

**75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session**  
**STAFF MEASURE SUMMARY**  
**Senate Committee on Business and Transportation**

**MEASURE: SB 171 A**  
**CARRIER: Sen. Johnson**

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 0 - 1

**Yeas:** Schrader, Starr, Verger, Metsger

**Nays:** -

**Exc.:** George

**Prepared By:** Jim Stembridge, Administrator

**Meeting Dates:** 2/5, 3/4, 4/20

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**WHAT THE MEASURE DOES:** Prohibits construction of physical hazards to air navigation, as determined by the Oregon Department of Aviation, in coordination with the local land use jurisdiction. Authorizes Director of Aviation to establish standards for mitigating hazards to air navigation and require that airports take actions to mitigate hazards to air navigation. Provides exemptions for cell towers and for persons who have received Federal Aviation Administration (FAA) approval, or have applied for FAA approval, on or before the effective day of the legislation.

**ISSUES DISCUSSED:**

- Federal Aviation Administration (FAA) permit process
- Structures that penetrate flight patterns and protection of air space
- Wind towers near Wasco Airport in Sherman County; Bigelow Canyon project
- Ways of intervening on behalf of state agencies
- Lighting of airport navigation equipment

**EFFECT OF COMMITTEE AMENDMENT:** Replaces the measure.

**BACKGROUND:** Current statute allows the Director of the Oregon Department of Aviation to define which objects and/or structures may be considered to be hazards to air navigation because they “penetrate” air navigation routes/surfaces at various altitudes. However, no process actually authorizes the Director to prevent construction of structures hazardous to air navigation.

Recently, the Department of Aviation reduced the flight pattern along the southern boundary of Wasco State Airport due to the construction of wind towers. Currently, construction of additional wind towers along the northern boundary of Wasco State Airport is under Federal Aviation Administration (FAA) review.

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*This summary has not been adopted or officially endorsed by action of the committee.*

Committee Services Form – 2009 Regular Session