TO: MARY ALICE EVANS  
DIRECTOR  
OFFICE OF PLANNING AND SUSTAINABLE DEVELOPMENT  

ATTN: ENVIRONMENTAL REVIEW PROGRAM  

FROM: JADE T. BUTAY  
DIRECTOR OF TRANSPORTATION  

SUBJECT: DETERMINATION OF NO ADDITIONAL ENVIRONMENTAL REVIEW REQUIRED TO SATISFY CHAPTER 343, HAWAII REVISED STATUTES (HRS) FOR THE INSTALLATION AND OPERATION OF GANTRY CRANES BY PASHA HAWAII AT THE KAPALAMA CONTAINER TERMINAL PROJECT (PROJECT), HONOLULU HARBOR, OAHU  
TAX MAP KEY: (1) 2-1-25: 02, 09, 12, 16, 17, 30, 40, 42, 44 TO 47, 49 TO 53, 55, 58 TO 68, 71, 73, 74 TO 78, 80, 82, 83, 86, 88, 92, 94, 97, 98, 108 TO 112, AND PORTIONS OF 11 AND 54  

Pursuant to Section 11-200.1-11, Hawaii Administrative Rules, this memorandum serves as notification and a request for publication in the next issue of The Environmental Notice that the Department of Transportation has determined no additional environmental review is required for the subject Project, as more fully described in the enclosed information sheet.  

The Kapalama Container Terminal and Tenant Relocations Environmental Impact Statement (EIS) was published in The Environmental Notice on August 23, 2014 and accepted by the Governor of Hawaii on October 30, 2014. The proposed action includes the construction and operation of the new Kapalama Container Terminal with gantry cranes and associated utilities needed to support its operations. At the time the EIS was published and accepted, the exact height of the gantry cranes was not known. Subsequently, a legal determination has been made indicating that the follow-on United States Department of Transportation, Federal Aviation Administration (FAA) aeronautical study (reference: Aeronautical Studies Nos. 2017-AWP-10106-OE through 2017-AWP-10113-OE) which concluded there were no impacts to aviation and resulted in an FAA ‘Determination of No Hazard to Air Navigation’ issued on October 30, 2018, sufficiently satisfied HRS 343 requirements.  

This memorandum documents the activities that have transpired since the acceptance of the EIS that has led to the resolution of this issue.

Enclosure
Honolulu Harbor is the port-of-entry to Hawaii’s commercial harbors system for the importation and exportation of cargo. Containerized cargo from the West Coast is shipped to the Sand Island Container Terminal for processing and distribution to their destinations. The Sand Island Container Terminal is near capacity and the Hawaii Department of Transportation (DOT), Harbors Division (DOT-H) is developing the Kapalama Container Terminal to increase Honolulu Harbor’s capacity (see Exhibit A). The Kapalama Container Terminal will provide 84.4 acres of yard space and 1,863 feet of berth space to meet Honolulu Harbor’s current and future needs. Once completed, the Kapalama Container Terminal will be home to Pasha Hawaii (Pasha), a shipping company specializing in the marine transport and distribution of containerized cargo, automobiles and other rolling freight between Hawaii and the West Coast. They are currently located at Piers 53B and 53C at the Sand Island Container Terminal.

Gantry cranes are used to transfer containerized cargo between ship and shore. They are built on a gantry or platform and can be moved parallel to the pier face. Because of the height of these structures, the Kapalama Container Terminal and Tenant Relocations Environmental Impact Statement (EIS) included an assessment on the potential impacts of the installation and operation of gantry cranes. The EIS included an initial aeronautical study conducted by the United States Department of Transportation (USDOT), Federal Aviation Administration (FAA) for planning purposes.

On October 30, 2014, the Governor of Hawaii accepted the EIS. The EIS identified one unresolved issue as identified in section 8.4 on page 8-3. Specifically, a determination by the FAA on whether the height of the gantry cranes would cause an aeronautical hazard was still pending at the time of the acceptance of the EIS. The FAA has since rendered a determination on the gantry cranes proposed for the Kapalama Container Terminal as detailed below.

Hawaii Stevedores, Inc. (HSI) provides labor services to Pasha to handle its cargo. HSI proposed to install and operate up to four 321 ft. AGL / 330 ft. MSL gantry cranes and up to four 305 ft. AGL / 314 ft. MSL gantry cranes along Piers 42 and 43. To prepare for the installation and operation of these gantry cranes, they submitted eight applications for aeronautical studies to the FAA using form FAA 7460-1.

Details of each application is listed below:

<table>
<thead>
<tr>
<th>NO.</th>
<th>AERONAUTICAL STUDY ID</th>
<th>TYPE OF GANTRY CRANE</th>
<th>LATITUDE / LONGITUDE (NAD 83)</th>
<th>DISTANCE TO RUNWAY 26W</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>2017-AWP-10110-OE</td>
<td>305 AGL / 314 MSL</td>
<td>21-19-03.72 North / 157-53-00.12 West</td>
<td>6,773 feet</td>
</tr>
<tr>
<td>8.</td>
<td>2017-AWP-10113-OE</td>
<td>305 AGL / 314 MSL</td>
<td>21-19-00.10 North / 157-52-58.64 West</td>
<td>6,786 feet</td>
</tr>
</tbody>
</table>
On October 30, 2018, HSI received a ‘Determination of No Hazard to Air Navigation’ on all eight of its FAA Form 7460-1 submittals (see Exhibit B). Specifically, the aeronautical studies revealed that the gantry cranes would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircrafts or on the operations of air navigation facilities provided the following conditions are met:

1. All gantry cranes are to be marked and lighted in accordance with FAA Advisory Circular 77/7460-1 L Change 2, Obstruction Marking and Lighting – Chapter 3, 4, 5 and 12. HSI has completed and filed their lighting plan.

2. Any failure or malfunction of the top light or flashing obstruction light that lasts more than 30 minutes shall be reported immediately.

3. FAA Form 7460-2 be e-filed within five days after construction reaches its greatest height.

The 2017 determinations were set to expire on April 30, 2020. On April 24, 2020, HSI resubmitted their FAA Form 7460-1 package for extensions and they were given new aeronautical study identification numbers listed below.

<table>
<thead>
<tr>
<th>NO.</th>
<th>2020 AERONAUTICAL STUDY ID</th>
<th>2017 AERONAUTICAL STUDY ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2020-AWP-4845-OE</td>
<td>2017-AWP-10106-OE</td>
</tr>
<tr>
<td>2.</td>
<td>2020-AWP-4846-OE</td>
<td>2017-AWP-10107-OE</td>
</tr>
<tr>
<td>3.</td>
<td>2020-AWP-4848-OE</td>
<td>2017-AWP-10108-OE</td>
</tr>
<tr>
<td>4.</td>
<td>2020-AWP-4850-OE</td>
<td>2017-AWP-10109-OE</td>
</tr>
<tr>
<td>5.</td>
<td>2020-AWP-4851-OE</td>
<td>2017-AWP-10110-OE</td>
</tr>
<tr>
<td>6.</td>
<td>2020-AWP-4852-OE</td>
<td>2017-AWP-10111-OE</td>
</tr>
<tr>
<td>7.</td>
<td>2020-AWP-4853-OE</td>
<td>2017-AWP-10112-OE</td>
</tr>
<tr>
<td>8.</td>
<td>2020-AWP-4856-OE</td>
<td>2017-AWP-10113-OE</td>
</tr>
</tbody>
</table>

On June 15, 2020, HSI was informed by the FAA that the new aeronautical studies were terminated because notices of actual construction based on the 2017 filings had already put the gantry cranes into the FAA Obstacle Authoritative Source (National Obstacle Database), which the Flight Procedures Office uses to design light procedures (see Exhibit B). As a result, the 2017 determinations remain in effect and will not be superseded or expire.

With this decision, the only action that remains with the FAA is to file Form 7640-2 within five days of the structures reaching their highest heights. This will be done when the new gantry cranes are brought to Honolulu Harbor, which is currently estimated around the year 2023/2024.
EXHIBIT A – Kapalama Container Terminal Site Plan
EXHIBIT B – FAA 7460-1 Response Letters
**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: | Crane Pt 1W |
| Location: | Honolulu, HI |
| Latitude: | 21-18-57.06N NAD 83 |
| Longitude: | 157-53-18.49W |
| Heights: | 9 feet site elevation (SE) |
| | 321 feet above ground level (AGL) |
| | 330 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(RED),&12.

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.

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)

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

See attachment for additional condition(s) or information.

This determination expires on 04/30/2020 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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on December 09, 2018 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 Policy Group via telephone – 202-267-8783.

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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

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 Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10106-OE.

Signature Control No: 343886065-388809618  
(DNH)  
Kent M. Wheeler  
Manager, Obstruction Evaluation Group

Attachment(s)  
Additional Information  
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
AGL - above ground level
MSL - mean sea level
RWY - runway
Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

<table>
<thead>
<tr>
<th>Aeronautical study</th>
<th>AGL / MSL</th>
<th>Local ID</th>
<th>Note</th>
<th>Distance to Runway 26W</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-AWP-10106-OE</td>
<td>321 / 330</td>
<td>Pt 1W</td>
<td>NE corner</td>
<td>4,911 feet</td>
</tr>
<tr>
<td>2018-AWP-10107-OE</td>
<td>321 / 330</td>
<td>Pt 2W</td>
<td></td>
<td>5,694 feet</td>
</tr>
<tr>
<td>2018-AWP-10108-OE</td>
<td>321 / 330</td>
<td>Pt 3W</td>
<td></td>
<td>6,245 feet</td>
</tr>
<tr>
<td>2018-AWP-10109-OE</td>
<td>321 / 330</td>
<td>Pt 4W</td>
<td>SW corner</td>
<td>4,931 feet</td>
</tr>
<tr>
<td>2018-AWP-10110-OE</td>
<td>305 / 314</td>
<td>Pt 1E</td>
<td>NE corner</td>
<td>6,773 feet</td>
</tr>
<tr>
<td>2018-AWP-10111-OE</td>
<td>305 / 314</td>
<td>Pt 2E</td>
<td></td>
<td>5,694 feet</td>
</tr>
<tr>
<td>2018-AWP-10112-OE</td>
<td>305 / 314</td>
<td>Pt 3E</td>
<td></td>
<td>6,245 feet</td>
</tr>
<tr>
<td>2018-AWP-10113-OE</td>
<td>305 / 314</td>
<td>Pt 4E</td>
<td>SE corner</td>
<td>6,786 feet</td>
</tr>
</tbody>
</table>

The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

**EFFECT ON AERONAUTICAL OPERATIONS**

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at those Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight,

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
**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:** Crane Pt 2W
- **Location:** Honolulu, HI
- **Latitude:** 21-18-59.86N NAD 83
- **Longitude:** 157-53-10.77W
- **Heights:**
  - 321 feet above ground level (AGL)
  - 330 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),& 12.

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See attachment for additional condition(s) or information.

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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.

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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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

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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
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If we can be of further assistance, please contact Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10107-OE.

Signature Control No: 343886066-388809619 (DNH)
Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
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MSL - mean sea level
RWY - runway

Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

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<td>Pt 1E</td>
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<td>2018-AWP-10112-OE</td>
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<td>Pt 3E</td>
<td></td>
<td>6,245 feet</td>
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<tr>
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<td>305 / 314</td>
<td>Pt 4E</td>
<td>SE corner</td>
<td>6,786 feet</td>
</tr>
</tbody>
</table>

The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at these Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
**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:** Crane Pt 3W
- **Location:** Honolulu, HI
- **Latitude:** 21-18-58.16N NAD 83
- **Longitude:** 157-53-03.99W
- **Heights:**
  - 9 feet site elevation (SE)
  - 321 feet above ground level (AGL)
  - 330 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),& 12.

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.

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

See attachment for additional condition(s) or information.

This determination expires on 04/30/2020 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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on December 09, 2018 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 Policy Group via telephone – 202-267-8783.

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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

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 Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10108-OE.

Signature Control No: 343886067-388809617

Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
AGL - above ground level
MSL - mean sea level
RWY - runway
Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

<table>
<thead>
<tr>
<th>Aeronautical study</th>
<th>AGL / MSL</th>
<th>Local ID</th>
<th>Note</th>
<th>Distance to Runway 26W</th>
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<td>SW corner</td>
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</table>

The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at these Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
**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: | Crane Pt 4W |
| Location:  | Honolulu, HI |
| Latitude:  | 21-18-53.44N NAD 83 |
| Longitude: | 157-53-16.99W |
| Heights:   | 9 feet site elevation (SE) |
|           | 321 feet above ground level (AGL) |
|           | 330 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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.

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

See attachment for additional condition(s) or information.

This determination expires on 04/30/2020 unless:
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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be
submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington,
DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on December 09, 2018 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 Policy Group via
telephone – 202-267-8783.

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, except
those frequencies specified in the Colos Void Clause Coalition; Antenna System Co-Location; Voluntary Best
Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after
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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.

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 Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10109-OE.

Signature Control No: 343886068-388809620 (DNH)
Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
AGL - above ground level
MSL - mean sea level
RWY - runway

Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

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</tr>
<tr>
<td>2018-AWP-10113-OE</td>
<td>305 / 314</td>
<td>Pt 4E</td>
<td>SE corner</td>
<td>6,786 feet</td>
</tr>
</tbody>
</table>

The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at these Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
**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:** Crane Pt 1E
- **Location:** Honolulu, HI
- **Latitude:** 21-19-03.72N NAD 83
- **Longitude:** 157°53'-00.12W
- **Heights:**
  - 9 feet site elevation (SE)
  - 305 feet above ground level (AGL)
  - 314 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked), 4, 5(RED), & 12.

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.

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

See attachment for additional condition(s) or information.

This determination expires on 04/30/2020 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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on December 09, 2018 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 Policy Group via telephone – 202-267-8783.

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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

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 Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10110-OE.

Signature Control No: 343886069-388809615
Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
AGL - above ground level
MSL - mean sea level
RWY - runway
Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

<table>
<thead>
<tr>
<th>Aeronautical study</th>
<th>AGL / MSL</th>
<th>Local ID</th>
<th>Note</th>
<th>Distance to Runway 26W</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-AWP-10106-OE</td>
<td>321 / 330</td>
<td>Pt 1W</td>
<td>NE corner</td>
<td>4,911 feet</td>
</tr>
<tr>
<td>2018-AWP-10107-OE</td>
<td>321 / 330</td>
<td>Pt 2W</td>
<td></td>
<td>5,694 feet</td>
</tr>
<tr>
<td>2018-AWP-10108-OE</td>
<td>321 / 330</td>
<td>Pt 3W</td>
<td></td>
<td>6,245 feet</td>
</tr>
<tr>
<td>2018-AWP-10109-OE</td>
<td>321 / 330</td>
<td>Pt 4W</td>
<td>SW corner</td>
<td>4,931 feet</td>
</tr>
<tr>
<td>2018-AWP-10110-OE</td>
<td>305 / 314</td>
<td>Pt 1E</td>
<td>NE corner</td>
<td>6,773 feet</td>
</tr>
<tr>
<td>2018-AWP-10111-OE</td>
<td>305 / 314</td>
<td>Pt 2E</td>
<td></td>
<td>5,694 feet</td>
</tr>
<tr>
<td>2018-AWP-10112-OE</td>
<td>305 / 314</td>
<td>Pt 3E</td>
<td></td>
<td>6,245 feet</td>
</tr>
<tr>
<td>2018-AWP-10113-OE</td>
<td>305 / 314</td>
<td>Pt 4E</td>
<td>SE corner</td>
<td>6,786 feet</td>
</tr>
</tbody>
</table>

The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None.

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at these Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
** 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:** Crane Pt 2E
- **Location:** Honolulu, HI
- **Latitude:** 21-18-59.86N NAD 83
- **Longitude:** 157-53-10.77W
- **Heights:**
  - 9 feet site elevation (SE)
  - 305 feet above ground level (AGL)
  - 314 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- [X] At least 10 days prior to start of construction (7460-2, Part 1)
- [X] Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 04/30/2020 unless:
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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

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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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

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 Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10111-0E.

Signature Control No: 343886070-388809622
Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
AGL - above ground level
MSL - mean sea level
RWY - runway

Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

Aeronautical study  AGL / MSL  Local ID  Note  Distance to Runway 26W
2018-AWP-10106-OE  321 / 330  Pt 1W  NE corner  4,911 feet
2018-AWP-10107-OE  321 / 330  Pt 2W  5,694 feet
2018-AWP-10108-OE  321 / 330  Pt 3W  6,245 feet
2018-AWP-10109-OE  321 / 330  Pt 4W  SW corner  4,931 feet
2018-AWP-10110-OE  305 / 314  Pt 1E  NE corner  6,773 feet
2018-AWP-10111-OE  305 / 314  Pt 2E  5,694 feet
2018-AWP-10112-OE  305 / 314  Pt 3E  6,245 feet
2018-AWP-10113-OE  305 / 314  Pt 4E  SE corner  6,786 feet

The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at these Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight,

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

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Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
**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:

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<thead>
<tr>
<th>Structure:</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Honolulu, HI</td>
</tr>
<tr>
<td>Latitude:</td>
<td>21-18-58.16N NAD 83</td>
</tr>
<tr>
<td>Longitude:</td>
<td>157-53-03.99W</td>
</tr>
<tr>
<td>Heights:</td>
<td>9 feet site elevation (SE)</td>
</tr>
<tr>
<td></td>
<td>305 feet above ground level (AGL)</td>
</tr>
<tr>
<td></td>
<td>314 feet above mean sea level (AMSL)</td>
</tr>
</tbody>
</table>

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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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.

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

See attachment for additional condition(s) or information.

This determination expires on 04/30/2020 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 November 29, 2018. 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 of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on December 09, 2018 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 Policy Group via telephone – 202-267-8783.

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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

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 Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10112-OE.

**Signature Control No:** 343886071-388809616

Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
AGL - above ground level
MSL - mean sea level
RWY - runway

Part 77 -- Title 14 of the Code of Federal Regulations (CFR) part 77

This project, submitted by Hawaii Stevedore, Inc., proposes to construct four permanent 321 AGL / 330 MSL, and four permanent 305 AGL / 314 MSL Gantry Cranes on rails located on the north side of the Kapalama Basin, north of Sand Island, Honolulu, Hawaii. They would be located within the rectangle area identified by the points below.

<table>
<thead>
<tr>
<th>Aeronautical Study</th>
<th>AGL / MSL</th>
<th>Local ID</th>
<th>Note</th>
<th>Distance to Runway 26W</th>
</tr>
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<tbody>
<tr>
<td>2018-AWP-10106-OE</td>
<td>321 / 330</td>
<td>Pt 1W</td>
<td>NE corner</td>
<td>4,911 feet</td>
</tr>
<tr>
<td>2018-AWP-10107-OE</td>
<td>321 / 330</td>
<td>Pt 2W</td>
<td></td>
<td>5,694 feet</td>
</tr>
<tr>
<td>2018-AWP-10108-OE</td>
<td>321 / 330</td>
<td>Pt 3W</td>
<td></td>
<td>6,245 feet</td>
</tr>
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<td>2018-AWP-10109-OE</td>
<td>321 / 330</td>
<td>Pt 4W</td>
<td>SW corner</td>
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<td>Pt 1E</td>
<td>NE corner</td>
<td>6,773 feet</td>
</tr>
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<td></td>
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The HNL field elevation is 12 MSL. HNL is the closest civilian public-use landing area. The site elevation of these site points is 9 MSL.

Previous FAA aeronautical studies for harbor cranes in this area were conducted in 2003 and 2012 at 208 AGL / 216 MSL and those harbor cranes received favorable FAA determinations of no hazards.

This project will exceed these Part 77 obstruction standards:

a. Section 77.17(a)(2) -- The transitional surface area designated to protect Category C and Category D aircraft traffic patterns and VFR aircraft transitioning to/from the en route phase of flight. The 305 AGL structures would exceed these transitional surfaces at HNL by 102 feet. The structures at 321 AGL would exceed by 168 feet AGL.

b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

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FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

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<th>Location:</th>
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<table>
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<td>157°52'58.64&quot;W</td>
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If we can be of further assistance, please contact Robert van Haastert, at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-10113-OE.

Signature Control No: 343886072-388809621 (DNH)

Kent M. Wheeler
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Map(s)
Additional information for ASN 2017-AWP-10113-OE

Aeronautical Study Numbers 2018-AWP-10106 through 10113-OE

Abbreviations
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MSL - mean sea level
RWY - runway
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<td>Pt 3W</td>
<td></td>
<td>6,245 feet</td>
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b. Section 77.19(a) -- The surface of a takeoff and landing area of an airport or any imaginary surface. The 305 AGL structures would exceed the VFR maneuvering areas for Category A and Category B aircraft (horizontal surface) at HNL by 152 feet and the 321 AGL structures would exceed by 168 feet.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR follows: None.

This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight in the Honolulu Terminal Area.
The Hololulu Terminal Area - VFR Class B Departure Route Responsibilities identify these departure routes will be issued only upon request. Detailed departure instructions will be furnished to others. All procedures and altitudes described in the VFR Class B Departure Route Responsibilities letter are subject to weather and traffic conditions. Pilots are not relieved of their responsibilities to see and avoid other traffic, to maintain appropriate terrain and obstruction clearance, and to remain in weather conditions equal to or better than the minima required by Federal Aviation Regulations (FAR) 91.155.

The proposals would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports, including HNL. Aircraft at normal Traffic Pattern altitudes and standard rates of descent, flying in accordance with FAR 91, have reasonable clearance above these structures, in a VFR see and avoid environment, as they have been able to avoid the existing container cranes on this northern boundary of Sand Island.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR follows: None. The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

c. The impact on all planned public-use airports and aeronautical facilities follow: None

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures follows: None.

Within 1,000 feet of this project, across the Kapalama Basin, there are existing 307 AGL harbor cranes which have been studied in 2017 and received favorable FAA determinations of no hazard to replace these existing harbor cranes with new 320 AGL/329 MSL harbor cranes.

CIRCULATION AND COMMENTS RECEIVED
Details of this proposal were distributed on 21 May 2018 via the Public Notice process in order to gather aeronautical information from interested aviation users and other members of the public. One comment from Hawaiian Airlines was received objecting to the proposal.

Hawaiian Air objected to the cranes based on their procedures for their one engine inoperative (OEI) departure path departing Honolulu (HNL) Runway 08L. Hawaiian Airlines also raised an objection regarding proper alignment for a visual approach path to Runway 26R being obstructed for large aircraft overflying Kapalama Harbor and Sand Island, while avoiding overflight of downtown Honolulu.

FAA Response: Airspace determinations issued under Part 77 do not consider OEI departure splay paths. The FAA is considering the feasibility of protecting a single OEI path per runway at participating airports, but any policy changes have not been finalized at this time. With proper obstruction marking and lighting of the Gantry Cranes, the FAA believes these additional obstructions would have no greater impact on visual approach paths to land on Runway 26R than the existing container cranes of similar heights on the north side of Sand Island.

This area of Kapalama Basin and Sand Island has historically been used for permanent container crane use to offload cargo from ships at these Piers. The Hawaii Department of Transportation Harbors Division proposed in 2012 the existing 208 AGL/216 MSL harbor cranes to redevelop the former Kapalama Military Reservation property into a new container terminal in this area. Review of the satellite map shows existing images of container cranes of similar height, previously studied by the Federal Aviation Administration (FAA), running on tracks on the north side to the northeast side of Sand Island. Sand Island and Kapalama Basin are east of the Honolulu International Airport (HNL) runways.
These cranes are on a track for the purpose of unloading containers from cargo ships, and the overall heights cannot feasibly be lowered.

The HNL horizontal and transitional surfaces would be penetrated, however, there are no IFR effects and no additional VFR impacts were identified. This proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight. Aircraft currently have to see-and-avoid the taller Sand Island harbor cranes in this vicinity. The cumulative impact of these proposed structures, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would this proposal affect the capacity of any known existing or planned civilian public-use or military airport. The OEI surface penetration is an aircraft performance issue and not a protected surface codified in Part 77. The structure shall be appropriately marked and lighted to make it more conspicuous to airmen flying in this vicinity.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

- The structure shall be appropriately obstruction paint marked for daytime and red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions between sunset and sunrise.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction 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.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, avigation easements, or ordinances, or local zoning maximum heights.

-x-
Todd Iida
General Manager, Business Development
Hawaii Stevedores, Inc.
1601 Sand Island Parkway
Honolulu, HI 96819

June 15, 2020

Dear Mr. Iida:

We received notification from the Federal Aviation Administration (FAA) that the most recent filings submitted on April 24, 2020 have been terminated by FAA and that previous FAA Determinations of No Hazard from 2017 remain valid and in affect for the Kapalama Container Project (attached). For future reference, the now terminated 2020 Study numbers are listed at the bottom of this letter. The study numbers from 2017 are 2017-AWP-10106-OE through 2017-AWP-10113-OE. Collectively we developed and considered various options intended to ensure that those 2017 Determinations of No Hazard would not expire on April 30, 2020. During those discussions, it was noted that the final crane dimensions were larger laterally than the dimensions approved by the FAA in their 2017 determinations. It was also clear that substantial, well-documented construction had begun on the project in December 2017.

Based on this information, Capitol Airspace Group (CAG) assessed the current crane dimensions and the dimensions approved by the FAA recommended that notice of construction be submitted to the FAA via FAA Form 7460-2, Part 1. Filing 7460-2 Part 1 with the corrected information allowed FAA time to consider the new information before taking any action. While this form, also known as a Supplemental Notice of Actual Construction or Alteration, was not required in the 2017 filings, submitting these forms to FAA prior to April 30, 2020 locked in the determinations by nullifying the published expiration date. We submitted these filings with the expectation that the increased crane dimensions would prompt a new study by the FAA. It was decided that the risk associated with this new filing was necessary and prudent given that the new crane dimensions would exceed the previously approved FAA dimensions.

In late April, CAG coordinated this new filing with Robert van Haastert, Team Manager in the FAA’s Obstruction Evaluation Group, and requested that the FAA advise as to whether a new survey of the cranes was required. Mr. Van Haastert noted in several status emails in May 2020 that he was coordinating our filings with the FAA’s Flight Procedures Office. This office is a key decision maker in the issuance of Determinations of No Hazard. On June 1, 2020, we were informed by Mr. Van Haastert that he had
confirmed the cranes were already entered into the Obstacle Authoritative Source database which the Flight Procedures Office uses to design flight procedures. He indicated that he was comfortable that the newly filed coordinates, representing the larger crane dimensions, were within the tolerances of the previously approved points as certified by the previous 2C survey and, as such, issuing new determinations was now unnecessary. As a result, the existing 2017 determinations remain in effect and will not be superseded or expire. With this decision, the only two remaining actions with FAA will be to file a lighting plan and to file FAA Form 7640-2, Part 2’s within 5 days of the structures reaching their highest heights. We will work with you to submit a lighting plan by the end of this month.

It has been a pleasure to work with you on this project and to see the progress made. It clearly will be an amazing facility when complete. Thank you for choosing Capitol Airspace Group and please do not hesitate to contact me at 470-357-5449 if you have any questions.

Best regards,

[Signature]

Lynn Ray
Project Manager
Capitol Airspace Group

**TERMINATION**

The aeronautical study concerning the following project has been terminated:

<table>
<thead>
<tr>
<th>Structure:</th>
<th>Crane Pt 1W</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Honolulu, HI</td>
</tr>
<tr>
<td>Latitude:</td>
<td>21-18-57.39N NAD 83</td>
</tr>
<tr>
<td>Longitude:</td>
<td>157-53-18.62W</td>
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<tr>
<td>Heights:</td>
<td>9 feet site elevation (SE)</td>
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<tr>
<td></td>
<td>321 feet above ground level (AGL)</td>
</tr>
<tr>
<td></td>
<td>330 feet above mean sea level (AMSL)</td>
</tr>
</tbody>
</table>

This aeronautical study is terminated because:
Filing was not necessary as 2017 aeronautical studies' notices of actual construction already put the gantry cranes into the Obstacle Authoritative Source (National Obstacle Database).

If you need to reactivate the study, it will be necessary for you to re-file notice using the electronic filing system available on our website oeaa.faa.gov.

If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4845-OE.

Signature Control No: 437604369-442419793
Robert van Haastert
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

- **Structure:** Crane Pt 2W
- **Location:** Honolulu, HI
- **Latitude:** 21-19-00.02N NAD 83
- **Longitude:** 157-53-11.38W
- **Heights:**
  - 9 feet site elevation (SE)
  - 321 feet above ground level (AGL)
  - 330 feet above mean sea level (AMSL)

This aeronautical study is terminated because:
Filing was not necessary as 2017 aeronautical studies' notices of actual construction already put the gantry cranes into the Obstacle Authoritative Source (National Obstacle Database).

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If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4846-OE.

Signature Control No: 437604381-442419789 (TER)
Robert van Haastert
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

Structure:  Crane Pt 3W  
Location: Honolulu, HI  
Latitude: 21-18-58.01N NAD 83  
Longitude: 157-53-03.42W  
Heights: 9 feet site elevation (SE)  
321 feet above ground level (AGL)  
330 feet above mean sea level (AMSL)

This aeronautical study is terminated because:
Filing was not necessary as 2017 aeronautical studies' notices of actual construction already put the gantry cranes into the Obstacle Authoritative Source (National Obstacle Database).

If you need to reactivate the study, it will be necessary for you to re-file notice using the electronic filing system available on our website oeeaa.faa.gov.

If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4848-OE.

Signature Control No: 437604404-442419794  (TER)  
Robert van Haastert  
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

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<td>Location:</td>
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<tr>
<td>Latitude:</td>
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If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020 AWP-4850-OE.

Signature Control No: 437604492-442419796
Robert van Haastert
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

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<th>Structure:</th>
<th>Crane Pt 1E</th>
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<td>Location:</td>
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<tr>
<td>Latitude:</td>
<td>21-19-04.05N NAD 83</td>
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<tr>
<td>Longitude:</td>
<td>157-53-00.25W</td>
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<tr>
<td>Heights:</td>
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If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4851-OE.

Signature Control No: 437604502-442419791
Robert van Haastert
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

Structure: Crane Pt 2E  
Location: Honolulu, HI  
Latitude: 21-19-00.02N NAD 83  
Longitude: 157-53-11.38W  
Heights: 9 feet site elevation (SE)  
304 feet above ground level (AGL)  
313 feet above mean sea level (AMSL)

This aeronautical study is terminated because:
Filing was not necessary as 2017 aeronautical studies' notices of actual construction already put the gantry cranes into the Obstacle Authoritative Source (National Obstacle Database).

If you need to reactivate the study, it will be necessary for you to re-file notice using the electronic filing system available on our website oceaa.faa.gov.

If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4852-OE.

Signature Control No: 437604600-442419792
Robert van Haastert  
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

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If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4853-OE.

**Signature Control No:** 437604608-442419790
Robert van Haastert
Supervisor
**TERMINATION**

The aeronautical study concerning the following project has been terminated:

Structure: Crane Pt 4E  
Location: Honolulu, HI  
Latitude: 21-18-59.80N NAD 83  
Longitude: 157-52-58.50W  
Heights: 9 feet site elevation (SE)  
304 feet above ground level (AGL)  
313 feet above mean sea level (AMSL)

This aeronautical study is terminated because: Filing was not necessary as 2017 aeronautical studies' notices of actual construction already put the gantry cranes into the Obstacle Authoritative Source (National Obstacle Database).

If you need to reactivate the study, it will be necessary for you to re-file notice using the electronic filing system available on our website oeaaa.faa.gov.

If we can be of further assistance, please contact our office at (907) 271-5863, or robert.van.haastert@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4856-OE.

Signature Control No: 437604757-4d2d410705
Robert van Haastert
Supervisor