

Meeting: Courtenay Wind Farm/North Dakota Aeronautics Commission

RE: Letter from NDAC to NDPSC About Sprague Airstrip

Date: 8/13/2013

Time: 11:30 a.m.

Attendees (by phone): Kyle Wanner – ND Aeronautics Commission Airport Planner, Patrick Smith – Geronimo Energy, Betsy Engelking – Geronimo Energy, Mollie Smith – Fredrikson and Byron, Jay Hesse – Geronimo Energy, Clyde Pittman - Federal Airways and Airspace, Candice Koenig - Federal Airways and Airspace

- ❖ Geronimo introduced attendees and reviewed the project:
- ❖ Attendees –
 - Geronimo – Project Developer
 - Federal Airways and Airspace – Providing environmental support to the project
 - Fredrikson and Byron – Project Counsel
 - Enel Green Power North America – Development Partner
- ❖ Geronimo reviewed previous coordination with ND Aeronautics and project status –
 - Previous communications with Larry Taborsky regarding project
 - Preapplication, predesign
 - No issues identified
 - Purpose of coordination was to ensure that Courtenay would not generate conflicts
 - Current Project Status: advanced stage development: engineering near complete; permitting with PSC near completion
- ❖ Mollie reviewed letter from Kyle Wanner to PSC
 - NDAC Staff clarified that it is not typical for them to do an analysis of projects and look for private airstrips
 - NDAC Staff clarified that the airspace around the airstrip is not protected by state or federal law
 - NDAC Law Mirrors FAA Guidelines
 - Is specific to public use airports
- ❖ Letter from NDAC was written based on analysis that the airstrip was a public airport
 - Airstrip is not a public airport
 - NDAC Commissioner asked that the letter describe what the protections would be for a public airport

EXHIBIT

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- NDAC Staff noted private airstrips are an important part to the North Dakota Airport transportation system network and state economy.
- Although federal and state regulations are not present to protect the private airstrips, the ND Aeronautics Commission feels that they are still obligated to make recommendations for the safety of private airstrip use when appropriate.
- ❖ Mollie asked for a clarification of how the airspace is typically protected around a public airport
 - NDAC Staff discussed zoning, easement acquisition to protect airspace in and around airports
 - NDAC Staff described responsibility of the private airstrip owner to protect their airspace through land and zoning controls.
 - NDAC Staff noted the NDAC's roll in providing comments on safety in public processes
- ❖ Federal Airways and Airspace Staff reviewed applicability of conical surface
 - For longer landing surfaces than those in the Sprague case
 - For planes with faster landing speeds than typical of crop dusters
 - Not likely to apply at this site even if it were open to the public
 - NDAC Staff noted that the concern is the turning approach
- ❖ Federal Airways and Airspace suggested that Sprague could modify turning approach so that both north and south procedures involved turns to the west rather than one to the east and one to the west
 - NDAC Staff though that would meet safety standards
 - NDAC Staff recommended we share this thought with Mr. Sprague