

X-ELNK-Loop: rick.beach@amazingpossibilities.org
X-IronPort-AV: i="4.09,295,1157342400";
d="scan'208"; a="51151919:sNHT34181259"
Subject: Re: KMYF/When does the FAA consider a hazard not a hazard?
To: Rick Beach <Rick.Beach@AmazingPossibilities.org>
Cc: Chris Ferrell <chris.ferrell@dot.ca.gov>,
Ron Cozad <cozadlaw@sbcglobal.net>,
Jerry Blank <gblank@san.rr.com>,
Jeff Brown <jeff.brown@dot.ca.gov>,
Mike Tussey <mtussey@sandiego.gov>,
Rick.Beach@amazingpossibilities.org
From: Karen.McDonald@faa.gov
Date: Wed, 11 Oct 2006 09:41:19 -0700
X-ELNK-Info: spv=0;
X-ELNK-AV: 0
X-ELNK-Info: sbv=0; sbr=.0; sbf=00; sbw=010;

Rick,

This building, issued a Determination of Hazard under study number 2006-AWP-4601-OE will always be considered a hazard because the construction sponsor willfully constructed a building of a height where the FAA had to adjust instrument procedures at a civilian public-use airport. An attempt to negotiate the height with the construction sponsor was unsuccessful.

Karen McDonald
Obstruction Evaluation Service
Los Angeles Office

Rick Beach
<Rick.Beach@AmazingPossibilities.org>
To: Karen McDonald/AWP/FAA@FAA
cc: Rick.Beach@amazingpossibilities.org
10/11/2006 06:19 AM, Mike Tussey
<mtussey@sandiego.gov>, Ron Cozad
<cozadlaw@sbcglobal.net>, Jerry
Blank <gblank@san.rr.com>, Jeff
Brown <jeff.brown@dot.ca.gov>,
Chris Ferrell
<chris.ferrell@dot.ca.gov>
Subject
KMYF/When does the FAA consider a
hazard not a hazard?

Karen, perhaps you can provide a quick answer to a question that pilots around Montgomery Field are asking about the Sunroads Centrum 1 office building. Your name emerged from the email correspondence concerning the FAA airspace studies for that building. And I'm vice-chair of the Airports Advisory Committee in San Diego for Montgomery Field and Brown Field.

If the 180 foot building is declared a hazard to air navigation, when does it become not a hazard?

Yesterday, the Sunroad Enterprises team (Tom Story of Sunroads, Barbara Lichman their attorney and Tom XXX of Williams Aviation) presented to the Airports Advisory Committee. They claimed that after the circling minimums are raised, there is no hazard.

The consequence of their building no longer being a hazard is the linkage to the California law PUC 21659 that says you can't construct something that is a hazard to air navigation without a permit. If no hazard, then no requirement.

Subtle, but worrisome.

Cheers
Rick
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