



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2011-ACE-1235-OE
Prior Study No.
2010-ACE-686-OE

Issued Date: 05/16/2011

Ernest L. Miller
Midwest Mobile Radio Service
812 S. 10th Street
St. Joseph, MO 64501

**** 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 Hiawatha
Location: Hiawatha, KS
Latitude: 39-51-18.16N NAD 83
Longitude: 95-33-23.03W
Heights: 379 feet above ground level (AGL)
1494 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 and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

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

See attachment for additional condition(s) or information.

This determination expires on 11/16/2012 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) 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 June 15, 2011. 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 in triplicate to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, Airspace Regulations & ATC Procedures Group, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on June 25, 2011 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).

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 Kathie Curran, at (425) 227-2824. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-ACE-1235-OE.

Signature Control No: 142033989-142762439

(DNH)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Frequency Data

Map(s)

cc: FCC

NARRATIVE AERONAUTICAL STUDY NO 2011-ACE-1235-OE

Abbreviations

AGL - above ground level

MSL - mean sea level

RWY - runway

IFR - instrument flight rules

VFR - visual flight rules

nm - nautical mile

Part 77 - Safe, Efficient Use, and Preservation of the Navigable Airspace

1. LOCATION OF PROPOSED CONSTRUCTION

The proposed 379 AGL (1494 MSL), antenna would be located approximately 12,108 feet southwest of the RWY 35 threshold of the Hiawatha Municipal Airport (K87), KS. K87 elevation: 1130 MSL.

2. OBSTRUCTION STANDARDS EXCEEDED

Section 77.23(a)(2) - the transitional surface area designated to protect aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight established under 77.17, 77.19, or 77.23 exceed by 164 feet.

3. EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: Study for possible VFR effect disclosed that the proposed structure would be located beyond the traffic pattern airspace for K87. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at K87, or any other known public-use or military airports. At 379 ft. AGL, the proposed structure would not have a substantial adverse effect on VFR en route flight operations.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None.

c. The impact on all planned public-use airports and aeronautical facilities as follows: None.

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

4. CIRCULATION AND COMMENTS RECEIVED

The proposal was not circularized for public comment due to an internal FAA evaluation. Additionally, FAA Order 7400.2, Procedures for Handling Airspace Matters, identifies that circularization is not required for any structure that would exceed Part 77.17(a)(2) and would be outside the traffic pattern. This does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

5. DETERMINATION - NO HAZARD TO AIR NAVIGATION

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient use of navigable airspace by aircraft.

6. BASIS FOR DECISION

The structure would exceed Part 77.17 (a)(2) for K87 by 164 feet, however, there are no IFR effects and this structure would be outside the K87 traffic patterns. The incorporation of obstruction marking and lighting will mitigate the Part 77 surface penetration and increase visibility of the tower to IFR and VFR aircraft operating in the vicinity of K87.

7. CONDITIONS

The structure shall be marked and lighted as outlined in chapters 3, 4, 5, and 12, of Advisory Circular AC 70/7460-1K. The advisory circular is available online at https://oeaaa.faa.gov/oeaaa/external/content/AC70_7460_1K.pdf. It is also free of charge, from the Department of Transportation, Subsequent Distribution Section, M-494.3, 400 7th Street, SW, Washington, DC 20590.

Within five days after the structure reaches its greatest height, proponent is required to file a FAA form 7460-2, Actual Construction notification, at the OE/AAA website (<http://oeaaa.faa.gov>). This Actual Construction notification will be the source document detailing the site location, site elevation, structure height, and date structure was built for the FAA to map the structure on aeronautical charts and update the national obstruction database.

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Frequency Data for ASN 2011-ACE-1235-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
451.1	451.1	MHz	120	W

TOPO Map for ASN 2011-ACE-1235-OE



