



Division of Finance & Management

Office of Air, Rail & Transit

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TO: South Dakota Aeronautics Commission

FROM: Jack Dokken, Office of Aeronautics

DATE: July 14, 2026

SUBJECT: Federal Aviation Administration (FAA) Response to South Dakota Aeronautics
Commission Comment to Aeronautical Study No: 2026-WTE-651-OE –Public Notice

The Aeronautics Commission submitted comments to the FAA regarding Aeronautical Study No: 2026-WTE-651-OE following the May 21, 2026 Commission meeting. Attached, please find the FAA's response to the Commission's comments starting at the bottom of page 7.

In summary, the FAA found no substantial adverse effect on Visual Flight Rules (VFR) or Instrument Flight Rules (IFR) operations. Their analysis showed no IFR impacts, no effects on VFR departures or arrivals, and only minimal VFR activity in the area, averaging less than one aircraft per day. The FAA determined there were no adverse effects on radar, Navigation Aid (NAVAID), or communications.

Regarding the request for a Safety Risk Management Panel (SRMP), the FAA stated that SRMPs are not part of the Part 77 aeronautical study process. However, local aviation authorities may initiate one through the Flight Standards District Office or an Air Traffic Control facility if they believe it is warranted. Based on the study findings, the FAA issued a *Determination of No Hazard*, provided all marking and lighting requirements are met.



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2026-WTE-651-OE

Issued Date: 07/01/2026

FLOWING WELL WIND, LLC
LUCAS BUSECK
1720 W Division St.
Chicago, IL 60622

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine T034
County, State: Grant, South Dakota

Collected Point(s):

Label	Latitude	Longitude	SE	DET AGL	AMSL
T034	45-1-41.09N	96-38-05.13W	1315 Ft	650 Ft	1965 Ft

In accordance with the provisions of 49 USC 44718 and as applicable 10 USC 183A, this aeronautical study was sent to the Military Aviation and Installation Assurance Clearinghouse established by the Secretary of Defense for review. The results of that review resulted in a finding of no risk to national security.

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M Change 1, Obstruction Marking and Lighting, white paint/synchronized red lights- Chapters 4,13(Turbines),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 01/01/2028 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before July 31, 2026. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, 5th floor, 600 Independence Ave, SW., Washington, DC 20597. FAA encourages the use of email to ensure timely processing.

This determination becomes final on August 10, 2026 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above. If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. All information from submission of Supplemental Notice (7460-2 Part 2) will be considered the final data (including heights) for this structure. Any future construction or alteration, including but not limited to changes in heights, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Lan Norris, at 1-404-305-6645, or Lan.norris@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2026-WTE-651-OE.

Signature Control No: 692824839-712514404

(DNH -WT)

Julie A. Morgan

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Additional information for ASN 2026-WTE-651-OE

The FAA completed an aeronautical study of this proposal in accordance with 14 CFR Part 77. The results of aeronautical studies conducted by the FAA are published in determination letters which are public record and available through the FAA public website at <https://oeaaa.faa.gov>.

This is NOT a construction permit application. This determination does not constitute FAA approval or disapproval of the physical development involved in this proposal. It is a determination with respect to the safe and efficient use of the navigable airspace by aircraft. The FAA does not have land use authority or issue construction permits and cannot prevent construction on privately owned/leased property. Land use authority resides with the government body at the local city, county or state level that is responsible for regulating how land can be used within their jurisdiction, typically through zoning ordinances and other land use planning mechanisms. This determination in no way preempts or waives any ordinances, laws, or regulations of any government body or agency.

A list of commonly used acronyms and abbreviations is available at the end of this document. A full list is available at the FAA's public website at https://oeaaa.faa.gov/oeaaa/downloads/external/content/FAA_Acronyms.pdf.

1. PROPOSAL DESCRIPTION

Proposed are 116 wind turbines for a wind farm project that would be located approximately 13.45 nautical miles (NM) to 25.00 NM west of the airport reference point (ARP) for Lac Qui Parle County (DXX) Madison, MN.

For the sake of efficiency, all of the wind turbines in this project have similar impacts and are covered in this narrative. The proposed wind turbines' described heights and locations are expressed in Above Ground Level (AGL) height, Above Mean Sea Level (AMSL) height and latitude (LAT) / longitude (LONG).

ASN	/	AGL	/	AMSL	/	LAT	/	LONG
2026-WTE-551-OE	/	650	/	2409	/	44-59-37.27N	/	96-45-08.29W
2026-WTE-552-OE	/	650	/	2445	/	44-59-31.49N	/	96-45-27.16W
2026-WTE-553-OE	/	650	/	2079	/	45-01-56.75N	/	96-40-19.52W
2026-WTE-554-OE	/	650	/	2126	/	45-01-48.61N	/	96-40-40.23W
2026-WTE-555-OE	/	650	/	2175	/	45-01-34.11N	/	96-40-52.76W
2026-WTE-556-OE	/	650	/	2198	/	45-01-28.28N	/	96-41-14.75W
2026-WTE-558-OE	/	650	/	2230	/	45-01-32.77N	/	96-42-07.74W
2026-WTE-559-OE	/	650	/	2270	/	45-01-26.77N	/	96-42-29.52W
2026-WTE-560-OE	/	650	/	2272	/	45-01-30.51N	/	96-43-34.95W
2026-WTE-561-OE	/	650	/	2294	/	45-01-26.29N	/	96-43-58.11W
2026-WTE-562-OE	/	650	/	2336	/	45-01-22.20N	/	96-44-22.02W
2026-WTE-563-OE	/	650	/	2414	/	45-01-06.06N	/	96-44-40.52W
2026-WTE-564-OE	/	650	/	2356	/	45-01-03.97N	/	96-45-13.33W
2026-WTE-565-OE	/	650	/	2363	/	45-00-55.97N	/	96-45-28.70W
2026-WTE-566-OE	/	650	/	2394	/	45-00-38.88N	/	96-46-00.00W
2026-WTE-567-OE	/	650	/	2395	/	45-00-27.05N	/	96-46-09.54W
2026-WTE-568-OE	/	650	/	1796	/	45-02-01.20N	/	96-29-23.74W

2026-WTE-569-OE	/	650	/	1803	/	45-02-01.42N	/	96-29-54.64W
2026-WTE-570-OE	/	650	/	1803	/	45-01-58.48N	/	96-30-19.11W
2026-WTE-571-OE	/	650	/	1807	/	45-01-50.78N	/	96-30-37.11W
2026-WTE-572-OE	/	650	/	1799	/	45-02-44.66N	/	96-29-55.63W
2026-WTE-573-OE	/	650	/	1797	/	45-02-38.82N	/	96-30-17.21W
2026-WTE-574-OE	/	650	/	1799	/	45-04-14.07N	/	96-30-02.86W
2026-WTE-575-OE	/	650	/	1799	/	45-04-04.41N	/	96-30-21.02W
2026-WTE-576-OE	/	650	/	1800	/	45-03-53.06N	/	96-30-35.23W
2026-WTE-577-OE	/	650	/	1797	/	45-03-53.61N	/	96-31-14.01W
2026-WTE-578-OE	/	650	/	1801	/	45-03-43.13N	/	96-31-28.38W
2026-WTE-579-OE	/	650	/	1799	/	45-03-34.62N	/	96-31-47.69W
2026-WTE-580-OE	/	650	/	1812	/	45-03-25.89N	/	96-32-04.30W
2026-WTE-581-OE	/	650	/	1808	/	45-05-01.87N	/	96-33-12.49W
2026-WTE-582-OE	/	650	/	1809	/	45-04-46.62N	/	96-33-23.30W
2026-WTE-583-OE	/	650	/	1829	/	45-03-29.98N	/	96-34-02.18W
2026-WTE-584-OE	/	650	/	1831	/	45-03-20.11N	/	96-34-17.63W
2026-WTE-585-OE	/	650	/	1836	/	45-03-12.41N	/	96-34-36.95W
2026-WTE-586-OE	/	650	/	1840	/	45-03-03.76N	/	96-35-01.09W
2026-WTE-587-OE	/	650	/	1813	/	45-06-02.77N	/	96-34-21.87W
2026-WTE-588-OE	/	650	/	1819	/	45-05-52.22N	/	96-34-37.13W
2026-WTE-589-OE	/	650	/	1819	/	45-05-43.94N	/	96-34-55.52W
2026-WTE-590-OE	/	650	/	1824	/	45-05-36.79N	/	96-35-14.11W
2026-WTE-591-OE	/	650	/	1820	/	45-04-58.82N	/	96-34-50.47W
2026-WTE-592-OE	/	650	/	1822	/	45-04-53.12N	/	96-35-11.68W
2026-WTE-593-OE	/	650	/	1835	/	45-04-25.94N	/	96-35-30.69W
2026-WTE-594-OE	/	650	/	1842	/	45-04-17.70N	/	96-35-49.37W
2026-WTE-595-OE	/	650	/	1848	/	45-04-13.07N	/	96-36-11.23W
2026-WTE-596-OE	/	650	/	1851	/	45-03-41.84N	/	96-36-06.62W
2026-WTE-597-OE	/	650	/	1856	/	45-03-31.64N	/	96-36-24.69W
2026-WTE-598-OE	/	650	/	1858	/	45-03-01.27N	/	96-36-19.25W
2026-WTE-599-OE	/	650	/	1867	/	45-02-50.46N	/	96-36-43.48W
2026-WTE-600-OE	/	650	/	1877	/	45-02-37.35N	/	96-36-56.03W
2026-WTE-601-OE	/	650	/	1887	/	45-02-32.27N	/	96-37-18.09W
2026-WTE-602-OE	/	650	/	1903	/	45-03-18.72N	/	96-38-34.02W
2026-WTE-603-OE	/	650	/	1929	/	45-03-09.11N	/	96-38-49.86W
2026-WTE-604-OE	/	650	/	1954	/	45-02-40.46N	/	96-38-40.01W
2026-WTE-605-OE	/	650	/	1964	/	45-02-26.37N	/	96-38-50.17W
2026-WTE-606-OE	/	650	/	1908	/	44-58-02.53N	/	96-32-35.37W
2026-WTE-607-OE	/	650	/	1932	/	44-57-56.36N	/	96-32-56.15W
2026-WTE-608-OE	/	650	/	1950	/	44-57-49.10N	/	96-33-15.60W
2026-WTE-609-OE	/	650	/	1995	/	44-57-36.53N	/	96-33-48.97W
2026-WTE-610-OE	/	650	/	2012	/	44-57-32.05N	/	96-34-12.45W
2026-WTE-611-OE	/	650	/	2033	/	44-57-23.63N	/	96-34-30.53W
2026-WTE-612-OE	/	650	/	1963	/	44-58-23.86N	/	96-34-00.98W

2026-WTE-613-OE	/	650	/	1985	/	44-58-14.45N	/	96-34-17.51W
2026-WTE-614-OE	/	650	/	2009	/	44-58-04.99N	/	96-34-35.28W
2026-WTE-615-OE	/	650	/	1975	/	44-58-56.27N	/	96-34-49.50W
2026-WTE-616-OE	/	650	/	1996	/	44-58-53.00N	/	96-35-13.06W
2026-WTE-617-OE	/	650	/	1976	/	44-59-30.80N	/	96-35-30.29W
2026-WTE-618-OE	/	650	/	2008	/	44-59-22.21N	/	96-36-04.66W
2026-WTE-619-OE	/	650	/	2043	/	44-58-46.04N	/	96-36-01.47W
2026-WTE-620-OE	/	650	/	2069	/	44-58-40.90N	/	96-36-24.88W
2026-WTE-621-OE	/	650	/	2116	/	44-58-44.78N	/	96-37-13.46W
2026-WTE-622-OE	/	650	/	2156	/	44-58-43.41N	/	96-37-40.86W
2026-WTE-623-OE	/	650	/	2197	/	44-58-32.73N	/	96-37-56.11W
2026-WTE-624-OE	/	650	/	2210	/	44-58-22.73N	/	96-38-11.17W
2026-WTE-625-OE	/	650	/	2200	/	44-58-55.95N	/	96-38-49.02W
2026-WTE-626-OE	/	650	/	1967	/	45-00-11.33N	/	96-36-04.12W
2026-WTE-627-OE	/	650	/	1994	/	45-00-04.89N	/	96-36-25.13W
2026-WTE-628-OE	/	650	/	2018	/	45-00-27.91N	/	96-37-21.25W
2026-WTE-629-OE	/	650	/	2044	/	45-00-14.58N	/	96-37-33.30W
2026-WTE-630-OE	/	650	/	2066	/	45-00-08.14N	/	96-37-52.46W
2026-WTE-631-OE	/	650	/	2091	/	44-59-59.29N	/	96-38-08.37W
2026-WTE-632-OE	/	650	/	2172	/	44-59-33.39N	/	96-39-00.82W
2026-WTE-633-OE	/	650	/	2150	/	44-59-34.66N	/	96-39-59.44W
2026-WTE-634-OE	/	650	/	2281	/	44-59-13.95N	/	96-41-48.10W
2026-WTE-635-OE	/	650	/	2312	/	44-59-10.76N	/	96-42-13.13W
2026-WTE-636-OE	/	650	/	2022	/	45-01-00.44N	/	96-38-34.65W
2026-WTE-637-OE	/	650	/	2049	/	45-00-59.07N	/	96-39-02.23W
2026-WTE-638-OE	/	650	/	2080	/	45-00-41.86N	/	96-39-07.72W
2026-WTE-639-OE	/	650	/	2118	/	45-00-24.16N	/	96-39-31.74W
2026-WTE-640-OE	/	650	/	2148	/	45-00-14.27N	/	96-39-48.12W
2026-WTE-641-OE	/	650	/	2150	/	45-00-05.26N	/	96-40-05.73W
2026-WTE-642-OE	/	650	/	2207	/	45-00-01.89N	/	96-40-58.55W
2026-WTE-643-OE	/	650	/	2225	/	45-00-00.64N	/	96-41-33.06W
2026-WTE-644-OE	/	650	/	2357	/	44-59-43.45N	/	96-42-45.42W
2026-WTE-645-OE	/	650	/	2368	/	44-59-33.02N	/	96-43-07.82W
2026-WTE-646-OE	/	650	/	2388	/	44-59-16.06N	/	96-43-19.95W
2026-WTE-647-OE	/	650	/	2387	/	44-59-14.12N	/	96-43-44.40W
2026-WTE-648-OE	/	650	/	1910	/	45-02-19.40N	/	96-37-30.33W
2026-WTE-649-OE	/	650	/	1924	/	45-02-07.07N	/	96-37-43.97W
2026-WTE-650-OE	/	650	/	1952	/	45-01-54.35N	/	96-37-54.82W
2026-WTE-651-OE	/	650	/	1965	/	45-01-41.09N	/	96-38-05.13W
2026-WTE-652-OE	/	650	/	1991	/	45-01-41.39N	/	96-38-37.32W
2026-WTE-653-OE	/	650	/	2020	/	45-01-31.29N	/	96-38-53.73W
2026-WTE-654-OE	/	650	/	2132	/	45-01-08.31N	/	96-40-09.13W
2026-WTE-655-OE	/	650	/	2170	/	45-00-56.49N	/	96-40-22.80W
2026-WTE-656-OE	/	650	/	2199	/	45-00-49.12N	/	96-40-41.15W
2026-WTE-657-OE	/	650	/	2232	/	45-00-56.18N	/	96-41-27.10W

2026-WTE-658-OE	/	650	/	2265	/	45-00-49.52N	/	96-41-52.36W
2026-WTE-659-OE	/	650	/	2275	/	45-00-40.80N	/	96-42-11.52W
2026-WTE-660-OE	/	650	/	2294	/	45-00-42.79N	/	96-42-56.33W
2026-WTE-661-OE	/	650	/	2325	/	45-00-41.95N	/	96-43-24.66W
2026-WTE-662-OE	/	650	/	2345	/	45-00-37.02N	/	96-43-45.14W
2026-WTE-663-OE	/	650	/	2372	/	45-00-29.86N	/	96-44-02.68W
2026-WTE-664-OE	/	650	/	2361	/	45-00-29.78N	/	96-44-28.71W
2026-WTE-665-OE	/	650	/	2373	/	45-00-13.47N	/	96-44-35.51W
2026-WTE-666-OE	/	650	/	2378	/	45-00-02.26N	/	96-44-49.72W
2026-WTE-667-OE	/	650	/	2419	/	45-00-09.97N	/	96-45-24.71W

2. TITLE 14 CFR PART 77 - OBSTRUCTION STANDARDS EXCEEDED

Section 77.17(a)(1); exceeds a height of 499 feet AGL at the site of the object. All proposed wind turbines would exceed this standard by 151 feet.

3. TITLE 14 CFR PART 77 - EFFECT ON AERONAUTICAL OPERATIONS

Section 77.29 (a)(1); the impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules. At a height greater than 499 feet AGL, the proposed wind farm would extend into airspace normally used for VFR en route flight and may be located within 2 statute miles (SM) of a potential VFR Route as defined by FAA Order 7400.2, Section 6-3-8. Structures greater than 499 feet AGL, within 2 SM of a VFR route are considered to have an adverse effect upon VFR air navigation. Further study was required to determine whether the structures would affect a significant volume of VFR aircraft resulting in a substantial adverse effect on VFR en route traffic.

4. TITLE 14 CFR PART 77 - FURTHER STUDY AND PUBLIC COMMENTS

In order to facilitate the public comment process, all 116 studies were circularized under ASN 2026-WTE-651-OE on 04/21/2026, in accordance with JO 7400.2, Chapter 6-3-17. Initially, there were 117 wind turbines in this proposal. The sponsor agreed to terminate ASN 2026-WTE-557-OE which mitigated the IFR effects for Lac Qui Parle County (DXX) under Section 77.17(a)(3). There was one comment received in response to the circularization concluding on 05/28/2026. The comment was submitted on behalf of the South Dakota Aeronautics Commission which is summarized as follows:

Comments: The commentor is concerned about placing 650-foot wind turbines exceeding Part 77 height requirements next to existing 499-foot wind turbines near the Crown Ridge Wind Farm creating a safety issue by encroaching on Visual Flight Rules (VFR) airspace. The proposal ignores the risks highlighted by a 2014 fatal collision with a wind turbine, which warrants a local Safety Risk Management Panel (SRMP) that includes local flight schools, air ambulances, and agricultural pilots to evaluate the danger of insufficient radar coverage. If controllers from Minneapolis Center (ZMP) are included in the SRMP, they would lack experience with the airspace since they are located 176 miles away. The increasing proliferation of wind farms exceeding Part 77 requirements necessitates an FAA regulation update to address significant safety gaps, including primary radar coverage loss for non-transponder equipped aircraft operating in the vicinity of the wind farm.

FAA Response: Although the proposed structures would exceed 14 CFR Part 77 Obstruction Standards, it does not necessarily constitute a hazard to aviation. Part 77 identifies the point at which a proposal would warrant further study to determine if the structure would have a substantial adverse effect as defined in JO 7400.2, par.

6-3-5. There are no "height requirements" under Part 77. A structure greater than 499 feet AGL would exceed Section 77.17(a)(1); a height greater than 499 feet AGL at the site of the object which would require further study. Further study of the proposal revealed the structures would have no substantial adverse effect on VFR or IFR operations. An evaluation of available VFR traffic data did not identify a significant volume of aircraft in the vicinity of the proposed wind farm. The wind farm would not be within radar line of sight of any ASR facility due to a lack primary radar coverage in the area, so the VFR traffic analysis involved data received primarily from ADS-B via STARS. Aeronautical studies conducted under 14 CFR Part 77 do not require an SRMP. Although the FAA does not have land-use authority for privately owned/leased property, this determination does not relieve the project sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body. Therefore, if local aviation authorities determine that an SRMP is necessary, they may contact their local Flight Standards District Office (FSDO) or nearest FAA Air Traffic Control Facility to initiate the SRM process.

5. BASIS FOR DETERMINATION

- a. IFR Effects - The aeronautical study identified no IFR effects. Therefore, the proposal would have no substantial adverse effect on any existing or proposed IFR arrival/departure procedures, en route IFR operations or minimum IFR altitudes for any known public-use or military airports.
- b. VFR Effects - The aeronautical study identified no effect on any existing or proposed VFR arrival or departure operations. The proposals would be located beyond the traffic pattern airspace for any known public use or military airports. Structures greater than 499 feet AGL, would be located within the altitudes commonly used for en route VFR flight. In coordination with ATC, an analysis of potential VFR Routes and available traffic data indicated that an average of less than one VFR aircraft per day may be affected by the proposed wind farm. In accordance with FAA Order 7400.2, the proposed wind farm would not affect a significant volume of aircraft and therefore, it is determined they will not have a substantial adverse effect on en route VFR flight operations. The proposed structures would be charted on VFR sectional aeronautical charts and appropriately obstruction marked/lighted to make them more conspicuous to airmen should circumnavigation be necessary.
- c. NAVAIDs/Radar Effects - The aeronautical study identified no effect on ATC radar, direction finders, ATC tower line-of-sight visibility, air navigation, communication facilities, and other surveillance systems for any known public-use or military airports.
- d. Cumulative Effect - The cumulative impact of the proposed structures, when combined with other proposed and existing structures, was not considered to be significant. Further study did not disclose any substantial adverse effect on existing or proposed public-use or military airports or navigational facilities, nor would the proposals affect the capacity of any known existing or planned public-use or military airport.
- e. Military Airspace - The aeronautical study included a review by the Department of the Army, Navy, Air Force, Department of War (DoW) and Department of Homeland Security (DHS). In accordance with JO 7400.2, Par. 6-3-6-f., military personnel are responsible for evaluating the effect on airspace and routes used by the military. The DoW and military departments completed their review of this proposal and submitted no objections to the FAA.

6. DETERMINATION

It is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation providing the conditions set forth in this determination are met.

ACRONYMS & ABBREVIATIONS

AGL, Above Ground Level
AMSL, Above Mean Sea Level
ARP, Airport Reference Point
ARSR, Air Route Surveillance Radar
ARTCC, Air Route Traffic Control Center
ASN, Aeronautical Study Number
ASR, Airport Surveillance Radar
ATC, Air Traffic Control
ATCT, Air Traffic Control Tower
CARSR, Common Air Route Surveillance Radar
CAT, Category
CFR, Code of Federal Regulations
CG, Climb Gradient
DA, Decision Altitude
DME, Distance Measuring Equipment
FAA, Federal Aviation Administration
FUS, Fusion
GPS, Global Positioning System
IAF, Initial Approach Fix
IAP, Instrument Approach Procedure
ICA, Initial Climb Area
IFR, Instrument Flight Rules
INT, Intersection
LAT, Latitude
LNAV, Lateral Navigation
LOC, Localizer
LONG, Longitude
LP, Localizer Performance
LPV, Localizer Performance with Vertical Guidance
MDA, Minimum Descent Altitude
MEA, Minimum En route Altitude
MET, Meteorological Evaluation Tower
MIA, Minimum IFR Altitude
Min, Minimum
MOCA, Minimum Obstruction Clearance Altitude
MSA, Minimum Safe Altitude
MSL, Mean Sea Level
MVA, Minimum Vectoring Altitude
NA, Not Authorized

NAS, National Airspace System
NAVAID, Navigational Aid
NDB, Non-Directional Radio Beacon
NEH, No Effect Height
NM, Nautical Mile
NOTAM, Notice to Airmen
NPF, Notice of Preliminary Findings
OCS, Obstacle Clearance Surface
OE, Obstruction Evaluation
OEG, Obstruction Evaluation Group
Part 77 - Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.
P-NOTAM, Permanent Notice to Airmen
RLOS, Radar Line of Sight
RNAV, Area Navigation
RNP, Required Navigation Performance
RWY, Runway
S-, Straight-in
SE, Site Elevation
S-LOC, Straight-in Localizer
SM, Statute Miles
Std., Standard
TAA, Terminal Arrival Area
TACAN, Tactical Air Navigation System
TERPS, Terminal Instrument Procedures
TPA, Traffic Pattern Airspace
TRACON, Terminal Radar Approach Control
V, Victor Airway
VFR, Visual Flight Rules
VHF, Very High Frequency
VOR, VHF Omnidirectional Radio Range System
VORTAC, VOR/TACAN System
WTE, Wind Turbine East
WTW, Wind Turbine West

