

MEMO

TO: FILE

FROM: Alex C. Bowker

DATE: June 13, 2019

SUBJECT: Ruso PSC Permit – FAA Update

On 3/13/2018, Ruso Wind Partners, LLC submitted a layout to the FAA that included turbines up to 600 feet placed across the entire project footprint. On 10/2/2018, we received Determinations of No Hazard for each location. On 2/26/2019, Ruso Wind Partners, LLC submitted our revised turbine locations to the FAA and terminated the previous locations. The revised turbine locations were within the original project footprint and the height of the turbines did not change from the March 2018 FAA submission (up to 600 ft). The turbines have been assigned aeronautical study numbers 2019-WTE-1173-OE through 2019-WTE-1238-OE. On 6/10/2019, Ruso Wind Partners, LLC received a Notice of Presumed Risk letter from the Office of the Assistant Secretary of Defense notifying us that the project will have an adverse impact on helicopter flight missions, missile launch operations and Weather Radar (NEXRAD) operations conducted by the US Air Force, if constructed as proposed. The Notice of Presumed Risk letter was also sent to the North Dakota State Governor. The Department of Defense (DOD) had an opportunity to review our March 2018 layout submittal and did not raise any of the adverse impacts to the US Air Force during the FAA's initial findings or the Determination of No Hazard issuance. On 6/10/2019, Ruso Wind Partners, LLC's consultant, Capitol Airspace Group, had a call with the DOD and the Minot Airforce Base. The Minot Airforce Base representative did not have detailed information on the issues with him. Capitol Airspace informed both parties that Ruso Wind Partners, LLC's project boundary does not directly include any missile silos, but is nearly adjacent to one and about half a mile from a second one. Additionally, per the Minot Airforce Base's instructions, Ruso Wind Partners, LLC used a setback of 1200 feet from the missile silos, plus space for the turbine blades. Ruso Wind Partners, LLC's current layout has turbine foundations no closer than 2400 feet to a missile silo, so about 950 extra feet of buffer (given blade length of less than 250 feet). Capitol Airspace also requested to kick off the MRT (Mitigation Resource Team) process on behalf of Ruso Wind Partners, LLC. Since the meeting on 6/10/2019, Ruso Wind Partners, LLC nor Capital Airspace has heard from the DOD or Minot Airforce Base on next steps. Additionally, on 6/13/2019, Ruso Wind Partners, LLC left a message with Governor Burgum's office. Ruso Wind Partners, LLC will be communicating with the Governor our intent to enter into mitigation discussions with the Minot Air Force through the MRT process and will also be providing our contact information should the office have any questions or concerns.



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

3500 DEFENSE PENTAGON
WASHINGTON, DC 20301-3500

SUSTAINMENT

June 6, 2019

Ms. Rachel Garrett
Southern Power - Ruso, ND
3535 Colonnade Parkway, BIN S-855-EC
Birmingham, AL 35243

Reference – Aeronautical Study Number: 2019-WTE-1173-OE

Dear Ms. Rachel Garrett,

The Department of Defense (DoD) Military Aviation and Installation Assurance Siting Clearinghouse has received notice from the Federal Aviation Administration pursuant to section 44718 of title 49, United States Code, of an energy project, the Southern Power - Ruso, ND project. Based on our preliminary review of your wind energy project, we have found that it will have an adverse impact on helicopter flight missions, missile launch operations and Weather Radar (NEXRAD) operations conducted by the US Air Force, if constructed as proposed.

This notice of presumed risk for the wind project, required by section 183a(c) of Title 10, United States Code, requests that you enter into discussions of possible mitigation actions with the Department of the Air Force.

Please let us know within 30 days from receipt of this letter if you are willing to enter into mitigation discussions. As also required by section 183a(c), DoD is providing a copy of this letter to the North Dakota Governor's office and requesting any comments the Governor believes of relevance to the application.

If you agree to enter into mitigation discussions, the Clearinghouse will task the US Air Force to establish a mitigation response team and will provide you the contact information for the primary Air Force point of contact. The Clearinghouse contact is Mr. Steven Sample, phone 703-571-0076, or email steven.j.sample4.civ@mail.mil.

Ronald E. Tickle
Executive Director
Military Aviation and Installation Assurance Siting
Clearinghouse

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