# APPENDIX D

# “NO HAZARD TO AIR NAVIGATION” DETERMINATION

Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2011-AWP-398-OE

Issued Date: 03/02/2011

Vianey Nava
First Community Housing
75 East Santa Clara St, Suite 1300
San Jose, CA 95113

**** 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 N San Pedro Apartments |
| Location: | San Jose, CA |
| Latitude: | 37-20-24.00N NAD 83 |
| Longitude: | 121-53-56.00W |
| Heights: | 77 feet above ground level (AGL) |
| | 152 feet above mean sea level (AMSL) |

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

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)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

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 09/02/2012 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 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.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-AWP-398-OE.

**Signature Control No: 136247351-138073241** ( DNE )
Karen McDonald
Specialist

Attachment(s)
Case Description
Map(s)

## Case Description for ASN 2011-AWP-398-OE

Project will be a six story midrise building. The building is approximately 245 ft in length and 105 ft in width. The building will have cement plaster finish, glass windows, green roof systems, and photovoltaic roof cells. mounted on the roof. Orientation of the building is 45 azimuth, more or less

BM 85
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Jefferson Sch
BM 76
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HOBSON
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Armory
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Courthouse
Water
Edison High Sch
BM 83
Water
Gaging Sta
Gas
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| Heights: | 77 feet above ground level (AGL) |
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This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

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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.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-AWP-399-OE.

**Signature Control No: 136247353-138073244** ( DNE )
Karen McDonald
Specialist

Attachment(s)
Case Description
Map(s)

**Case Description for ASN 2011-AWP-399-OE**

Project will be a six story midrise building. The building is approximately 245 ft in length and 105 ft in width. The building will have cement plaster finish, glass windows, green roof systems, and photovoltaic roof cells. mounted on the roof. Orientation of the building is 45 azimuth, more or less

BM 85
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Edison High Sch
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FERNANDO
MARKET
CLARA
SANTA
St Joseph Sch

Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2011-AWP-400-OE

Issued Date: 03/02/2011

Vianey Nava
First Community Housing
75 East Santa Clara St, Suite 1300
San Jose, CA 95113

**** 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 N San Pedro Apartments |
| Location: | San Jose, CA |
| Latitude: | 37-20-24.00N NAD 83 |
| Longitude: | 121-53-53.00W |
| Heights: | 77 feet above ground level (AGL) |
| | 152 feet above mean sea level (AMSL) |

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

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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.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-AWP-400-OE.

**Signature Control No: 136247355-138073242** ( DNE )
Karen McDonald
Specialist

Attachment(s)
Case Description
Map(s)

## Case Description for ASN 2011-AWP-400-OE

Project will be a six story midrise building. The building is approximately 245 ft in length and 105 ft in width. The building will have cement plaster finish, glass windows, green roof systems, and photovoltaic roof cells. mounted on the roof. Orientation of the building is 45 azimuth, more or less

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CLARA
SANTA
St Joseph Sch

Federal Aviation Administration
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2601 Meacham Boulevard
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Aeronautical Study No.
2011-AWP-401-OE

Issued Date: 03/02/2011

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|---|---|
| Structure: | Building N San Pedro Apartments |
| Location: | San Jose, CA |
| Latitude: | 37-20-23.00N NAD 83 |
| Longitude: | 121-53-55.00W |
| Heights: | 77 feet above ground level (AGL) |
| | 151 feet above mean sea level (AMSL) |

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

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:

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-AWP-401-OE.

**Signature Control No: 136247357-138073243** ( DNE )
Karen McDonald
Specialist

Attachment(s)
Case Description
Map(s)

## Case Description for ASN 2011-AWP-401-OE

Project will be a six story midrise building. The building is approximately 245 ft in length and 105 ft in width. The building will have cement plaster finish, glass windows, green roof systems, and photovoltaic roof cells. mounted on the roof. Orientation of the building is 45 azimuth, more or less

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