

**From:** [Cothren, Joshua W - DOT](#)  
**To:** [Allan, Majid](#)  
**Cc:** [Platts, Thomas S - DOT \(Max\)](#)  
**Subject:** Questions re: Matson Airport  
**Date:** Monday, March 13, 2023 5:29:39 PM

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Hello Majid,

We appreciate the opportunity to promote aviation safety through this discussion. While we are not positioned to provide any definitive recommendations or requirements in the case, it is our desire to preserve the safety of persons and property on the ground and in the air. Further, we encourage continued dialogue between the parties and the consideration of tower lighting due to this proposal's location in proximity to the maneuvering area around an existing and active airport.

I am providing this information to provide background information related to the fundamental aeronautical questions which have been presented during our correspondence and discussions.

Q: Does the Federal Aviation Administration (FAA) notify private use airport owners of proposals exceeding notice criteria under 14 CFR Part 77.9?

A: Two things here:

1) Using the FAA's Notice Criteria tool on their [oeaaa.faa.gov](https://www.faa.gov/oa/oeaaa) website, and the information on the proposed cell tower in this case, the structure would not exceed notice criteria requiring submittal to the FAA. However, the Federal Communications Commission also has requirements related to filing for an FAA aeronautical study prior to issuing a certificate for an Antenna Site Registration. The FAA did complete an aeronautical study of this tower and their findings are contained in Aeronautical Study Number 2022-AGL-3571-NRA.

2) The FAA does not evaluate the impacts proposed structures would have to private use airports unless that airport has a published FAA approved Instrument Approach Procedure. Matson Airport (2WI6) does not have any published FAA approved instrument flight procedures. The following is an excerpt from FAA Joint Order JO 7400.2N Handling of Airspace Matters.

**"6-3-2. SCOPE**

Part 77 establishes standards for determining obstructions to air navigation. A structure that exceeds one or more of these standards is presumed to be a hazard to air navigation unless the aeronautical study determines otherwise. An obstruction evaluation must identify:

a. The effect the structure would have:

1. On existing and proposed public-use, private use with at least one FAA-approved instrument approach procedure, and DOD airports and/or aeronautical facilities
2. On existing and proposed visual flight rule (VFR)/instrument flight rule

(IFR) aeronautical departure, arrival and en route operations, procedures, and minimum flight altitudes.

3. Regarding physical, electromagnetic, or line-of-sight interference on existing or proposed air navigation, communications, radar, and control systems facilities.

4. On airport capacity, as well as the cumulative impact resulting from the structure when combined with the impact of other existing or proposed structures.  
b. Whether marking and/or lighting is necessary.”

Q: Is the current proposal a hazard to Matson Airport?

A: I am unable to answer this question directly. The Wisconsin Bureau of Aeronautics relies on FAA subject matter experts in a variety of areas who review proposals which may impact the National Air Space (NAS). These SME’s provide their comments in the context of the policy and procedures outlined in JO 7400.2N. Since Matson Airport as a private use airport does not fall within the scope of their review. Wisconsin statutes and administrative code on airport siting requirements evaluate at 20:1 slope, the state’s Approach Surface, from an airport’s (public use or private use) runway thresholds for determining adequate clearances. We are unable to provide any analysis for Matson Airport. This airport was activated with the FAA in 1948, and as such some of the airport data we require today were not requirements then. One of the missing data elements in this case is the precise location and orientation of the runway. Without a defined runway we do not have an origin point to base the approach surface modeling on.

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*Planned out of office dates: None*

