

FAA Obstruction Evaluation (OE) Process

Presented to: Aeronautical Charting Meeting

By: OEG Wind Turbine Team

Date: September 15, 2023



**Federal Aviation
Administration**



Obstruction Evaluation Group (OEG) Aeronautical Information Services / AJV-A5

<https://youtu.be/FrvNJAb6J-8>



¹ Title 49 U.S. Code § 44718, *Structures interfering with air commerce or national security*



The Obstruction Evaluation Process

“SAFE, EFFICIENT USE, AND PRESERVATION
OF THE NAVIGABLE AIRSPACE”

- The FAA is charged by Congress to determine whether proposed structures would have an adverse effect upon Aviation, and if so, the extent of that effect.¹
- Aeronautical Studies are performed under 14 CFR Part 77.



¹ Title 49 U.S. Code § 44718, *Structures interfering with air commerce or national security*



Limits of FAA Authority

- Determines whether structures would be a hazard.
- Recommends marking/lighting for aviation safety.
- FAA determination are not construction permits.
- FAA does not have land use authority.
- 14 CFR Part 77 applies to structures within 12 NM of the US coastline.



The Obstruction Evaluation Group

- Manages the FAA Obstruction Evaluation program.
- Conducts aeronautical studies to ensure the safety of air navigation and the efficient utilization of navigable airspace by aircraft.
- 50+ FAA/contract Technicians and Specialists primarily with air traffic or pilot backgrounds.
- OEG has 4 teams; Team 4 is a dedicated Wind Turbine Team (WTT).
- Processes close to 200K aeronautical studies per year.



How Studies are Processed

- Federal law requires **notice of construction** to be filed at least **45 days** in advance of the construction start date if the proposal meets the criteria in 14 CFR §77.9.¹



- Public may file through our website at: oeaaa.faa.gov.
- Notice criteria tool is available on website.

¹ Title 14 Code of Federal Regulations, Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*.



How Studies are Processed (cont.)



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« OE/AAA

Obstruction Evaluation Version 2021-MAR.1

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Obstruction Evaluation / Airport Airspace Analysis (OE/AAA)

faa.gov Tools: Print this page

In administering Title 14 of the Code of Federal Regulations (14 CFR) [Part 77](#), the prime objectives of the FAA are to promote air safety and the efficient use of the navigable airspace. To accomplish this mission, aeronautical studies are conducted based on information provided by proponents on an FAA Form 7460-1, Notice of Proposed Construction or Alteration.

[Advisory Circular 70/7460-1M](#), Obstruction Marking and Lighting, describes the standards for marking and lighting structures such as buildings, chimneys, antenna towers, cooling towers, storage tanks, supporting structures of overhead wires, etc.

OE/AAA Filing Process

If your organization is planning to sponsor any construction or alterations which may affect navigable airspace, you must file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) either electronically via this website or manually with the FAA.

CLICK HERE
If you have received a post card

CLICK HERE
for Instructions on how to E-file
your proposal with the FAA

If construction or alteration IS NOT LOCATED on an airport:

File forms 7460-1 and 7460-2 electronically via this website - [New User Registration](#).

E-filing your proposal is preferred because

- It's the fastest, most accurate method to submit to the FAA and immediately assigns an aeronautical study number to your case.
- It establishes an electronic communications link with FAA and allows you to obtain project status and notifications directly from this site.



If construction or alteration IS LOCATED on an airport:

File forms 7460-1 and 7480-1 electronically via this website - [New User Registration](#).

or

Find the [FAA Airports Region / District Office](#) having jurisdiction over the airport on which the construction is located, and file to that address.



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How Studies are Processed (cont.)

- OEG coordinates with 10+ different offices to review proposals based on their area of expertise.
 - Technical Operations
 - Frequency Management
 - Office of Airports
 - Flight Procedures
 - Flight Standards
 - ARTCC
 - Air Traffic District Managers
 - Department of Homeland Security
 - DOD Energy Clearinghouse
 - U.S. Dept of Army
 - U.S. Dept of Navy
 - U.S. Dept of Air Force
 - TRACON
 - Engineering Services



How Studies are Processed (cont.)

- If there are any issues to negotiate with the proponent, we will issue a “Notice of Preliminary Findings” letter (NPF).
- This outlines our initial findings and is intended to initiate discussions/negotiations.



How Studies are Processed (cont.)

- The NPF often leads to adjustments being made to the proposal which result in the proposal no longer having an adverse effect upon aviation.
- The Sponsor often has an option to request “further study” to determine the full extent of the adverse effect.



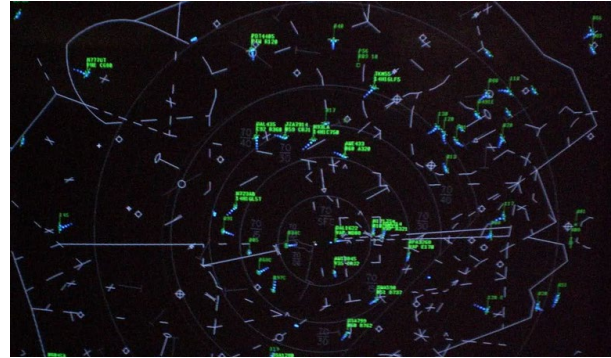
Further Study

- Further study may be necessary when more information is needed to determine the full extent of the adverse impact to aviation.
- May include public notice to collect comments related to possible aeronautical effects not considered or known by the FAA.
- May include obtaining traffic data or identifying the actual operational impact on ATC facilities.



Further Study (cont.)

- Further study may reveal the proposal, while it exceeds obstruction standards, would not be an issue because of the type of airspace usage or lack of usage.



Final FAA Determination

- The conclusion of the study is a Determination of Hazard (DOH) or Determination of No Hazard (DNH) letter.
- DNH letters may include **conditions the proponent must follow** to ensure aviation safety (marking/lighting, NOTAM, ATC coordination, etc.)
- Marking and lighting recommendations based on AC 70/7460-1, Obstruction Marking and Lighting.
- DNH letters do not supersede any law, ordinance, or regulation of any Federal, State, or local government body.
- OEG relies on local authorities to ensure compliance with 14 CFR Part 77.



Final FAA Determination (cont.)

- Proposals on-airport are evaluated by FAA Airports (except Military).
- Requires E-filing of Supplemental Notice, FAA Form 7460-2:
 - Part 1 (Construction start)
 - Part 2 (Structure reached greatest height)
- Form 7460-2 is forwarded to the Obstacle Data Team (ODT) for charting and/or FCC (frequencies).



Questions?

