

**TITLE 25. OKLAHOMA AERONAUTICS COMMISSION
CHAPTER 35. ANEMOMETER TOWER REGULATIONS**

- A. The purpose of this proposed permanent rule is to ensure that anemometer towers are marked for clear visibility and to establish a data base of anemometer tower locations throughout the state in order to provide increased aviation safety for users of our air transportation system.
- B. Those most likely to be affected by the proposed rule are users of our air transportation system and wind energy companies.
- C. Those who will benefit most from the proposed rule are users of our air transportation system.
- D. There will be an economic impact regarding the proposed rule in relation to anemometer towers that are currently already in use and that are not fully marked. Towers that are not fully marked will be required to be fully marked by November 13, 2015. There are no fee changes regarding the proposed rule.
- E. There will be a minimal cost to the Oklahoma Aeronautics Commission (OAC) in order to enforce the proposed rule. OAC will need to set up an online database and filing system for anemometer towers that are located in Oklahoma. The cost is unknown at this time but is expected to be minimal. In addition, no source of revenue is needed for the implementation and enforcement of the proposed rule, and there will be no effect on state revenues, including no net loss or gain in state revenues.
- F. There will be no economic impact on any political subdivisions nor will this proposed rule require their cooperation in implementing or enforcing the rule.
- G. The proposed rule will not have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.
- H. There will be compliance costs associated with the proposed rule. Wind energy companies that currently have anemometer towers erected that are not completely painted from top to bottom will need to be taken down, painted, and then erected again in order to comply with the permanent rules. Provided that the emergency rules regarding the marking and registration of anemometer towers become effective, anemometer towers erected after the adoption of the emergency rules on November 13, 2014 will need to be completely painted from top to bottom. To take down an existing tower, paint it from top to bottom and put it back up is estimated to cost approximately \$5,000 to \$8,000. To have a new tower painted from top to bottom when ordered from the manufacturer is estimated to cost approximately \$2,000 to \$2,500.

- I. The proposed rule will have an effect on public health, safety, or the environment in that fully marked anemometer towers will provide increased levels of safety for the users of our air transportation system.
- J. There will be a detrimental effect of public health, safety, and environment if the proposed rule is not implemented. General aviation pilots may not be able to detect and avoid a collision with an anemometer tower unless it is fully painted and marked.
- K. The Rule Impact Statement was prepared on December 15, 2014.