

# ALASKA STATE LEGISLATURE



## Senator Donald C. Olson

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### SPONSOR STATEMENT

#### SB 177

SB177 will define Alaska tower visibility requirements, registration requirements and define information available thru a public website on tower structures. Aviation provides the lifeline to communities statewide and can enhance economic viability of those communities in Alaska. Obstructions in the approach path of an airport or along the flight can be hazardous to aviation when tower structure locations are unknown and not visible at night or during the day.

Obstructions, including wind turbines, communication towers, and meteorological towers (MET) are important and necessary community infrastructure that afford the general public the opportunity to reliable and cost effective energy and communication. However, unmarked vertical structures can pose a hazard to the aviation. Currently, there is no comprehensive data base for tower data, no requirement for comprehensive charting, and many tower structures are not visible day and night.

Federal law requires that the Federal Aviation Administration (FAA) must receive prior notification regarding construction or alteration of a structure whether permanent or temporary, which meets specific criteria per 14 CFR Part 77, depending on it's location in relation to the aviation facility, navigational aid or instrument procedure ground tract. The FAA relies on others, such as the Federal Communication Commission regulations (FCC) or state and local legislation for enforcement. Recently, 11 states in the lower 48 have responded to the National Transportation Safety Board (NTSB) call for new legislation to address safety concerns for towers less than 200 feet. Lastly, many states South Dakota, Florida, Minnesota, California, Oregon and others have adopted legislation affecting construction of obstructions around airports or affecting flight operations.

A primary concern of aviation is protecting airspace around airports for the safety of pilots as well as people on the ground. These structures may include, antenna towers, wind turbines, plus temporary-use construction materials or equipment, including dirt piles and cranes, as well as natural growth, vegetation, and landscaping. Specifically, these structures can increase an instrument approach minimum flight altitude or increase its flight visibility minimums or are within approach surfaces.

This legislation requires all towers (communication and METs) and wind turbines greater than 50' AGL to be registered and posted on a public website prior to new construction and towers greater than 100' AGL to be lighted, marked, painted or otherwise visible from 2000' day or night with guys wires to be equipped with marker balls and sleeves. Lastly, no towers shall be permitted to be constructed in the approach of a public use airport.