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TESTIMONY
THE HONORABLE RANDY NEUGEBAUER (R-TX)
U.S. House Committee on Rules
Amendment #14 to H.R. 658, the FAA Reauthorization and Reform Act

Wednesday, March 30, 2011

In recent years, low-flying aviators have been facing an increased threat of man-made obstructions that are difficult to see and avoid. To address this, I am introducing Amendment #14 to H.R. 658, the FAA Reauthorization and Reform Act. My amendment would direct the FAA Administrator to conduct a feasibility study on the development of an internet-based public resource that would list the exact height, longitude, and latitude of potential low-altitude aviation obstructions. Much of this information is currently unavailable to the public, and pilots who fly at low levels have no way of knowing where these structures are located. This database would allow aviators to obtain the information necessary to avoid these structures in their flight plans.

In the past eight years, there have been a number of fatalities caused by aircraft collisions with unlit and unmarked guy-wire and freestanding tower obstructions. The most recent fatality occurred on January 10, 2011, when an agricultural aircraft collided with a guy-wire tower in Oakley, California.

All aviators who routinely operate their aircraft at low altitudes face the threat of colliding with these structures, some of which can have a diameter as small as six to eight inches and are secured with guy-wires that connect at multiple heights and anchor to the ground. Affected pilots include Emergency Medical Services, firefighters, agricultural aviators, fish and wildlife service aircraft, mosquito control and many others.

The state of Wyoming passed legislation in 2009 that established an online registry of meteorological towers ("MET towers") in the state, which are used to test the meteorological conditions and determine the viability of constructing wind turbines. MET towers are an example of potential aviation obstructions that are typically not analyzed by the FAA, and my hope is that information can be made public on a federal level regarding the location of similar structures to protect low-flying aircraft operations. I expect that, in conducting this study, the FAA would take concerns about proprietary information into account to ensure that the impact on affected industries would be minimal.

This amendment also strikes Section 218 of the bill. Section 218 would result in overly aggressive "rule of thumb" regulations on the wind industry and would create turbine height and density limitations on wind farms. There is already a process in place to determine the impacts of wind turbine construction on a case-by-case basis. This process evaluates mitigation options

and analyzes the impact that each turbine would have on aviation operations. Creating a zone system and other limitations near FAA facilities would be inefficient and overly burdensome on the industry.

Additionally, the FAA has expressed their support for this amendment, and the Budget Committee has verified that it does not result in any direct spending and does not violate Cut-Go.

Thank you.