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August 24, 2005

Federal Aviation Administration
Western-Pacific Regional Office
P.O. Box 92007-AWP-520
Los Angeles, CA 90009-2007

RE: Aeronautical Study No. 2005-AWP-734-OE

Western-Pacific Regional Office:

The Aircraft Owners and Pilots Association (AOPA), representing over 404,000 general aviation pilots, opposes reconstruction of the 760 foot KFI broadcast tower because it is a hazard to air navigation. On December 19, 2004 the tower was destroyed after a C-182 collided with it while operating under Visual Flight Rules (VFR) into Fullerton Municipal Airport (FUL), Fullerton, California. This was the second time that the KFI broadcast tower was a factor in a fatal aircraft accident.

The KFI broadcast tower is a hazard at its current location in especially close proximity to the climb/decent area of the traffic pattern airspace at FUL. The traffic pattern airspace dimensions for an aircraft category "B" airport are defined in FAA Order 7400.2E, Procedure for Handling Airspace Matters, Figures 6-3-11 and 6-3-13. The published instrument approach procedures for FUL establish visibility and ceiling minimums for category B aircraft. Paragraph 6-3-8 d.1.(b)(2) of the FAA Order states:

> Beyond the lateral limits of the conical surface and in the climb/descent area - 350 feet above airport elevation or the height of 14 CFR Section 77.23a.(2), whichever is greater not to exceed 500 feet above ground level (AGL). The climb/descent area begins abeam the runway threshold being used and is the area where the pilot is either descending to land on the runway or climbing to pattern altitude after departure.

According to the FAA's published criteria, the immense 760 foot tall broadcast tower is within 220 feet of the climb/descent area of the traffic pattern airspace (assuming less then four aircraft are in the traffic pattern) for both Runway 24 and 06 . It is extremely close to violating the maximum height of 350 feet above ground level within the climb/decent area (The Airport/Facility Directory publishes a right-hand traffic pattern for Runway 24 and a standard left-hand traffic pattern for Runway 06). When four or more aircraft are operating in the airport traffic patterns at the same time, the proposed tower would be in direct violation of the climb/descent area since the airspace criteria increases the length of the traffic pattern by one-half a nautical mile for each additional aircraft over four in the traffic pattern. AOPA recognizes the tower sponsor is proposing

a 24-hour medium intensity white obstruction lighting system for the top of the tower, however given the extent of the tower's height and location in the climb/decent area of the airport traffic pattern airspace, the tower would continue to be a hazard to air navigation.

Furthermore, pilots are more likely to operate on the north side of the airport, in close proximity of the KFI broadcast tower, to avoid the Disneyland Theme Park Temporary Flight Restriction (TFR). The TFR extends to within 2 nautical miles south of FUL and should be considered by the FAA has a significant variable that influences the arrival and departure traffic flows to operate near the towers site.

The recent accident (NTSB Identification: LAX05FA054) that occurred on December 19, 2004, was the second fatal accident involving an aircraft colliding with the tower. The first fatal accident occurred on January 28, 1970 but did not destroy the tower (NTSB Identification: LAX70AL045). Both accidents occurred during day VFR conditions while the aircraft were operating in the airport traffic pattern at FUL. AOPA is also seriously concerned the FAA has circulated a Public Notice soliciting public comments before the National Transportation Safety Board (NTSB) published the final report for the December 19, 2004 accident. AOPA feels the public should have had the opportunity to review the NTSB's probable cause narrative before submitting relative comments to the FAA based on aeronautical fact.

The proposed KFI broadcast tower has adversely affected air navigation by both being a physical obstruction to air navigation and by distracting pilot's attention during critical arrival and departure phases of flight at FUL. Considering at least three fatalities have occurred as a direct result of the site location, height of the tower and possible severe penetration of the FAA's established obstruction criteria for airport traffic pattern climb/decent airspace, AOPA strongly recommends the FAA issue a Determination of Presumed Hazard.

Sincerely,

Heidi J. Williams
Director
Air Traffic Services