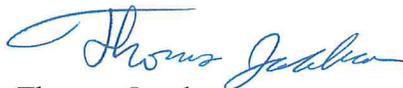
There is a proposed antenna tower near North Bend. This tower is to be built to a height of 338' above ground level and AMSL 1662'. The tower is approximately 11.94 miles northwest of the airport.

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](mailto:thomas.jacobson@nebraska.gov)

Sincerely,



Thomas Jacobson  
Engineering, Division of Aeronautics  
Nebraska DOT

Enclosures

Kyle Schneweis, P.E., Director  
Department of Transportation

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PO Box 94759  
Lincoln, NE 68509-4759

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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-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)
- 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 licensee'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](mailto: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**

| <b>LOW<br/>FREQUENCY</b> | <b>HIGH<br/>FREQUENCY</b> | <b>FREQUENCY<br/>UNIT</b> | <b>ERP</b> | <b>ERP<br/>UNIT</b> |
|--------------------------|---------------------------|---------------------------|------------|---------------------|
| 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

