

**CHANGE**

**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

**JO 7400.2J  
CHG 2**

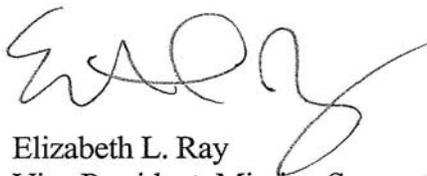
Air Traffic Organization Policy

**Effective Date:**  
March 7, 2013

**SUBJ:** Procedures for Handling Airspace Matters

---

- 1. Purpose of This Change.** This change transmits revised pages to Federal Aviation Administration Order JO 7400.2J, Procedures for Handling Airspace Matters.
- 2. Audience.** This change applies to all Air Traffic Organization (ATO) personnel and anyone using ATO directives. This order also applies to all regional, service area, and field organizational elements involved in rulemaking and nonrulemaking actions associated with airspace allocation and utilization, obstruction evaluation, obstruction marking and lighting, airport airspace analysis, and the management of air navigation aids.
- 3. Where Can I Find This Change?** This change is available on the FAA Web site at [http://faa.gov/air\\_traffic/publications](http://faa.gov/air_traffic/publications) and [https://employees.faa.gov/tools\\_resources/orders\\_notices/](https://employees.faa.gov/tools_resources/orders_notices/).
- 4. Explanation of Policy Change.** See the Explanation of Changes attachment which has editorial corrections and changes submitted through normal procedures.
- 5. Distribution.** This change is distributed to select offices in Washington headquarters; the Office of Commercial Space Transportation; regional Flight Standards; Airports Divisions; service area offices; the William J. Hughes Technical Center; the Mike Monroney Aeronautical Center; Technical Operations Aviation System Standards; all field facilities; international aviation field offices; and interested aviation public.
- 6. Disposition of Transmittal.** Retain this transmittal until superseded by a new basic order.
- 7. Page Control Chart.** See the page control chart attachment.



Elizabeth L. Ray  
Vice President, Mission Support Services  
Air Traffic Organization

Date: January 11, 2013



## Explanation of Changes

### Change 2

**Direct questions through appropriate facility/service center office staff  
to the Office of Primary Interest (OPI).**

**a. 6-3-3. DETERMINING ADVERSE  
EFFECT**

This change reinforces that obstruction standards must first be exceeded, and/or electromagnetic effect must be present, before any of the provisions in items a through f apply. This change cancels and

incorporates N JO 7400.29, Guidance on Determining Adverse Effect, effective June 20, 2012.

**b. Entire publication.**

Additional editorial/format changes were made where necessary. Revision bars were not used because of the insignificant nature of these changes.



**FAAO JO 7400.2J**  
**Change 2**  
**Page Control Chart**  
**March 7, 2013**

<b>REMOVE PAGES</b>	<b>DATED</b>	<b>INSERT PAGES</b>	<b>DATED</b>
6-3-1 through 6-3-3 .....	2/9/12	6-3-1 through 6-3-3 .....	3/7/13
6-3-4 .....	2/9/12	6-3-4 .....	2/9/12



## Section 3. Identifying/Evaluating Aeronautical Effect

### 6-3-1. POLICY

a. The prime objective of the FAA in conducting OE studies is to ensure the safety of air navigation, and the efficient utilization of navigable airspace by aircraft. There are many demands being placed on the use of the navigable airspace. However, when conflicts arise concerning a structure being studied, the FAA emphasizes the need for conserving the navigable airspace for aircraft; preserving the integrity of the national airspace system; and protecting air navigation facilities from either electromagnetic or physical encroachments that would preclude normal operation.

b. In the case of such a conflicting demand for the airspace by a proposed construction or alteration, the first consideration should be given to altering the proposal.

c. In the case of an existing structure, first consideration should be given to adjusting the aviation procedures to accommodate the structure. This does not preclude issuing a “Determination Of Hazard To Air Navigation” on an existing structure when the needed adjustment of aviation procedures could not be accomplished without a substantial adverse effect on aeronautical operations. In all cases, consideration should be given to all known plans on file received by the end of the public comment period or before issuance of a determination if the case was not circularized.

### 6-3-2. SCOPE

Part 77 establishes standards for determining obstructions to air navigation. A structure that exceeds one or more of these standards is presumed to be a hazard to air navigation unless the obstruction evaluation study determines otherwise. An obstruction evaluation study must identify:

a. The effect the proposal would have:

1. On existing and proposed public-use and military airports and/or aeronautical facilities.

2. On existing and proposed visual flight rule (VFR)/instrument flight rule (IFR) aeronautical departure, arrival and en route operations, procedures, and minimum flight altitudes.

3. Regarding physical, electromagnetic, or line-of-sight interference on existing or proposed air navigation, communications, radar, and control systems facilities.

4. On airport capacity, as well as the cumulative impact resulting from the structure when combined with the impact of other existing or proposed structures.

b. Whether marking and/or lighting is necessary.

### 6-3-3. DETERMINING ADVERSE EFFECT

If a structure first exceeds the obstruction standards of Part 77, and/or is found to have physical or electromagnetic radiation effect on the operation of air navigation facilities, then the proposed or existing structure, if not amended, altered, or removed, has an adverse effect if it would:

a. Require a change to an existing or planned IFR minimum flight altitude, a published or special instrument procedure, or an IFR departure procedure for a public-use airport.

b. Require a VFR operation, to change its regular flight course or altitude. This does not apply to VFR military training route (VR) operations conducted under Part 137, or operations conducted under a waiver or exemption to the CFR.

c. Restrict the clear view of runways, helipads, taxiways, or traffic patterns from the airport traffic control tower cab.

d. Derogate airport capacity/efficiency.

e. Affect future VFR and/or IFR operations as indicated by plans on file.

f. Affect the usable length of an existing or planned runway.

### 6-3-4. DETERMINING SIGNIFICANT VOLUME OF ACTIVITY

The type of activity must be considered in reaching a decision on the question of what volume of aeronautical activity is “significant.” For example, if one or more aeronautical operations per day would be affected, this would indicate regular and continuing activity, thus a significant volume no matter what the

type of operation. However, an affected instrument procedure or minimum altitude may need to be used only an average of once a week to be considered significant if the procedure is one which serves as the primary procedure under certain conditions.

### **6-3-5. SUBSTANTIAL ADVERSE EFFECT**

A proposed structure would have, or an existing structure has, a substantial adverse effect if it causes electromagnetic interference to the operation of an air navigation facility or the signal used by aircraft, or if there is a combination of:

- a. Adverse effect as described in paragraph 6-3-3; and
- b. A significant volume of aeronautical operations, as described in paragraph 6-3-4, would be affected.

### **6-3-6. RESPONSIBILITY**

The FAA's obstruction evaluation program transcends organizational lines. In order to determine the effect of the structure within the required notice period, each office should forward the results of its evaluation within 15 working days to the service area office for further processing. Areas of responsibility are delegated as follows:

- a. Air traffic personnel must:
  - 1. Identify when the structure exceeds Section 77.23 (a)(1) (see FIG 6-3-1 thru FIG 6-3-8) and apply Section 77.23(b) (see FIG 5-2-4).
  - 2. Identify the effect on existing and planned aeronautical operations, air traffic control procedures, and airport traffic patterns and making recommendations for mitigating adverse effect including marking and lighting recommendations.
  - 3. Identify when the structure would adversely affect published helicopter route operations as specified in paragraph 6-3-8 subparagraph e., of this order, and forward the case to Flight Standards.
  - 4. Identify whether obstruction marking/lighting are necessary and recommend the appropriate marking and/or lighting.
  - 5. Identify when negotiations are necessary and conduct negotiations with the sponsor. This may be done in conjunction with assistance from other division/service area office personnel when their

subject expertise is required (e.g., in cases of electromagnetic interference).

- 6. Identify when circularization is necessary and conduct the required circularization process.
- 7. Evaluate all valid aeronautical comments received as a result of the circularization and those received as a result of the division evaluation.
- 8. Issue the determination (except as noted in paragraph 7-1-2, subparagraph b).

b. Regional Airports Division personnel must:

- 1. Verify that the airport/runway database has been reviewed, is correct, and contains all plans on file pertaining to the OE case.
- 2. Identify the structure's effect on existing and planned airports or improvements to airports concerning airport design criteria including potential restrictions/impacts on airport operations, capacity, efficiency and development, and making recommendations for eliminating adverse effect. Airports Divisions are not required to perform evaluations on OE cases that are further than 3 NM from the Airport Reference Point (ARP) of a public-use or military airport.
- 3. Determine the effect on the efficient use of airports and the safety of persons and property on the ground. Airports will resist structures and activities that conflict with an airport's planning, design, and/or recommendations from other divisions/service area offices.

c. FPT personnel must:

- 1. Identify when the structure exceeds Sections 77.23(a)(3), and 77.23(a)(4).
- 2. Identify the effect upon terminal area IFR operations, including transitions; radar vectoring; holding; instrument departure procedures; any segment of a standard instrument approach procedure (SIAP) or special SIAP, including proposed instrument procedures and departure areas; and making recommendations for eliminating adverse effect.

**NOTE-**

*This paragraph applies to any IAP and Special SIAP at public-use and private-use airports.*

- 3. Identify the effect on minimum en route altitudes (MEA); minimum obstruction clearance altitudes (MOCA); minimum vectoring altitudes

(MVA); minimum IFR altitudes (MIA); minimum safe altitudes (MSA); minimum crossing altitudes (MCA); minimum holding altitudes (MHA); turning areas and termination areas; and making recommendations for eliminating adverse effect.

**4.** Coordinate with air traffic and technical operations services personnel to determine the effect of any interference with an air navigation facility on any terminal or en route procedure.

**5.** State what adjustments can be made to the procedure/structure to mitigate or eliminate any adverse effects of the structure on an instrument flight procedure.

**d.** Regional Flight Standards personnel must identify the effect on fixed-wing and helicopter VFR routes, terminal operations, and other concentrations of VFR traffic. When requested by air traffic, the Flight Standards Division must also evaluate the mitigation of adverse effect on VFR operations for marking and/or lighting of structures.

**e.** Technical Operations Services personnel must identify any electromagnetic and/or physical effect on air navigation and communications facilities including:

**1.** The presence of any electromagnetic effect in the frequency protected service volume of the

facilities shown in FIG 6-3-18, FIG 6-3-19, and FIG 6-3-20.

**2.** The effect on the availability or quality of navigational or communications signals to or from aircraft including lighting systems (e.g., VGSI), and making recommendations to eliminate adverse effect.

**3.** The effect on ground-based communications and NAVAID equipment, and the signal paths between ground-based and airborne equipment, and making recommendations to eliminate adverse effect.

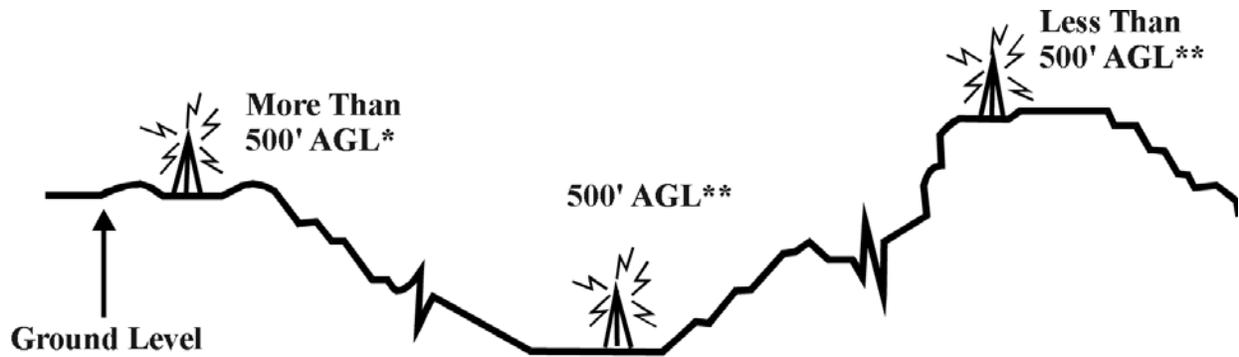
**4.** The effect on the availability or quality of ground-based primary and secondary radar; direction finders; and air traffic control tower line-of-sight visibility; and making recommendations to eliminate adverse effect.

**5.** The effect of sunlight or artificial light reflections, and making recommendations to eliminate adverse effect.

**f.** Military personnel are responsible for evaluating the effect on airspace and routes used by the military.

**g.** Other applicable FAA offices or services may be requested to provide an evaluation of the structure on a case-by-case basis.

**FIG 6-3-1  
ANYWHERE**



**\* Obstruction to Air Navigation**  
**\*\* Not an Obstruction to Air Navigation**