

ORIGINAL

FULTON COUNTY BOARD OF AVIATION COMMISSIONERS

Box 172-Rochester, Indiana 46975

Docket # ~~97-182~~
97-182

September 30, 1997

MAILED
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Dear Secretary:

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We have just read a notice of proposed rule making concerning preemption of State and Local Zoning and Land Use Restrictions on the siting, placement, and construction of Broadcast Transmission Facilities.

While our Commission supports new technology and looks forward to DTV, we have some reservation granting anyone preemption to build towers against State and Local zoning Requirements. Our concern is strictly in the interest of Aviation Safety. We are sure you can understand our position, should someone decide that the best location for a tower would be near an airport. At present, our State Department of Transportation is the agency we depend upon to preclude obstacles being constructed in the area near an airport, or under the route flown on an instrument approach. If that authority is taken from the DOT, who is left in Aviation's corner?

Please give us some assurance that such a condition could not happen. Will the F.A.A. have any control over this possibility since State and Local Boards will be preempted?

Respectfully,



Jim Ewen, President
Fulton County Board of Aviation Commissioners
Rochester, Indiana

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