



Lake Region

STATE COLLEGE

1801 College Drive, Devils Lake ND 58301

(701) 662-1600 * 1-800-443-1313 * fax (701) 662-1570 www.lrsc.nodak.edu * TDD (701) 662-1572

December 6, 2011

Darrell Nitschke, Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

RECEIVED

DEC 07 2011

PUBLIC SERVICE COMMISSION

Subject: Application for a Certificate of Site Compatibility and Request for Waivers

Dear Secretary Nitschke:

In accordance with Section 49-22-07.1 NDCC and Chapter 69-06-04 of the North Dakota Public Service Commission (PSC)'s administrative rules, Lake Region State College (LRSC) respectfully submits one original and ten (10) copies of this Application for a Certificate of Site Compatibility (Certificate).

The Certificate would authorize the construction of one wind turbine, GE 1.6 MW, in Ramsey County North Dakota.

As you can see, this project has a very limited scope and consists of only one wind turbine, therefore, **we also respectfully request a waiver of the full siting process.** This waiver would be permitted by North Dakota Century Code Section 49-22-07.2 and North Dakota Administrative Code Chapter 69-06-06. Completing the full application requirements would be cost prohibitive to this project.

The following information is provided to meet North Dakota Century Code Section 49-22-08, Requirements for an Application:

a. A description of the size and type of facility.

The proposed Project would be constructed on 5-10 acres. The Project consists of one wind turbine, 1.6 MW or less.

b. A summary of any studies which have been made of the environmental impact of the facility.

LRSC through its site selection process, took care to ensure that there were no or minimal environmental effects that would be caused by the construction of a turbine on the site. The site is located on agricultural property over 3000 feet from the nearest single residence. All other residences in the area are more than one mile away. No wetlands or

nesting habitat will be impacted, see letter from US Fish and Wildlife. LRSC has sent a letter to ND Historical Society requesting comments on any impacts. LRSC is completing a Class III Cultural Resources Inventory per request from NDSHS on the primary and alternate turbine sites, access road and collection line route.

c. A statement explaining the need for the facility.

Lake Region State College will utilize the turbine for training Wind Energy Technicians as well as providing power for the campus.

d. An identification of the location of the preferred site for any energy conversion facility.

The preferred site is located 3 miles north of Lake Region State College in Devils Lake, ND. Range 154N Range 64W W1/2 Section 9. Lake Region has an alternate site located at Range 154N Range 64W E1/2 Section 16.

e. An identification of the location of the preferred corridor for any transmission facility.

There will be no transmission facility, only a collection line running back to campus. There are three landowners between the turbine site and campus property. LRSC has a verbal commitment for easements from all three landowners. See attached map.

f. A description of the merits and detriments of any location identified and a comprehensive analysis with supporting data showing the reasons why the preferred location is best suited for the facility.

LRSC through its site selection process, took care to ensure that there were no or minimal environmental effects that would be caused by the construction of a turbine on the site. The site is located on agricultural property over 3000 feet from the nearest single residence. All other residences in the area are more than one mile away. No wetlands or nesting habitat will be impacted, see letter from US Fish and Wildlife.

g. A description of mitigative measures that will be taken to minimize all foreseen adverse impacts resulting from the location, construction, and operation of the proposed facility.

Careful selection of the site has minimized the potential adverse impacts of this project.

h. An evaluation of the proposed site or corridor with regard to the applicable considerations set out in section 49-22-09 and the criteria established pursuant to section 49-22-05.1.

Lake Region State College certifies that this project will not adversely affect any of the criteria set out in North Dakota Century Code Section 49-22-09 and North Dakota Administrative Code Chapter 69-06-08.

Specifically, 69-06-08-01. Energy conversion facility siting criteria.

1. Exclusion areas.

a. Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; historic districts; monuments; wilderness areas; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands.

These areas do not exist within the site.

b. Designated or registered state: parks; forests; forest management lands; historic sites; monuments; historical markers; archaeological sites; grasslands; wild, scenic, or recreational rivers; game refuges; game management areas; management areas; and nature preserves.

These areas do not exist within the site.

c. County parks and recreational areas; municipal parks; parks owned or administered by other governmental subdivisions; hardwood draws; and enrolled woodlands.

These areas do not exist within the site.

d. Prime farmland and unique farmland, as deemed by the land inventory and monitoring division of the soil conservation service, United States department of agriculture, in 7 C.F.R. part 657; provided, however, that if the commission finds that the prime farmland and unique farmland that will be removed from use for the life of the facility is of such small acreage as to be of negligible impact on agricultural productions, such exclusion shall not apply.

These areas do not exist within the site.

e. Irrigated land.

These areas do not exist within the site.

f. Areas critical to the life stages of threatened or endangered animal or plant species.

These areas do not exist within the site.

g. Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged.

These areas do not exist within the site.

2. Avoidance areas

a. Historical resources which are not designated as exclusion areas.

There are no Historical Resources at the proposed site

- b. Areas within the city limits of a city or the boundaries of a military installation.
The site is not within the city limits or boundaries of a military installation.
- c. Areas within known floodplains as defined by the geographical boundaries of the hundred-year flood.
The site is not in a flood plain.
- d. Areas that are geologically unstable.
The site is not geologically unstable
- e. Woodlands and wetlands.
The site doesn't contain woodlands or wetlands.
- f. Areas of recreational significance which are not designated as exclusion areas.
The site is not an area of recreational significance.

3. Selection criteria. *There will be no significant adverse effects resulting from the location, construction, and operation of this facility related to the selection criteria listed under North Dakota Administrative Code Section 69-06-08-01(3).*

i. Such other information as the applicant may consider relevant or the commission may require.

Attached are letters from the North Creel Township Board, Ramsey County Auditor's Office, Federal Aviation Administration, United States Fish and Wildlife Service, and a map showing the primary and alternate sites, and a map showing the access road and the collection line route. We have enclosed the application fee of \$5000.00 per the 11/23/11 PSC meeting re: Case No PU-11-686.

Please contact me at 701-662-1506 or doug.darling@lrsc.edu with any questions or comments.

Sincerely,


Doug Darling
Vice President Instructional Services



MAP OF

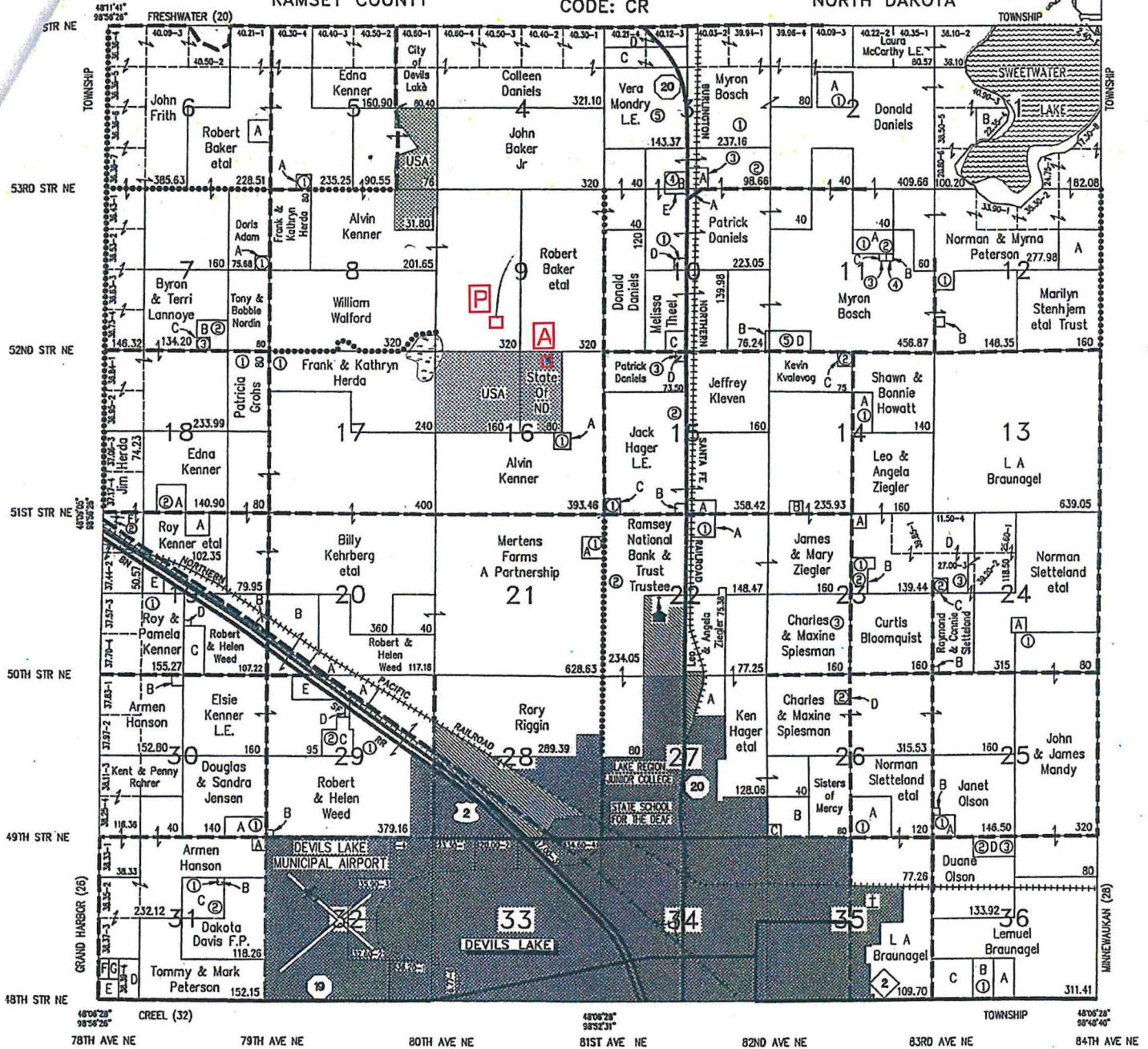
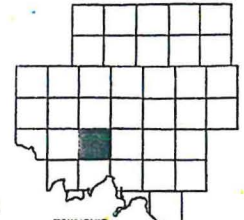
NORTH CREEL

TOWNSHIP: 154 N
RAMSEY COUNTY

MIDLAND ATLAS COMPANY LLC COPYRIGHT 2007

CODE: CR

RANGE: 64 W
NORTH DAKOTA



SEE LETTERED SMALL TRACTS DIRECTORY FOLLOWING TOWNSHIP MAPS

Doug Darling
Lake Region State College
1801 College Drive N
Devils Lake, ND 58301

August 16, 2011

Dear Doug:

The North Creel Township board reviewed the Lake State College plan to install a wind turbine in Creel Township 154N Range 64 W East ½ of Section 9. There are currently no township zoning or permitting issues with the proposed turbine installation. The turbine site will not be on the section line right of way, but on private property in Section 9.

The board approves Lake Region's request to improve and extend the section line road from HWY 20 to the turbine site provided that Lake Region State College is responsible for all the costs to improve and maintain the section line road to the turbine site.

North Creel Township Board

Signed

Ray Strong

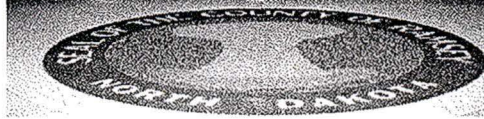
Merlin Hulten

Date

8-18-11

RAYMOND NELSON

**RAMSEY COUNTY, NORTH DAKOTA
OFFICE OF THE AUDITOR**



Auditor

Elizabeth V. Fischer

Deputy Auditor

Kandy K. Christopherson

Deputy Treasurer/Auditor

Jackie Fuller

Deputy Clerk II

Beverly Schuler

524 4th Avenue NE Unit 6

Devils Lake, North Dakota 58301-2487

Phone (701)662-7007

Fax (701)662-7049

County Commissioners

Joe Belford

Bill Mertens

Scott Diseth

Mark E Olson

Ed Brown

AUGUST 17, 2011

DOUG DARLING

VICE PRESIDENT OF INSTRUCTIONAL SERVICES

LAKE REGION STATE COLLEGE

1801 COLLEGE DR N

DEVILS LAKE ND 58301

RE: WIND TOWER ORDINANCE

RAMSEY COUNTY AS OF AUGUST 17, 2011 DOES NOT HAVE A MODEL ENVIRONMENTAL SITING ORDINANCES IN PLACE (WIND TOWERS).

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ELIZABETH AT 701-662-7009.

SINCERELY,



JOE BELFORD, CHAIRMAN
RAMSEY COUNTY COMMISSION



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501



MAR 17 2010

Dr. Mike Bower, Ph.D
President
Lake Region State College
1801 College Drive North
Devils Lake, North Dakota 58301

Dear Dr. Bower:

This is in response to your February 12, 2010, correspondence requesting environmental information in relation to a proposed wind energy development project at the Lake Region State College (LRSC) in Devils Lake, in Ramsey County, North Dakota. The proposed project will consist of one 2.3 megawatt wind turbine. We offer the following comments under the authority of and in accordance with the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) (MBTA), the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250), the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.), and the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57).

The U.S. Fish and Wildlife Service (Service) holds certain resources in trust and manages them for the benefit of the American people. These resources include migratory birds, inter-jurisdictional fish, federally-listed threatened and endangered species of plants and animals and their habitats, and units of the National Wildlife Refuge system. One goal of Service policy is that conservation of fish and wildlife resources receive equal consideration with other features of resource development, and that conservation actions are coordinated with those other forms of development. Another goal is to conserve, protect, and enhance fish and wildlife and their habitats, and to facilitate the balanced development of the Nation's natural resources. When planning an activity, project proponents should give careful consideration to potential impacts to these trust resources and compliance with the laws mentioned above.

The Service has provided comments on several wind project proposals throughout North Dakota. Typically, a wind farm involves the construction of several turbines, covers large expanses of land, and has the potential to impact wildlife resources on a large scale, including destruction of native habitats, habitat fragmentation, and possible avoidance of habitat due to landscape level disturbance. We do not believe that the presence of one turbine will have landscape level impacts, but like any project, there are measures that can be implemented to minimize environmental impacts. Additional information is provided below.

Migratory Birds

The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of the Interior. While the MBTA has no provision for allowing unintentional take, the Service realizes that some birds may be killed by wind power towers or power lines even if all reasonable measures to protect them are used. The Service's Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement, as well as by fostering relationships with individuals, companies, and industries that have taken effective steps to minimize their impacts on migratory birds, and by encouraging others to enact such programs. It is not possible to absolve individuals, companies, or agencies from liability even if they implement avian mortality avoidance or similar conservation measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without regard for their actions, or without following recommendations such as this to avoid take. The Service cooperates with developers to minimize impacts to migratory birds and to Bald and Golden eagles. Parties who wish to demonstrate they have taken all reasonable steps to protect migratory birds and Bald and Golden eagles are advised to incorporate the Services' recommendations into their project plans, sharing those plans with this office, and making any necessary modifications.

The BGEPA prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald eagles, including their parts, nests, or eggs. The Act provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof. The Act defines take as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, or disturb. "Disturb means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagles return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment. Our records indicate the presence of bald eagle nests at Devils Lake.

Adequate consideration for avian and other wildlife resources early in the site evaluation process can help to minimize impacts and facilitate project review. Although current wind turbine technology and proper siting can help to minimize the incidence of avian and bat deaths due to blade, aerial line, and tower strikes, the potential for direct mortality of some migratory birds will remain. Wind power developers, in concert with the Service, can help to ensure that projects proceed with as little impact to migratory birds as possible. This can be accomplished by gathering information on avian resources as they relate to project siting, and by implementing measures to minimize impacts to migratory birds from the construction and operation of the wind

facility. The Service's Interim Wind Turbine Siting Guidelines have been developed to assist in project planning (available at: <http://www.fws.gov/habitatconservation/wind.pdf>). We encourage you to conduct a Potential Impact Index (PII) analysis on several potential sites within wind resource areas to assist in the selection of a wind power site that minimizes the potential to impact migratory birds. Please inform this office whether or not you plan to use the Service's interim guidelines in selecting your site and if not, whether you intend to use a different method to assess avian and other wildlife resources.

The Service has coordinated with the Avian Power Line Interaction Committee (APLIC) to develop guidelines to assist companies in formulating Avian Protection Plans (APP). The guidelines can be accessed from APLIC's website at <http://www.aplic.org/>. These plans are utility specific and designed to reduce operational risks that result from avian interactions with electric utility facilities, but we suggest they may be adapted to wind energy facilities. Wind energy projects have the potential to negatively affect bats as well as avian species. Therefore, we encourage project developers to formulate an Avian and Bat Protection Plan (ABPP) if bats migrate through or may be present in the project area. Some of the things that the Service looks for in an APP or ABPP are typically a statement of company policy confirming the company's commitment to work cooperatively towards the protection of migratory birds and bats; identification of the process under which the company will obtain and comply with all necessary permits, including, but not limited to, nest relocation, temporary possession, depredation, salvage/disposal, and scientific collection; discussion of the company's plan for monitoring and reporting all incidents of avian or bat injury or mortality; a commitment to make all reasonable efforts to construct and modify infrastructure to reduce the incidence of avian and bat mortality; a mechanism to review existing practices, ensuring quality control and allowing for adaptive management; and a plan for providing adequate training for all appropriate utility personnel. An APP or ABPP reporting system is important to help the company pinpoint areas of concern by tracking both the specific locations where mortalities may be occurring, as well as the extent of such mortalities and the remedial actions taken/planned to address identified problem areas.

To avoid impacts to migratory birds or other wildlife during the breeding season (February 1 to July 15), schedule construction for late summer or fall/early winter. If work is proposed to take place during the breeding season or at any other time which may result in the take of migratory birds or active nests, the Service recommends that the proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If nesting migratory birds are found, we request you contact this office, suspend construction, or take other measures, such as maintaining adequate buffers, to protect the birds until the young have fledged. The Service further recommends that field surveys for nesting birds, along with information regarding the qualification of the biologist(s) performing the surveys, and any avoidance measures implemented at the project site, be thoroughly documented and that such documentation be shared with the Service and maintained on file by the project proponent at least until such time as construction on the proposed project has been completed.

Threatened and Endangered Species

A list of federally threatened and endangered species that may occur within the proposed project's area of influence is enclosed. This list fulfills requirements of the Fish and Wildlife Service under the Endangered Species Act.

The Aransas Wood Buffalo Population (AWBP) of whooping cranes is the only self-sustaining migratory population of whooping cranes remaining in the wild. These birds breed in the wetlands of Wood Buffalo National Park in Alberta and the Northwest Territories of northern Canada, and overwinter on the Texas coast. Whooping cranes in the AWBP annually migrate through North Dakota during their spring and fall migrations.

Endangered whooping cranes have been documented using stopover habitat within the proposed project area. The project area is located outside the whooping crane migration corridor that includes 95 percent of all confirmed whooping crane sightings in North Dakota (enclosure); however, whooping cranes have been documented using stopover habitat outside of the primary corridor. Currently, collisions with power lines are the greatest known source of mortality for fledged whooping cranes, and have accounted for the death or serious injury of at least 46 whooping cranes since 1956. As previously stated, the Service does not believe that avoidance of habitat will occur as a result of one turbine; however, a small potential does still exist for collision.

Your letter states that there are no plans for overhead power line construction as power distribution will be underground installation. Burying these new lines will avoid whooping crane collision mortality.

Fish and Wildlife Service Property Interests

The Service administers Waterfowl Production Areas owned in fee title as well as wetland and grassland easements throughout North Dakota. Your January 4, 2010, email correspondence to Roger Hollovoet with the Service's Devils Lake Wetland Management District and his response indicate that you have coordinated with the District regarding any Service property interests.

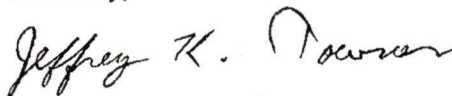
Research, Monitoring, and Assessment

We encourage project proponents to conduct collision monitoring studies designed to determine the effect of several factors, such as site selection, turbine design, the layout of wind plants, wind plant operations, habitat alteration, and changes in available perching and nesting sites, on bird deaths. Annual reports outlining the results of these monitoring studies should be submitted to this office. The Avian Subcommittee of the National Wind Coordinating Committee (NWCC) has developed a guidance document to assist wind energy developers in designing studies that will produce credible and comparable results of avian interaction with wind power plants. The NWCC document, "Studying Wind Energy/Bird Interactions: A Guidance Document. Metrics

and methods for determining or monitoring potential impacts on birds at existing and proposed wind energy sites," can be obtained by contacting the National Wind Coordination Committee, c/o RESOLVE, 1255 23rd Street, Suite 275, Washington, D.C. 20037, or by visiting their website at (www.nationalwind.org). The Service believes that the use of the LRSC's biology students and staff to develop a pre-construction and post-construction monitoring plan, as well as an ABPP to address these factors will result in beneficial data. We recommend continued coordination on the development of this plan, as well as annual reporting.

Thank you for the opportunity to comment. If you require further information as project planning proceeds, please contact Heidi Kuska of my staff, or contact me directly, at (701) 250-4481, or at the letterhead address.

Sincerely,



Jeffrey K. Towner
Field Supervisor
North Dakota Field Office

Enclosures

cc: Project Leader, Devils Lake WMD
(Attn: R. Hollovoet)
Director, ND Game & Fish Department, Bismarck
(Attn: M. McKenna)

FEDERAL ENDANGERED SPECIES
FOUND IN RAMSEY COUNTY
NORTH DAKOTA
March 2010

ENDANGERED SPECIES

Birds

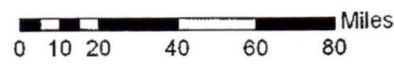
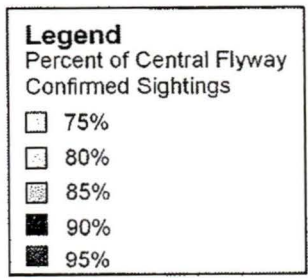
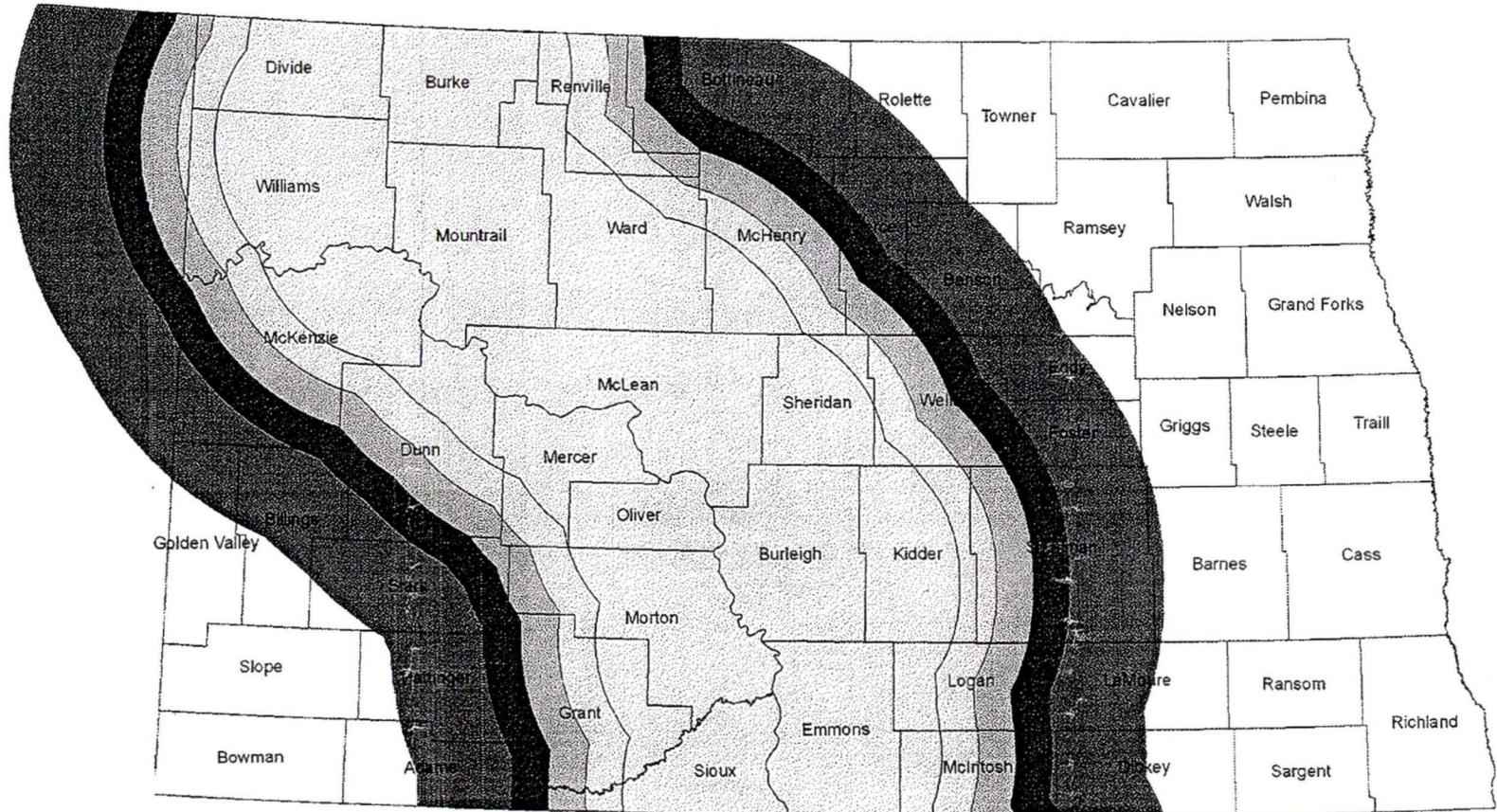
Whooping crane (Grus Americana): Migrates through west and central counties during spring and fall. Prefers to roost on wetlands and stockdams with good visibility. Young adult summered in North Dakota in 1989, 1990, and 1993. Total population 140-150 birds.

Mammals

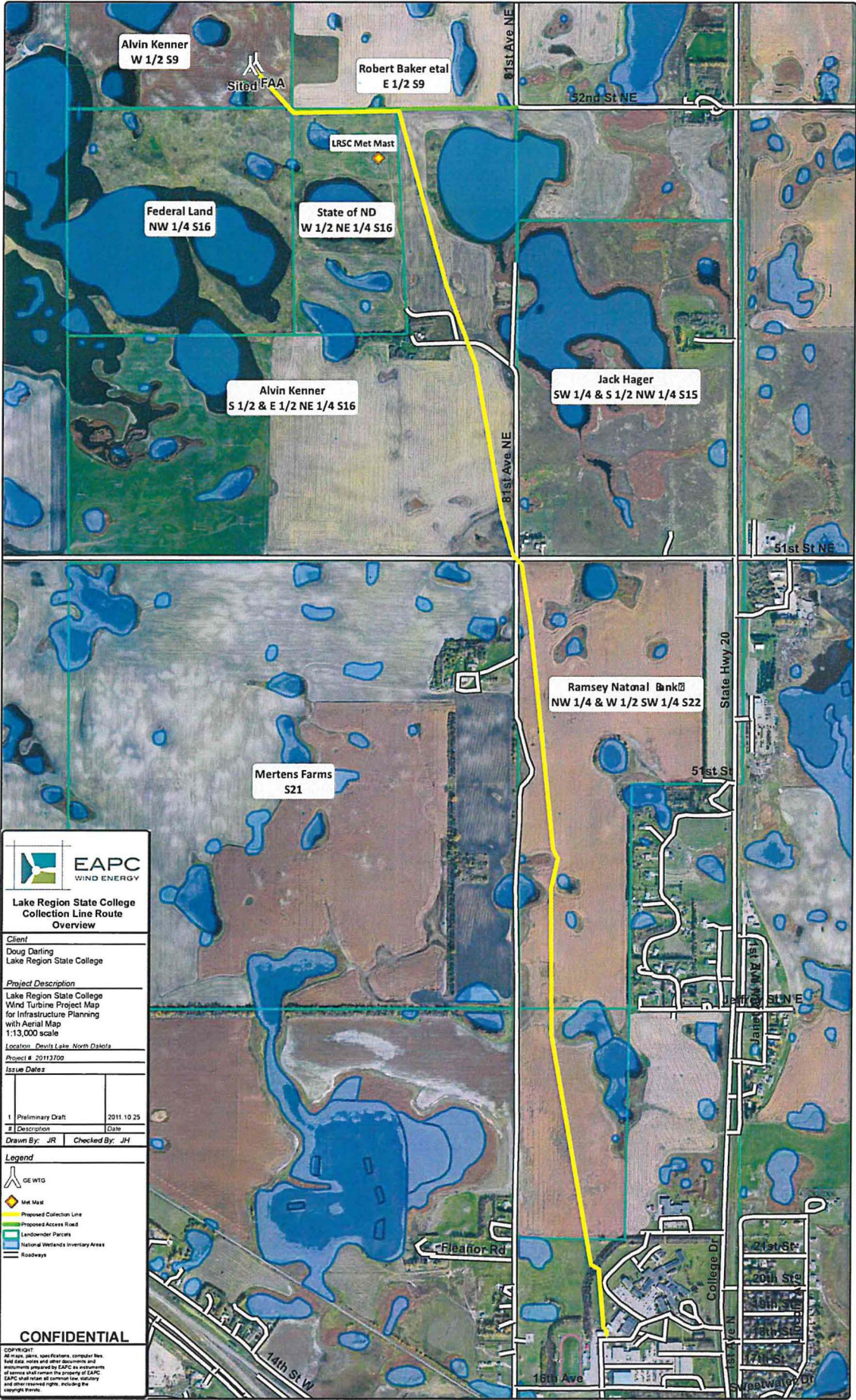
Gray wolf (Canis lupus): Occasional visitor in North Dakota. Most frequently observed in the Turtle Mountains area.

U.S. Fish and Wildlife Service

North Dakota and Montana Whooping Crane Migration Corridor *Central Flyway of the United States*



Produced for Ecological Services
Grand Island, NE
Current to: 2007





**Lake Region State College
Collection Line Route
Overview**

Client
Doug Darling
Lake Region State College

Project Description
Lake Region State College
Wind Turbine Project Map
for Infrastructure Planning
with Aerial Map
1:13,000 scale

Location Devils Lake, North Dakota

Project # 20112709

Issue Dates

1 Preliminary Draft	2011.10.25
2 Description	Date

Drawn By: JR Checked By: JH

Legend

- GE WTG
- Met Mast
- Proposed Collection Line
- Proposed Access Road
- Landowner Parcels
- National Wetlands Inventory Area
- Roadways

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Federal Aviation Administration
 Air Traffic Airspace Branch, ASW-520
 2601 Meacham Blvd.
 Fort Worth, TX 76137-0520

Aeronautical Study No.
 2010-WTE-1004-OE

Issued Date: 04/08/2010

Donald Jorgenson
 Lake Region State College
 1801 North College Drive
 Devils Lake, ND 58103

**** 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 LRSC Wind Turbine
 Location: Devils Lake, ND
 Latitude: 48-09-53.94N NAD 83
 Longitude: 98-53-30.12W
 Heights: 390 feet above ground level (AGL)
 1861 feet above mean sea level (AMSL)

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 marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

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

See attachment for additional condition(s) or information.

This determination expires on 04/08/2012 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before May 08, 2010. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted in triplicate to the Manager, Airspace and Rules Division - Room 423, Federal Aviation Administration, 800 Independence Ave., Washington, D.C. 20591.

This determination becomes final on May 18, 2010 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. For any questions regarding your petition, please contact Office of Airspace and Rules via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

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 Earl Newalu, at (404) 305-7082. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-WTE-1004-OE.

Signature Control No: 680118-124601803
Sheri Edgett-Baron
Acting Manager, Obstruction Evaluation Service

(DNH -WT)

Attachment(s)

Additional Information

Additional information for ASN 2010-WTE-1004-OE

Proposed WT exceeds CFR 14 Part 77 FAR 77.23(a)(2).

A2 CIRC waived In Accordance With (IAW) 7400.2G 6-13-17 (a)(2)(g).

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals which exceed the A2 obstruction standard. This is provided the proposal does not lie within an airport traffic pattern. This policy does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.
- > The proposed structure will be appropriately obstruction marked and lighted to make it more conspicuous to airmen flying in VFR weather conditions at night.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, 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.



« OE/AAA

Form 7460-1 for ASN: 2011-WTE-10156-OE

For information only.

This proposal has not yet been studied. Study outcomes will be posted at a later date.
Public comments are not requested, and will not be considered at this time.

Overview	
Study (ASN): 2011-WTE-10156-OE	Received Date: 08/10/2011
Prior Study:	Entered Date: 08/10/2011
Status: Work In Progress	Map: View Map
Construction Info	Structure Summary
Notice Of: CONSTR	Structure Type: Wind Turbine
Duration: PERM (Months: 0 Days: 0)	Structure Name: LRSC Wind Turbine
Work Schedule: 10/01/2011 to 06/30/2012	FCC Number:
Structure Details	Height and Elevation
Latitude (NAD 83): 48° 10' 02.16" N	Site Elevation: 1528
Longitude (NAD 83): 98° 53' 19.10" W	Structure Height: 390
Datum: NAD 83	Total Height (AMSL): 1918
City: Devils Lake	
State: ND	
Frequencies	
Low Freq	High Freq
Unit	ERP
	Unit

