

SB

177

<TARGET><BILL>SB 177</BILL><SUBJECT>SB
177</SUBJECT><COMM>STRA28</COMM></TARGET>

SB177

Dyson: no strobelight requirement
transmission towers at air strips
likes the 100 foot

Fairclough: munis?
give time to get markings done
\$240K per

French: buildings over a certain height?

Robert Day, Homer Electric:
overreach, expense
50' structure registration
disclosure concerns of homeland security
location of electric poles public ...
exemption for electrical transmission tower

Jane Dale:

FAA reg's public notice of towers >200'

Dyson: process for towers showing up on
aeronautical charts

DE explains radio FAA + NOAA regent

Fairclough: how low do planes fly?

French: 4 bells / guy wire

Erik Eriksen: cost, safety to personnel

Dyson/Erik: existing rights near airports

Bob@Era: proliferation of cell + wind towers
MET prewind

Fairclough: reach out to AEA RE board

Mike:

ALASKA STATE LEGISLATURE



Senator Donald C. Olson

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Room 508
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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.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: SB 177
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB177-DOA-SATS-02-22-14
Title: REGULATION OF TOWERS
Sponsor: OLSON
Requester: Senate Transportation

Department: Department of Administration
Appropriation: Enterprise Technology Services
Allocation: State of Alaska Telecommunications System
OMB Component Number: 2958

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 (separate supplemental appropriation required)

(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 (separate capital appropriation required)

(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version

Prepared By: <u>Jim Bates, Director</u>	Phone: <u>(907)269-4744</u>
Division: <u>Enterprise Technology Services</u>	Date: <u>02/22/2014 10:10 PM</u>
Approved By: <u>Curtis Thayer, Commissioner</u>	Date: <u>02/22/14</u>
Agency: <u>Department of Administration</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. SB 177

Analysis

This bill requires registration and marking of new tower structures that are greater than 100 feet in height above the ground level and requirements for registration of new towers that are greater than 50 feet in height above ground level.

The Division of Enterprise Technology, State of Alaska Telecommunication System (SATS) existing towers are exempt from the requirement to mark, but will be required to register each towers that meet the criteria within 45 days after the effective date of this act. This requirement will be met using existing resources and therefore submits a zero fiscal note.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: SB 177
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB177-DOT-SWA-2-25-14
Title: REGULATION OF TOWERS
Sponsor: OLSON
Requester: Senate Transportation Committee

Department: Department of Transportation and Public Facilities
Appropriation: Administration and Support
Allocation: Statewide Aviation
OMB Component Number: 1811

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services	109.1		109.1	27.3	27.3	27.3	27.3
Travel							
Services	152.0		2.0	2.0	2.0	2.0	2.0
Commodities	8.0		0.5	0.5	0.5	0.5	0.5
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	269.1	0.0	111.6	29.8	29.8	29.8	29.8

Fund Source (Operating Only)

1004 Gen Fund	269.1		111.6	29.8	29.8	29.8	29.8
Total	269.1	0.0	111.6	29.8	29.8	29.8	29.8

Positions

Full-time	1.0		1.0				
Part-time				1.0	1.0	1.0	1.0
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Initial version.

Prepared By: Connie McKenzie, Legislative Liaison
Division: Office of the Commissioner
Approved By: Mary P. Siroky, Administrative Services Director
Agency: Department of Transportation and Public Facilities

Phone: (907)465-4772
Date: 02/21/2014 04:00 PM
Date: 02/21/14

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. SB177

Analysis

This bill requires tower owners to mark, paint, light, and register their tower information with Department of Transportation and Public Facilities (DOT&PF). This would require a new full-time Transportation Planner I (range 21A) at DOT&PF for two years, and 1/4 time Transportation Planner I for subsequent years. The Transportation Planner I would establish and manage the database, web interface, interactive map, and any necessary enforcement.

Additionally the bill would require DOT&PF to make the tower information available on the department's internet website using a sortable database and an interactive map. It would cost \$150.0 for a contractor to develop the required database and internet interactive map.

Costs:

Transportation Planner I	\$109.1 (personal services) <i>FY 17-20 = .25 FTE</i>
Core Services	\$2.0 (services)
Commodities	\$.5 (commodities)
Contractor Costs	\$150.0 (services)-One-time
Computer & Furniture	\$7.5 (commodities)-One-time
Total	\$269.1

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: SB 177
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB177-DCCED-AEA-02-21-14
Title: REGULATION OF TOWERS
Sponsor: OLSON
Requester: Senate Transportation

Department: Department of Commerce, Community and
Economic Development
Appropriation: Alaska Energy Authority
Allocation: Statewide Project Development, Alternative
Energy and Efficiency
OMB Component Number: 2888

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 120.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? no
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Sara Fisher-Goad, Executive Director
Division: Alaska Energy Authority
Approved By: Jeanne Mungle, Director
Agency: Administrative Services

Phone: (907)771-3000
Date: 02/21/2014 05:00 PM
Date: 02/21/14

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. SB177

Analysis

SB177 would require registration and marking of tower structures greater than 100 feet in height and provide for limitations on the construction of towers greater than 50 feet in height within one mile of a public use airport. In addition to markings, a seven-foot safety sleeve, anchor points, high visibility marker balls and lighting would be required to enhance the visibility of the towers. The bill provides for an immediate effective date.

The impacts to Alaska Energy Authority (AEA) owned energy infrastructure projects and to AEA's wind energy program use of meteorological towers to assess wind resources is described below.

Bradley Lake Hydro project: The project has 120 megawatts of installed capacity and transmits its power to the State's main power grid via two parallel 20-mile transmission lines. AEA confirmed that there are no transmission towers that exceed 100 feet in height. This project is not anticipated to be affected by this legislation.

Alaska Intertie: The Alaska Intertie is a 345 kilovolt transmission line that extends from Willow to Healy and connects the Northern and Southcentral/Southern transmission system. AEA confirmed that there are no transmission towers that exceed 100 feet in height. This project is not anticipated to be affected by this legislation.

Wind Meteorological Program Towers: AEA's wind energy programs uses meteorological (met) towers to assess wind resources for the development, modeling and design of proposed wind systems in communities. Some of these towers exceed 100 feet in height and would require retrofits to conform with the requirements set out in SB177. Retrofitting existing towers requires sending crews and equipment out to lower the tower, install the retrofit, and re-raise the tower. AEA estimates retrofit costs of \$20.0 per tower for each of the estimated 24 towers in the field, for a total expense of \$480.0. AEA owns 25% of the towers, resulting in a total cost of \$120.0 to the state. The remaining share would be borne by the grantees who own the remaining share of the towers. There are no expected maintenance costs.