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Date: 6/20/2006 11:34:53 AM
Subject: 2006-AWP-1638-OE

Dear Mr. Bachmann,

This email is a follow-up to our telephone conversations regarding the notice submitted on your behalf to the Federal Aviation Administration (FAA) on April 5, 2006, for a 180-foot building sited approximately 3,200 feet north of the main runway at the public-use Montgomery Field landing area in San Diego.

As you are now aware, our office issued a Presumed Hazard letter, dated April 24, 2006, for this proposal because of the structure's height having an adverse impact on the published circling instrument flight procedures utilized at Montgomery Field. Our letter advised that the maximum acceptable height of the structure at this site is 160 feet above the ground. The letter gives 60 days for resolution of the issue.

Subsequent to the issuance of our letter, it has come to the attention of the FAA that this building is under construction. After the 60 days has elapsed from April 24, 2006, with no resolution of the issue, our office will be in a position to issue a Determination of Hazard to Air Navigation for any height greater than 160 feet above the ground for this aeronautical study 2006-AWP-1638-OE.

We also understand that there may be two additional planned structures for this development project, of greater height than this current structure. As of this date, there has been no notice submitted to the FAA for these two structures. Proposals which meet the notice filing criteria of Federal Aviation Regulation (FAR) Part 77, Subpart B, must be submitted for evaluation under federal statute. Our office is supplying you this information for your planning purposes.

If you have any questions or need further guidance, please call or email me. Thank you.

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