

Testimony to the Senate Local Government Committee

03-27-13

In support of SB 546

Darrin Pluhar, representing the Association of Montana Aerial Applicators

Chairman Buttrey and members of the Senate Local Government Committee:

For the record, my name is Darrin Pluhar and I own/operate an aerial application business in Ekalaka, Montana. I apply by air various crop protection products, fertilizers and seed. I am here today on behalf of the Association of Montana Aerial Applicators (AMAA) which works to promote responsible aerial application and the safe use of crop protection products to a high professional standard.

AMAA supports SB 546 due to the increase in safety it would bring to aerial applicators when operating in the vicinity of meteorological evaluation towers (MET) that are appropriately marked. Another positive aspect of SB 546 is that prior to erecting a MET, the owner must notify the Department of Aeronautics of its location and height; therefore, making that information available to pilots ahead of time for planning purposes.

Many areas of Montana have experienced a rapid increase in MET's due to the interest in wind energy development. MET's are typically erected 198 feet AGL (above ground level) which is just under the 200 feet AGL and above threshold that the FAA has established as being hazardous and comes under the federal regulations that require standard markings and lighting.

The METs have characteristics that make them hard to detect from the air, which cause them to be particularly hazardous to all low flying aircraft. A slim design, grey color, guy wires and lack of a detectable foot print on the ground combined with their ability to go up in a short period of time create a situation of an accident waiting to happen. Amplifying the importance and urgency of this issue is that aircraft collisions with METs are usually fatal, as confirmed from the accident reports in recent years.

Currently, all the states bordering Montana (Idaho, Wyoming, North Dakota and South Dakota), and many others state, have enacted legislation requiring the marking and location reporting of MET's. Having been involved in aerial applications in many of these states over the past few years, I can personally attest to the increase in safety for a pilot due to the drastic increase in a tower's visibility once they are marked appropriately; thereby making them much more detectable and avoidable.

In addition to aerial application, other entities that are authorized to conduct low level aviation operations below 200 feet AGL (above ground level) and would also benefit from this measure include:

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| Med-Flights | Military Aircraft |
| Law Enforcement | Search and Rescue |
| Fish & Game Surveys | Predator Control |
| Livestock Management | Pipeline Patrol |
| Fire Suppression Air Tankers | Seismic Operations |
| GIS Mapping of Noxious Weeds | Border Patrol |
| Power Line Erection/Maintenance | General Aviation |

Because of all the aviation applications involved, the general public benefits from ensuring these operations are able to conduct their activities in the safest manner possible, as a matter of public safety. Each and every one of these low-level flights operates under the principle of "See and Avoid", but in the case of unmarked and unlighted METs, a pilot cannot avoid what he can't see! This issue is about lives!

AMAA strongly supports the passage of SB 546. Thank you for the opportunity to address the committee and for your consideration of my comments.