



DEPT OF BLDGS 420655954 Job Number
Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177



Aeronautical Study No.
2016-AEA-3681-OE

Issued Date: 09/16/2016

Jia Shu Xu
Cityview Tower LLC
112 -15 Northern Boulevard
CF-2
Corona, NY 11368

**** 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: Building Cityview Tower NE Corner
Location: Long Island City, NY
Latitude: 40-44-53.00N NAD 83
Longitude: 73-56-39.38W
Heights: 16 feet site elevation (SE)
752 feet above ground level (AGL)
768 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/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 03/16/2018 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 is subject to review if an interested party files a petition that is received by the FAA on or before October 16, 2016. 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 to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on October 26, 2016 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).

If we can be of further assistance, please contact Darin Clipper, at (404) 305-6531. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AEA-3681-OE.

Signature Control No: 287338284-304815176

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Additional information for ASN 2016-AEA-3681-OE

The proposed City View Tower consists of five (5) study points filed under aeronautical study numbers 2016-AEA-3680-OE through 2016-AEA-3684-OE not exceeding a height of 762 feet (ft.) above ground level (AGL), 778 ft. above means sea level (AMSL) (lowered from 994 ft. AGL / 1,010 ft. AMSL) and would be located approximately 3.71 - 3.72 nautical miles (NM) southwest of LaGuardia Airport's (LGA) airport reference point (ARP), Long Island City, NY.

The proposal has been studied at the following heights and locations:

2016-AEA-3680-OE: 40-44-52.60N/ 73-56-39.40W / 762 ft. AGL / 778 ft. AMSL / (Equipment)
2016-AEA-3681-OE: 40-44-53.00N/ 73-56-39.38W / 752 ft. AGL / 768 ft. AMSL / (NE Corner)
2016-AEA-3682-OE: 40-44-52.13N/ 73-56-39.59W / 752 ft. AGL / 768 ft. AMSL / (SE Corner)
2016-AEA-3683-OE: 40-44-52.24N/ 73-56-40.25W / 752 ft. AGL / 768 ft. AMSL / (SW Corner)
2016-AEA-3684-OE: 40-44-53.00N/ 73-56-40.06W / 752 ft. AGL / 768 ft. AMSL / (NW Corner)

The proposal has been identified as an obstruction under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as applied to LGA:

Section 77.17 (a) (1): A height more than 499 ft. AGL. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 263 ft.
2016-AEA-3681-OE: Exceeds by up to 253 ft.
2016-AEA-3682-OE: Exceeds by up to 253 ft.
2016-AEA-3683-OE: Exceeds by up to 253 ft.
2016-AEA-3684-OE: Exceeds by up to 253 ft.

Section 77.17 (a) (2): A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 ft. for each additional nautical mile from the airport up to a maximum of 499 ft. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 486 ft.
2016-AEA-3681-OE: Exceeds by up to 477 ft.
2016-AEA-3682-OE: Exceeds by up to 476 ft.
2016-AEA-3683-OE: Exceeds by up to 476 ft.
2016-AEA-3684-OE: Exceeds by up to 476 ft.

Section 77.17 (a) (3). A height that increases a minimum instrument flight altitude within a terminal area (TERPS criteria).

2016-AEA-3680-OE:

At 778 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3681-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3682-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3683-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3684-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

The proposal also exceeds VFR Traffic Pattern Airspace for Category D aircraft, (aircraft with approach speeds of 141 but less than 166 knots) as applied to existing and proposed visual approach runways at LGA by up to the following:

2016-AEA-3680-OE: Exceeds by up to 407 ft.

2016-AEA-3681-OE: Exceeds by up to 397 ft.

2016-AEA-3682-OE: Exceeds by up to 397 ft.
2016-AEA-3683-OE: Exceeds by up to 397 ft.
2016-AEA-3684-OE: Exceeds by up to 397 ft.

The proposal was not circularized for public comment because this structure would be located on a site in proximity to another previously studied structure of the same height (2015-AEA-4715-OE at 750 ft. AGL / 778 ft. AMSL) and would have no greater effect on aeronautical operations or procedures and the basis for the determination issued under the previous study could be appropriately applied as noted in FAA Order JO 7400.2 series, Procedures for Handling Airspace Matters, Chapter 6, paragraph 6-3-17, 2 (b).

Aeronautical study disclosed that the proposal exceeded 77.17 (a) 3, however, the increase to the circling procedures identified would not be considered significant as the increases would not exceed what has been already been identified in the previously studied case as noted above. Additionally, the previously study case identified there was not sufficient data to suggesting regular and continuing activity as it relates to the procedures affected indicating that a change in the aeronautical operations would not rise to the level of significant adverse effect. There would be no other effects on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures as it relates to current and future runway extensions or proposals. Information on the proposal shall be forwarded for appropriate aeronautical charting.

Study for possible visual flight rules (VFR) effect disclosed that the proposal would exceed both 77.17 (a) 1 and 77.17 (a) 2, but would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at LGA as the VFR traffic pattern is not utilized within Class B airspace, nor would the proposal affect any other known public-use or military airports. At up to 762 ft. AGL, the proposal would not have a substantial adverse effect on VFR en route flight operations or on any VFR routes in the vicinity of this location.

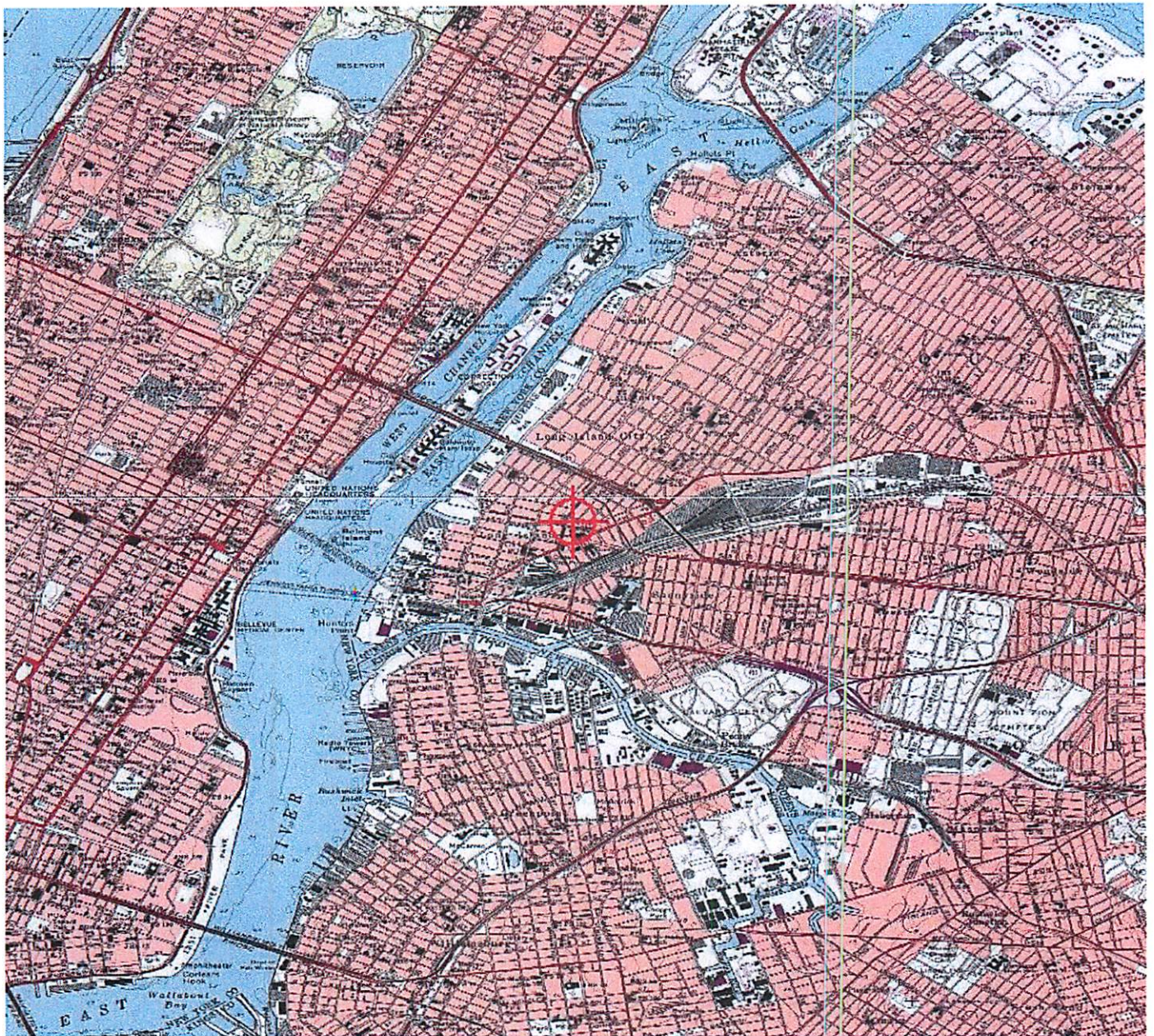
It is recommended that the proposal be obstruction lit to make it more conspicuous to airmen should circumnavigation be necessary.

The cumulative impact of the proposal, when combined with other proposed and existing structures, is not considered to be significant. Study did not disclose any adverse effects on existing or proposed public-use or military airports or navigational facilities, nor does the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposal would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation as long as all conditions written within this determination are met.

Case Description for ASN 2016-AEA-3681-OE

Highest Point of NorthEast Corner of the Building





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2016-AEA-3682-OE

Issued Date: 09/16/2016

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Heights:	16 feet site elevation (SE) 752 feet above ground level (AGL) 768 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/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 03/16/2018 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 is subject to review if an interested party files a petition that is received by the FAA on or before October 16, 2016. 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 to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

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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).

If we can be of further assistance, please contact Darin Clipper, at (404) 305-6531. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AEA-3682-OE.

Signature Control No: 287354344-304815175

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Additional information for ASN 2016-AEA-3682-OE

The proposed City View Tower consists of five (5) study points filed under aeronautical study numbers 2016-AEA-3680-OE through 2016-AEA-3684-OE not exceeding a height of 762 feet (ft.) above ground level (AGL), 778 ft. above means sea level (AMSL) (lowered from 994 ft. AGL / 1,010 ft. AMSL) and would be located approximately 3.71 - 3.72 nautical miles (NM) southwest of LaGuardia Airport's (LGA) airport reference point (ARP), Long Island City, NY.

The proposal has been studied at the following heights and locations:

2016-AEA-3680-OE: 40-44-52.60N/ 73-56-39.40W / 762 ft. AGL / 778 ft. AMSL / (Equipment)
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2016-AEA-3683-OE: 40-44-52.24N/ 73-56-40.25W / 752 ft. AGL / 768 ft. AMSL / (SW Corner)
2016-AEA-3684-OE: 40-44-53.00N/ 73-56-40.06W / 752 ft. AGL / 768 ft. AMSL / (NW Corner)

The proposal has been identified as an obstruction under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as applied to LGA:

Section 77.17 (a) (1): A height more than 499 ft. AGL. The proposal exceeds by up to the following:

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2016-AEA-3683-OE: Exceeds by up to 253 ft.
2016-AEA-3684-OE: Exceeds by up to 253 ft.

Section 77.17 (a) (2): A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 ft. for each additional nautical mile from the airport up to a maximum of 499 ft. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 486 ft.
2016-AEA-3681-OE: Exceeds by up to 477 ft.
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2016-AEA-3683-OE: Exceeds by up to 476 ft.
2016-AEA-3684-OE: Exceeds by up to 476 ft.

Section 77.17 (a) (3). A height that increases a minimum instrument flight altitude within a terminal area (TERPS criteria).

2016-AEA-3680-OE:

At 778 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3681-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

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RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3683-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3684-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

The proposal also exceeds VFR Traffic Pattern Airspace for Category D aircraft, (aircraft with approach speeds of 141 but less than 166 knots) as applied to existing and proposed visual approach runways at LGA by up to the following:

2016-AEA-3680-OE: Exceeds by up to 407 ft.

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The proposal was not circularized for public comment because this structure would be located on a site in proximity to another previously studied structure of the same height (2015-AEA-4715-OE at 750 ft. AGL / 778 ft. AMSL) and would have no greater effect on aeronautical operations or procedures and the basis for the determination issued under the previous study could be appropriately applied as noted in FAA Order JO 7400.2 series, Procedures for Handling Airspace Matters, Chapter 6, paragraph 6-3-17, 2 (b).

Aeronautical study disclosed that the proposal exceeded 77.17 (a) 3, however, the increase to the circling procedures identified would not be considered significant as the increases would not exceed what has been already been identified in the previously studied case as noted above. Additionally, the previously study case identified there was not sufficient data to suggesting regular and continuing activity as it relates to the procedures affected indicating that a change in the aeronautical operations would not rise to the level of significant adverse effect. There would be no other effects on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures as it relates to current and future runway extensions or proposals. Information on the proposal shall be forwarded for appropriate aeronautical charting.

Study for possible visual flight rules (VFR) effect disclosed that the proposal would exceed both 77.17 (a) 1 and 77.17 (a) 2, but would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at LGA as the VFR traffic pattern is not utilized within Class B airspace, nor would the proposal affect any other known public-use or military airports. At up to 762 ft. AGL, the proposal would not have a substantial adverse effect on VFR en route flight operations or on any VFR routes in the vicinity of this location.

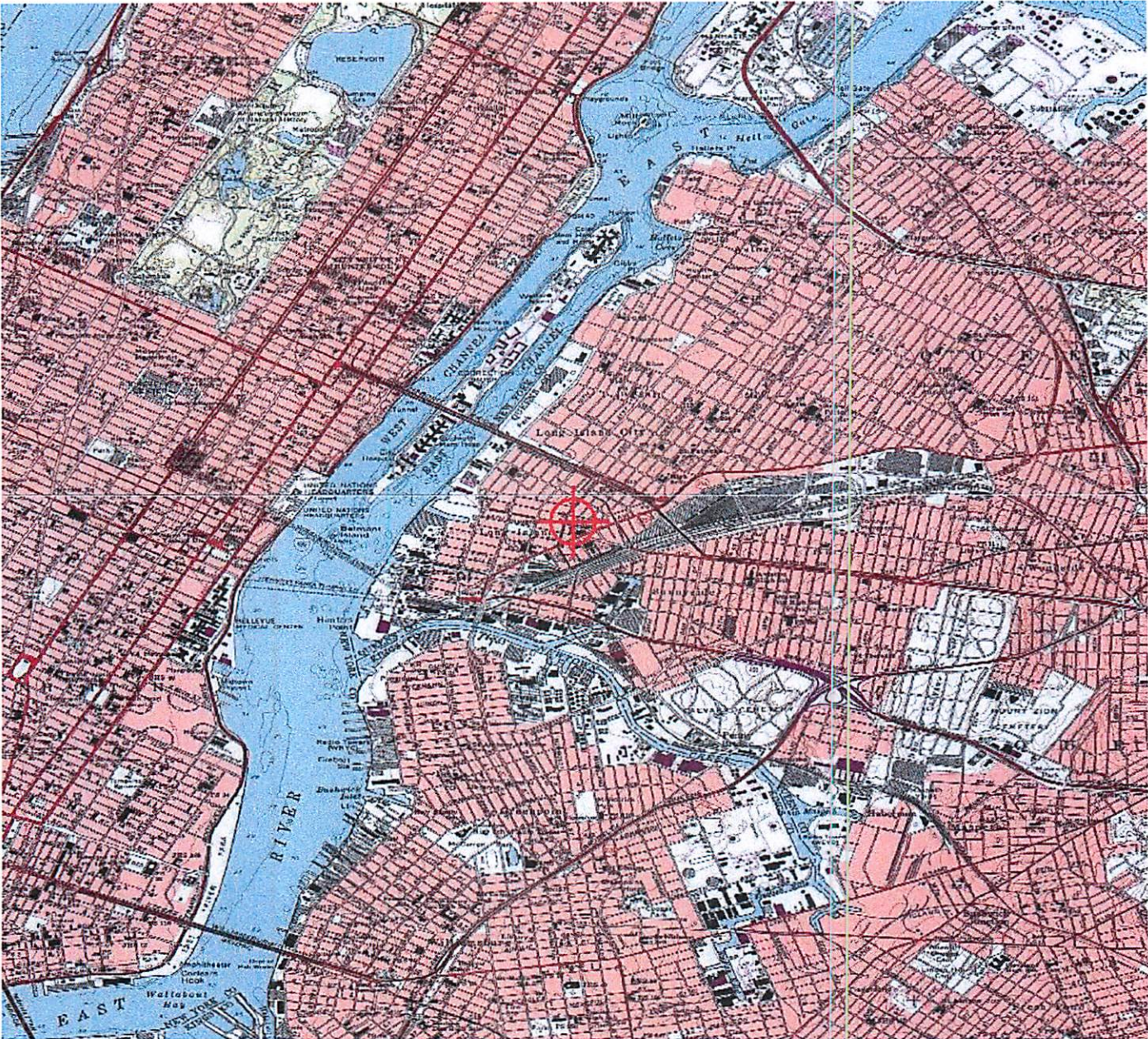
It is recommended that the proposal be obstruction lit to make it more conspicuous to airmen should circumnavigation be necessary.

The cumulative impact of the proposal, when combined with other proposed and existing structures, is not considered to be significant. Study did not disclose any adverse effects on existing or proposed public-use or military airports or navigational facilities, nor does the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposal would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation as long as all conditions written within this determination are met.

Case Description for ASN 2016-AEA-3682-OE

Highest Point of SouthEast Corner of the Building.





Mail Processing Center
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10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
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Heights:	16 feet site elevation (SE)
	752 feet above ground level (AGL)
	768 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/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 03/16/2018 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 is subject to review if an interested party files a petition that is received by the FAA on or before October 16, 2016. 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 to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on October 26, 2016 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).

If we can be of further assistance, please contact Darin Clipper, at (404) 305-6531. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AEA-3684-OE.

Signature Control No: 287361358-304815177

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Additional information for ASN 2016-AEA-3684-OE

The proposed City View Tower consists of five (5) study points filed under aeronautical study numbers 2016-AEA-3680-OE through 2016-AEA-3684-OE not exceeding a height of 762 feet (ft.) above ground level (AGL), 778 ft. above means sea level (AMSL) (lowered from 994 ft. AGL / 1,010 ft. AMSL) and would be located approximately 3.71 - 3.72 nautical miles (NM) southwest of LaGuardia Airport's (LGA) airport reference point (ARP), Long Island City, NY.

The proposal has been studied at the following heights and locations:

2016-AEA-3680-OE: 40-44-52.60N/ 73-56-39.40W / 762 ft. AGL / 778 ft. AMSL / (Equipment)
2016-AEA-3681-OE: 40-44-53.00N/ 73-56-39.38W / 752 ft. AGL / 768 ft. AMSL / (NE Corner)
2016-AEA-3682-OE: 40-44-52.13N/ 73-56-39.59W / 752 ft. AGL / 768 ft. AMSL / (SE Corner)
2016-AEA-3683-OE: 40-44-52.24N/ 73-56-40.25W / 752 ft. AGL / 768 ft. AMSL / (SW Corner)
2016-AEA-3684-OE: 40-44-53.00N/ 73-56-40.06W / 752 ft. AGL / 768 ft. AMSL / (NW Corner)

The proposal has been identified as an obstruction under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as applied to LGA:

Section 77.17 (a) (1): A height more than 499 ft. AGL. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 263 ft.
2016-AEA-3681-OE: Exceeds by up to 253 ft.
2016-AEA-3682-OE: Exceeds by up to 253 ft.
2016-AEA-3683-OE: Exceeds by up to 253 ft.
2016-AEA-3684-OE: Exceeds by up to 253 ft.

Section 77.17 (a) (2): A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 ft. for each additional nautical mile from the airport up to a maximum of 499 ft. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 486 ft.
2016-AEA-3681-OE: Exceeds by up to 477 ft.
2016-AEA-3682-OE: Exceeds by up to 476 ft.
2016-AEA-3683-OE: Exceeds by up to 476 ft.
2016-AEA-3684-OE: Exceeds by up to 476 ft.

Section 77.17 (a) (3). A height that increases a minimum instrument flight altitude within a terminal area (TERPS criteria).

2016-AEA-3680-OE:

At 778 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3681-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3682-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3683-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3684-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

The proposal also exceeds VFR Traffic Pattern Airspace for Category D aircraft, (aircraft with approach speeds of 141 but less than 166 knots) as applied to existing and proposed visual approach runways at LGA by up to the following:

2016-AEA-3680-OE: Exceeds by up to 407 ft.

2016-AEA-3681-OE: Exceeds by up to 397 ft.

2016-AEA-3682-OE: Exceeds by up to 397 ft.

2016-AEA-3683-OE: Exceeds by up to 397 ft.

2016-AEA-3684-OE: Exceeds by up to 397 ft.

The proposal was not circularized for public comment because this structure would be located on a site in proximity to another previously studied structure of the same height (2015-AEA-4715-OE at 750 ft. AGL / 778 ft. AMSL) and would have no greater effect on aeronautical operations or procedures and the basis for the determination issued under the previous study could be appropriately applied as noted in FAA Order JO 7400.2 series, Procedures for Handling Airspace Matters, Chapter 6, paragraph 6-3-17, 2 (b).

Aeronautical study disclosed that the proposal exceeded 77.17 (a) 3, however, the increase to the circling procedures identified would not be considered significant as the increases would not exceed what has been already been identified in the previously studied case as noted above. Additionally, the previously study case identified there was not sufficient data to suggesting regular and continuing activity as it relates to the procedures affected indicating that a change in the aeronautical operations would not rise to the level of significant adverse effect. There would be no other effects on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures as it relates to current and future runway extensions or proposals. Information on the proposal shall be forwarded for appropriate aeronautical charting.

Study for possible visual flight rules (VFR) effect disclosed that the proposal would exceed both 77.17 (a) 1 and 77.17 (a) 2, but would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at LGA as the VFR traffic pattern is not utilized within Class B airspace, nor would the proposal affect any other known public-use or military airports. At up to 762 ft. AGL, the proposal would not have a substantial adverse effect on VFR en route flight operations or on any VFR routes in the vicinity of this location.

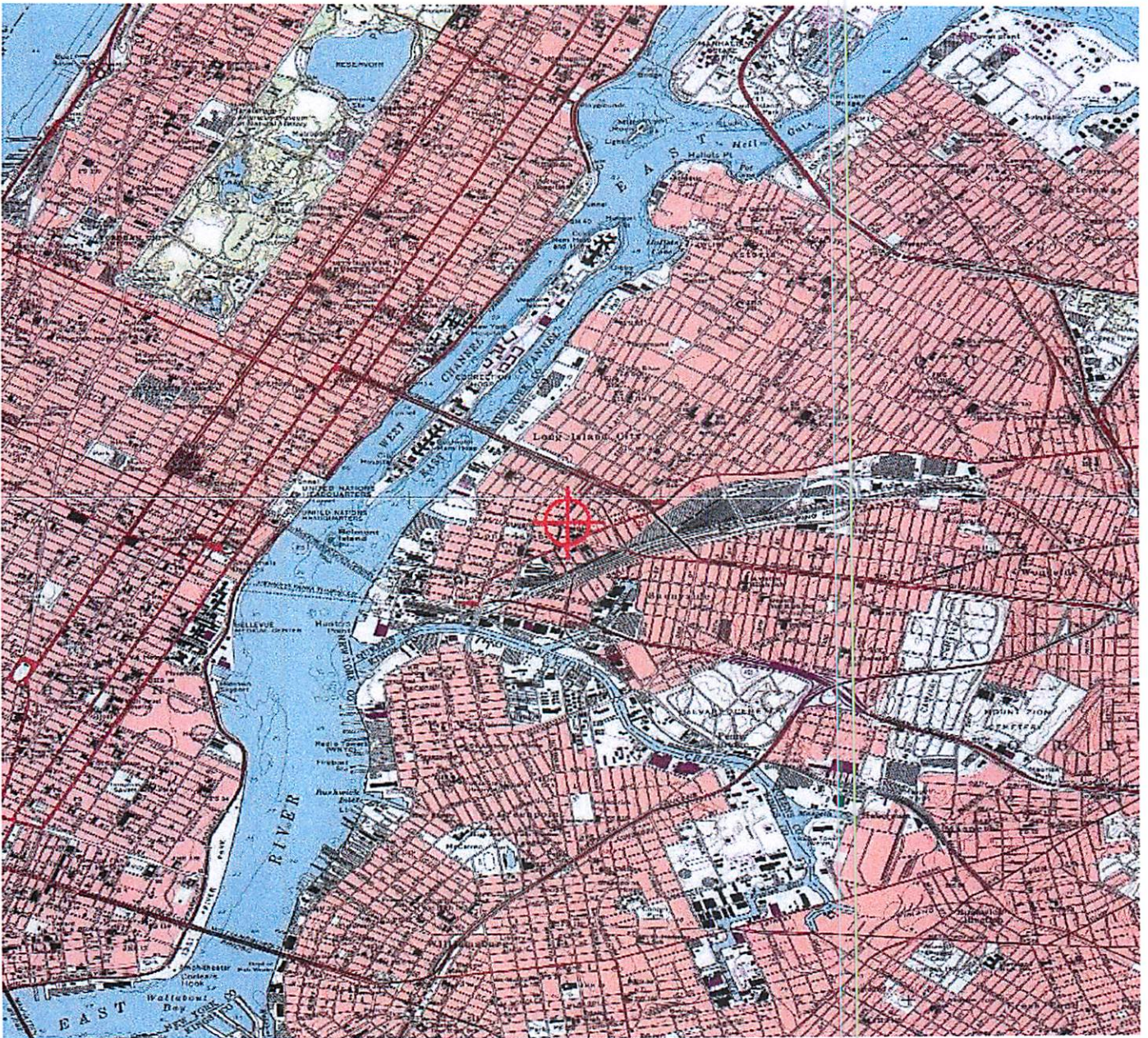
It is recommended that the proposal be obstruction lit to make it more conspicuous to airmen should circumnavigation be necessary.

The cumulative impact of the proposal, when combined with other proposed and existing structures, is not considered to be significant. Study did not disclose any adverse effects on existing or proposed public-use or military airports or navigational facilities, nor does the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposal would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation as long as all conditions written within this determination are met.

Case Description for ASN 2016-AEA-3684-OE

Highest Point of NorthWest corner of the Building.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2016-AEA-3680-OE

Issued Date: 09/16/2016

Jia Shu Xu
Cityview Tower LLC
112 -15 Northern Boulevard
CF-2
Corona, NY 11368

**** 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:	Building Cityview Tower-Window Cleaning Equipment
Location:	Long Island City, NY
Latitude:	40-44-52.60N NAD 83
Longitude:	73-56-39.40W
Heights:	16 feet site elevation (SE) 762 feet above ground level (AGL) 778 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/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

Any height exceeding 762 feet above ground level (778 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 03/16/2018 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 is subject to review if an interested party files a petition that is received by the FAA on or before October 16, 2016. 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 to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on October 26, 2016 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).

If we can be of further assistance, please contact Darin Clipper, at (404) 305-6531. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AEA-3680-OE.

Signature Control No: 287335906-304811782

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Additional information for ASN 2016-AEA-3680-OE

The proposed City View Tower consists of five (5) study points filed under aeronautical study numbers 2016-AEA-3680-OE through 2016-AEA-3684-OE not exceeding a height of 762 feet (ft.) above ground level (AGL), 778 ft. above means sea level (AMSL) (lowered from 994 ft. AGL / 1,010 ft. AMSL) and would be located approximately 3.71 - 3.72 nautical miles (NM) southwest of LaGuardia Airport's (LGA) airport reference point (ARP), Long Island City, NY.

The proposal has been studied at the following heights and locations:

2016-AEA-3680-OE: 40-44-52.60N/ 73-56-39.40W / 762 ft. AGL / 778 ft. AMSL / (Equipment)
2016-AEA-3681-OE: 40-44-53.00N/ 73-56-39.38W / 752 ft. AGL / 768 ft. AMSL / (NE Corner)
2016-AEA-3682-OE: 40-44-52.13N/ 73-56-39.59W / 752 ft. AGL / 768 ft. AMSL / (SE Corner)
2016-AEA-3683-OE: 40-44-52.24N/ 73-56-40.25W / 752 ft. AGL / 768 ft. AMSL / (SW Corner)
2016-AEA-3684-OE: 40-44-53.00N/ 73-56-40.06W / 752 ft. AGL / 768 ft. AMSL / (NW Corner)

The proposal has been identified as an obstruction under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as applied to LGA:

Section 77.17 (a) (1): A height more than 499 ft. AGL. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 263 ft.
2016-AEA-3681-OE: Exceeds by up to 253 ft.
2016-AEA-3682-OE: Exceeds by up to 253 ft.
2016-AEA-3683-OE: Exceeds by up to 253 ft.
2016-AEA-3684-OE: Exceeds by up to 253 ft.

Section 77.17 (a) (2): A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 ft. for each additional nautical mile from the airport up to a maximum of 499 ft. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 486 ft.
2016-AEA-3681-OE: Exceeds by up to 477 ft.
2016-AEA-3682-OE: Exceeds by up to 476 ft.
2016-AEA-3683-OE: Exceeds by up to 476 ft.
2016-AEA-3684-OE: Exceeds by up to 476 ft.

Section 77.17 (a) (3). A height that increases a minimum instrument flight altitude within a terminal area (TERPS criteria).

2016-AEA-3680-OE:

At 778 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3681-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3682-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3683-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3684-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

The proposal also exceeds VFR Traffic Pattern Airspace for Category D aircraft, (aircraft with approach speeds of 141 but less than 166 knots) as applied to existing and proposed visual approach runways at LGA by up to the following:

2016-AEA-3680-OE: Exceeds by up to 407 ft.

2016-AEA-3681-OE: Exceeds by up to 397 ft.

2016-AEA-3682-OE: Exceeds by up to 397 ft.

2016-AEA-3683-OE: Exceeds by up to 397 ft.

2016-AEA-3684-OE: Exceeds by up to 397 ft.

The proposal was not circularized for public comment because this structure would be located on a site in proximity to another previously studied structure of the same height (2015-AEA-4715-OE at 750 ft. AGL / 778 ft. AMSL) and would have no greater effect on aeronautical operations or procedures and the basis for the determination issued under the previous study could be appropriately applied as noted in FAA Order JO 7400.2 series, Procedures for Handling Airspace Matters, Chapter 6, paragraph 6-3-17, 2 (b).

Aeronautical study disclosed that the proposal exceeded 77.17 (a) 3, however, the increase to the circling procedures identified would not be considered significant as the increases would not exceed what has been already been identified in the previously studied case as noted above. Additionally, the previously study case identified there was not sufficient data to suggesting regular and continuing activity as it relates to the procedures affected indicating that a change in the aeronautical operations would not rise to the level of significant adverse effect. There would be no other effects on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures as it relates to current and future runway extensions or proposals. Information on the proposal shall be forwarded for appropriate aeronautical charting.

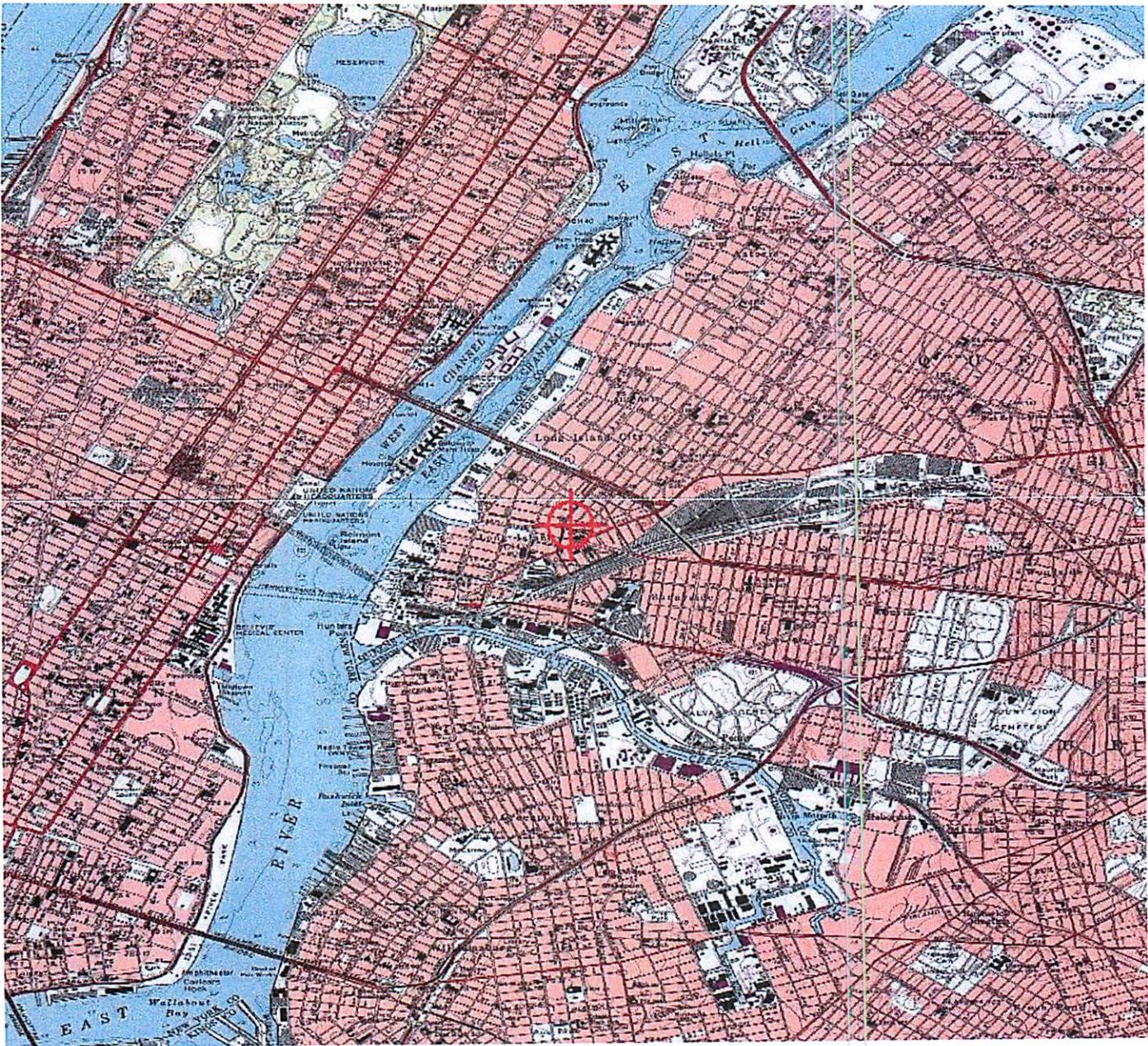
Study for possible visual flight rules (VFR) effect disclosed that the proposal would exceed both 77.17 (a) 1 and 77.17 (a) 2, but would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at LGA as the VFR traffic pattern is not utilized within Class B airspace, nor would the proposal affect any other known public-use or military airports. At up to 762 ft. AGL, the proposal would not have a substantial adverse effect on VFR en route flight operations or on any VFR routes in the vicinity of this location.

It is recommended that the proposal be obstruction lit to make it more conspicuous to airmen should circumnavigation be necessary.

The cumulative impact of the proposal, when combined with other proposed and existing structures, is not considered to be significant. Study did not disclose any adverse effects on existing or proposed public-use or military airports or navigational facilities, nor does the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposal would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation as long as all conditions written within this determination are met.

Highest point of the building. Top of Boom





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2016-AEA-3683-OE

Issued Date: 09/16/2016

Jia Shu Xu
Cityview Tower LLC
112 -15 Northern Boulevard
CF-2
Corona, NY 11368

**** 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:	Building Cityview Tower SW Corner
Location:	Long Island City, NY
Latitude:	40-44-52.24N NAD 83
Longitude:	73-56-40.25W
Heights:	16 feet site elevation (SE) 752 feet above ground level (AGL) 768 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/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

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)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 03/16/2018 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 is subject to review if an interested party files a petition that is received by the FAA on or before October 16, 2016. 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 to the Manager, Airspace Policy & Regulation, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on October 26, 2016 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).

If we can be of further assistance, please contact Darin Clipper, at (404) 305-6531. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AEA-3683-OE.

Signature Control No: 287359505-304815174

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Additional information for ASN 2016-AEA-3683-OE

The proposed City View Tower consists of five (5) study points filed under aeronautical study numbers 2016-AEA-3680-OE through 2016-AEA-3684-OE not exceeding a height of 762 feet (ft.) above ground level (AGL), 778 ft. above means sea level (AMSL) (lowered from 994 ft. AGL / 1,010 ft. AMSL) and would be located approximately 3.71 - 3.72 nautical miles (NM) southwest of LaGuardia Airport's (LGA) airport reference point (ARP), Long Island City, NY.

The proposal has been studied at the following heights and locations:

2016-AEA-3680-OE: 40-44-52.60N/ 73-56-39.40W / 762 ft. AGL / 778 ft. AMSL / (Equipment)
2016-AEA-3681-OE: 40-44-53.00N/ 73-56-39.38W / 752 ft. AGL / 768 ft. AMSL / (NE Corner)
2016-AEA-3682-OE: 40-44-52.13N/ 73-56-39.59W / 752 ft. AGL / 768 ft. AMSL / (SE Corner)
2016-AEA-3683-OE: 40-44-52.24N/ 73-56-40.25W / 752 ft. AGL / 768 ft. AMSL / (SW Corner)
2016-AEA-3684-OE: 40-44-53.00N/ 73-56-40.06W / 752 ft. AGL / 768 ft. AMSL / (NW Corner)

The proposal has been identified as an obstruction under the standards of Title 14, Code of Federal Regulations (CFR), Part 77, as applied to LGA:

Section 77.17 (a) (1): A height more than 499 ft. AGL. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 263 ft.
2016-AEA-3681-OE: Exceeds by up to 253 ft.
2016-AEA-3682-OE: Exceeds by up to 253 ft.
2016-AEA-3683-OE: Exceeds by up to 253 ft.
2016-AEA-3684-OE: Exceeds by up to 253 ft.

Section 77.17 (a) (2): A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 ft. for each additional nautical mile from the airport up to a maximum of 499 ft. The proposal exceeds by up to the following:

2016-AEA-3680-OE: Exceeds by up to 486 ft.
2016-AEA-3681-OE: Exceeds by up to 477 ft.
2016-AEA-3682-OE: Exceeds by up to 476 ft.
2016-AEA-3683-OE: Exceeds by up to 476 ft.
2016-AEA-3684-OE: Exceeds by up to 476 ft.

Section 77.17 (a) (3). A height that increases a minimum instrument flight altitude within a terminal area (TERPS criteria).

2016-AEA-3680-OE:

At 778 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3681-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3682-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3683-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

2016-AEA-3684-OE:

At 768 ft. AMSL with a 1A survey on file, LaGuardia (LGA), NY. ILS or LOC Runway (RWY) 13, ILS or LOC RWY 22, RNAV (GPS) RWY 31, RNAV (GPS) Y RWY 22, RNAV (GPS)-B, LDA-A, VOR/DME-H and VOR RWY 4 increase CAT D circling MDA, from 1040 to 1080 ft.

RNAV (GPS) Y RWY 4, increase CAT D circling MDA from 1060 to 1080 ft.

VOR-F, Increase CAT C/D circling MDA from 1040 to 1080 ft.

The proposal also exceeds VFR Traffic Pattern Airspace for Category D aircraft, (aircraft with approach speeds of 141 but less than 166 knots) as applied to existing and proposed visual approach runways at LGA by up to the following:

2016-AEA-3680-OE: Exceeds by up to 407 ft.

2016-AEA-3681-OE: Exceeds by up to 397 ft.

2016-AEA-3682-OE: Exceeds by up to 397 ft.
2016-AEA-3683-OE: Exceeds by up to 397 ft.
2016-AEA-3684-OE: Exceeds by up to 397 ft.

The proposal was not circularized for public comment because this structure would be located on a site in proximity to another previously studied structure of the same height (2015-AEA-4715-OE at 750 ft. AGL / 778 ft. AMSL) and would have no greater effect on aeronautical operations or procedures and the basis for the determination issued under the previous study could be appropriately applied as noted in FAA Order JO 7400.2 series, Procedures for Handling Airspace Matters, Chapter 6, paragraph 6-3-17, 2 (b).

Aeronautical study disclosed that the proposal exceeded 77.17 (a) 3, however, the increase to the circling procedures identified would not be considered significant as the increases would not exceed what has been already been identified in the previously studied case as noted above. Additionally, the previously study case identified there was not sufficient data to suggesting regular and continuing activity as it relates to the procedures affected indicating that a change in the aeronautical operations would not rise to the level of significant adverse effect. There would be no other effects on any existing or proposed arrival, departure, or en route instrument flight rule (IFR) operations or procedures as it relates to current and future runway extensions or proposals. Information on the proposal shall be forwarded for appropriate aeronautical charting.

Study for possible visual flight rules (VFR) effect disclosed that the proposal would exceed both 77.17 (a) 1 and 77.17 (a) 2, but would have no effect on any existing or proposed arrival or departure VFR operations or procedures. It would not conflict with airspace required to conduct normal VFR traffic pattern operations at LGA as the VFR traffic pattern is not utilized within Class B airspace, nor would the proposal affect any other known public-use or military airports. At up to 762 ft. AGL, the proposal would not have a substantial adverse effect on VFR en route flight operations or on any VFR routes in the vicinity of this location.

It is recommended that the proposal be obstruction lit to make it more conspicuous to airmen should circumnavigation be necessary.

The cumulative impact of the proposal, when combined with other proposed and existing structures, is not considered to be significant. Study did not disclose any adverse effects on existing or proposed public-use or military airports or navigational facilities, nor does the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposal would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation as long as all conditions written within this determination are met.

Case Description for ASN 2016-AEA-3683-OE

Highest Point of SouthWest corner of the Building.

