

LARGE FILING SEPARATOR SHEET

CASE NUMBER: 10-2865-EL-BGN

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SECTION: 3 OF 3

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DESCRIPTION OF DOCUMENT:

FAA DETERMINATIONS OF NO HAZARD -
BLACK FORK WIND PROJECT

(CONTINUED)



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

Aeronautical Study No.
2011-WTE-2257-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 73
Location:	Shelby, OH
Latitude:	40-49-09.26N NAD 83
Longitude:	82-48-08.10W
Heights:	492 feet above ground level (AGL) 1604 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2257-OE.

Signature Control No: 137676731-139619448

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1604 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 5.33 nautical miles (NM) northwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 9 feet - a height that exceeds 483 feet above ground level within 5.33 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2258-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 74
Location:	Shelby, OH
Latitude:	40-49-25.93N NAD 83
Longitude:	82-46-18.97W
Heights:	492 feet above ground level (AGL) 1622 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blach, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2258-OE.

Signature Control No: 137676733-139627782

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1622 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 4.49 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point and approximately 4.76 NM northwest of the Galion Municipal Airport (GQQ) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 144 feet - a height that exceeds 348 feet above ground level within 4.49 NM as applied to 12G.

Section 77.17(a)(2) by 22 feet - a height that exceeds 470 feet above ground level within 4.76 NM as applied to GQQ.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2259-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 75
Location:	Shelby, OH
Latitude:	40-49-09.58N NAD 83
Longitude:	82-46-00.52W
Heights:	492 feet above ground level (AGL) 1620 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 only - Chapters 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 42 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 09/29/2012 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2259-OE.

Signature Control No: 137676735-139639252
Sheri Edgett-Baron
Manager, Obstruction Evaluation Group

(DNH -WT)

Attachment(s)
Additional Information
Map(s)

1

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1620 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 4.41 nautical miles (NM) northwest of the Galion Municipal Airport (GQQ) reference point and approximately 4.51 NM southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 55 feet - a height that exceeds 437 feet above ground level within 4.41 NM as applied to GQQ.

Section 77.17(a)(2) by 142 feet - a height that exceeds 350 feet above ground level within 4.51 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2260-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 76
Location:	Shelby, OH
Latitude:	40-48-51.01N NAD 83
Longitude:	82-45-59.47W
Heights:	492 feet above ground level (AGL) 1616 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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.

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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.

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.

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 Michael Blach, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2260-OE.

Signature Control No: 137676737-139640458

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1616 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 4.13 nautical miles (NM) northwest of the Galion Municipal Airport (GQQ) reference point and approximately 4.72 NM southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 79 feet - a height that exceeds 413 feet above ground level within 4.13 NM as applied to GQQ.

Section 77.17(a)(2) by 120 feet - a height that exceeds 372 feet above ground level within 4.72 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2261-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 77
Location:	Shelby, OH
Latitude:	40-50-25.46N NAD 83
Longitude:	82-45-27.57W
Heights:	492 feet above ground level (AGL) 1622 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2261-OE.

Signature Control No: 137676739-139624546

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1622 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.36 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 256 feet - a height that exceeds 236 feet above ground level within 3.36 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2262-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 78
Location:	Shelby, OH
Latitude:	40-50-17.72N NAD 83
Longitude:	82-44-54.79W
Heights:	427 feet above ground level (AGL) 1557 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 only - Chapters 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2262-OE.

Signature Control No: 137676741-139599083

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 427 feet above ground level (AGL), 1557 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.12 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 216 feet - a height that exceeds 211 feet above ground level within 3.12 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2600 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2263-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 79
Location:	Shelby, OH
Latitude:	40-50-04.74N NAD 83
Longitude:	82-44-48.04W
Heights:	427 feet above ground level (AGL) 1557 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2263-OE.

Signature Control No: 137676743-139599493

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 427 feet above ground level (AGL), 1557 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.21 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 207 feet - a height that exceeds 220 feet above ground level within 3.21 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2600 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2264-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 80
Location:	Shelby, OH
Latitude:	40-50-03.50N NAD 83
Longitude:	82-45-13.61W
Heights:	492 feet above ground level (AGL) 1622 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2264-OE.

Signature Control No: 137676752-139624749
Sheri Edgett-Baron
Manager, Obstruction Evaluation Group

(DNH -WT)

Attachment(s)
Additional Information
Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1622 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.45 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 247 feet - a height that exceeds 245 feet above ground level within 3.45 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.



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

Aeronautical Study No.
2011-WTE-2265-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 81
Location:	Shelby, OH
Latitude:	40-49-48.13N NAD 83
Longitude:	82-44-18.40W
Heights:	427 feet above ground level (AGL) 1559 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 only - Chapters 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2265-OE.

Signature Control No: 137676754-139599712

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 427 feet above ground level (AGL), 1559 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.18 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 210 feet - a height that exceeds 217 feet above ground level within 3.18 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2600 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2266-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 82
Location:	Shelby, OH
Latitude:	40-49-39.73N NAD 83
Longitude:	82-44-07.63W
Heights:	427 feet above ground level (AGL) 1556 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2266-OE.

Signature Control No: 137676756-139599928

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 427 feet above ground level (AGL), 1556 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.21 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 206 feet - a height that exceeds 221 feet above ground level within 3.21 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2600 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2011-WTE-2267-OE

Issued Date: 07/27/2011

Scott Zeimet
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 83
Location:	Shelby, OH
Latitude:	40-49-00.95N NAD 83
Longitude:	82-43-25.16W
Heights:	492 feet above ground level (AGL) 1614 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/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 42 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 01/27/2013 unless:

- extended, revised or terminated by the issuing office.
- 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 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 August 26, 2011. 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 Regulations & ATC Procedures Group, Federal Aviation Administration, Airspace Regulations & ATC Procedures Group, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on September 05, 2011 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 Airspace Regulations & ATC Procedures Group 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.

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.

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 Michael Blach, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2267-OE.

Signature Control No: 137676758-146781484

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a(n) Wind Turbine to a height of 492 feet above ground level, 1614 feet above mean sea level.

Location: The structure will be located 3.56 nautical miles south of 12G Airport reference point.

Part 77 Obstruction Standard(s) Exceeded:

Section 77.17 (a) (2) by 236 feet - a height that exceeds 1378 feet above mean sea level within 3.56 nautical miles of U_12G.

Section 77.17 (a) (2) by 110 feet - a height that exceeds 1504 feet above mean sea level within 3.81 nautical miles of Galion Municipal Airport (GQQ).

Section 77.17 (a) (3) by 8 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate increasing the 12G Obstacle Penetrates Diverse A Departure Area by 8 feet, Requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES, RWY 18, 500-3 (Ceiling-Visibility) or Standard with a Minimum Climb Gradient of 205 feet per NM until reaching 1700.

Section 77.17 (a) (4) by 200 feet - a height that increases Enroute criteria. The proposal would necessitate the increase of the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were circularized to the aeronautical public for comment. There were two letters of objection received during the comment period. These letters can be summarized as objecting to the structure because it would exceed obstruction standards at Shelby Community Airport (12G).

Part 77 Obstruction Standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study in order to determine if they would have significant adverse effect on protected aeronautical operations. While the obstruction standards trigger formal aeronautical study, including circularization, they do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds an obstruction standard of Part 77 does not provide a basis for a determination that the structure would constitute a hazard to air navigation.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2268-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 84
Location:	Shelby, OH
Latitude:	40-48-46.56N NAD 83
Longitude:	82-44-15.64W
Heights:	492 feet above ground level (AGL) 1613 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2268-OE.

Signature Control No: 137676760-139641979

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1613 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.63 nautical miles (NM) north of the Galion Municipal Airport (GQQ) reference point and approximately 4.03 NM southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 127 feet - a height that exceeds 365 feet above ground level within 3.63 NM as applied to GQQ.

Section 77.17(a)(2) by 189 feet - a height that exceeds 303 feet above ground level within 4.03 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2269-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 85
Location:	Shelby, OH
Latitude:	40-49-05.41N NAD 83
Longitude:	82-44-49.77W
Heights:	492 feet above ground level (AGL) 1614 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2269-OE.

Signature Control No: 137676762-139630873

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1614 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.99 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point and approximately 4.03 NM northwest of the Galion Municipal Airport (GQQ) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 194 feet - a height that exceeds 298 feet above ground level within 3.99 NM as applied to 12G.

Section 77.17(a)(2) by 88 feet - a height that exceeds 404 feet above ground level within 4.03 NM as applied to GQQ.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2270-OE

Issued Date: 03/29/2011

Scott Zeimetz
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222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 86
Location:	Shelby, OH
Latitude:	40-48-51.68N NAD 83
Longitude:	82-44-50.30W
Heights:	492 feet above ground level (AGL) 1614 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 only - Chapters 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 42 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 09/29/2012 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2270-OE.

Signature Control No: 137676764-139642571

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1614 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.81 nautical miles (NM) north of the Galion Municipal Airport (GQQ) reference point and approximately 4.18 NM southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 110 feet - a height that exceeds 382 feet above ground level within 3.81 NM as applied to GQQ.

Section 77.17(a)(2) by 174 feet - a height that exceeds 318 feet above ground level within 4.18 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2271-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 87
Location:	Shelby, OH
Latitude:	40-48-51.72N NAD 83
Longitude:	82-45-25.77W
Heights:	492 feet above ground level (AGL) 1615 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2271-OE.

Signature Control No: 137676766-139642887

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1615 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.96 nautical miles (NM) north of the Galion Municipal Airport (GQQ) reference point and approximately 4.44 NM southwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 96 feet - a height that exceeds 396 feet above ground level within 3.96 NM as applied to GQQ.

Section 77.17(a)(2) by 149 feet - a height that exceeds 343 feet above ground level within 4.44 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2272-OE

Issued Date: 03/29/2011

Scott Zeimet
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222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 88
Location:	Shelby, OH
Latitude:	40-49-13.49N NAD 83
Longitude:	82-45-21.14W
Heights:	492 feet above ground level (AGL) 1618 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2272-OE.

Signature Control No: 137676768-139631283

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1618 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 4.12 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point and approximately 4.28 NM north of the Galion Municipal Airport (GQQ) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 180 feet - a height that exceeds 312 feet above ground level within 4.12 NM as applied to 12G.

Section 77.17(a)(2) by 67 feet - a height that exceeds 425 feet above ground level within 4.28 NM as applied to GQQ.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2273-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 89
Location:	Shelby, OH
Latitude:	40-49-35.15N NAD 83
Longitude:	82-45-42.50W
Heights:	492 feet above ground level (AGL) 1614 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 42 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 09/29/2012 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2273-OE.

Signature Control No: 137676770-139631566

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1614 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 4.04 nautical miles (NM) southwest of the Shelby Community Airport (12G) reference point and approximately 4.71 NM north of the Galion Municipal Airport (GQQ) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 188 feet - a height that exceeds 304 feet above ground level within 4.04 NM as applied to 12G.

Section 77.17(a)(2) by 20 feet - a height that exceeds 472 feet above ground level within 4.71 NM as applied to GQQ.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2700 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during

the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.





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

Aeronautical Study No.
2011-WTE-2274-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 90
Location:	Shelby, OH
Latitude:	40-54-23.73N NAD 83
Longitude:	82-45-20.93W
Heights:	492 feet above ground level (AGL) 1563 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 42 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 09/29/2012 unless:

- extended, revised or terminated by the issuing office.
- 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2274-OE.

Signature Control No: 137676772-139600135

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Proposal: To construct a Wind Turbine to a height of 492 feet above ground level (AGL), 1563 feet above mean sea level (AMSL).

Location: This proposal would be located approximately 3.34 nautical miles (NM) northwest of the Shelby Community Airport (12G) reference point.

The proposal would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 210 feet - a height that exceeds 282 feet above ground level within 3.34 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

Section 77.17(a)(4)

Proposal Increases the Minimum Obstruction Clearance Altitude (MOCA) on Victor Airway V-416-542 from Mansfield VORTAC (MFD), 265 Radial, to JUVDU Intersection from 2500 feet AMSL to 2600 feet AMSL.

MOCAS assure obstacle clearance over the entire route segment to which they apply and assure navigational signal coverage within 22 nautical miles of the associated VOR navigational facility. For that portion of the route segment beyond 22 nautical miles from the VOR, a structure that affects only the MOCA would not be considered to have substantial adverse effect.

Notify FAA within six weeks of start of construction to update aeronautical charts by submitting Supplemental Notice (FAA Form 7460-2), Part 1.

An aeronautical study for Visual Flight Rules (VFR) disclosed that the proposed structure would not affect VFR navigation. The proposed structure would have to exceed 500 feet Above Ground Level (AGL) to penetrate the vertical confines of any VFR route.

Details of the proposed structure were not circularized to the aeronautical public for comment.

The proposed structures' proximity to the airport was considered and found to be acceptable.

The proposed structure was found to have no substantial adverse effect on the VFR traffic patterns in the vicinity of the site.

The impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use and military airports, as well as aeronautical facilities, was considered during the analysis of the structure. The aeronautical study disclosed that the proposed structure would have no substantial adverse effect upon any terminal or en route instrument procedure or altitude.

The cumulative impact (IFR/VFR) resulting for the structure, when combined with the impact of other existing or proposed structures was considered and found to be acceptable.

Therefore, it is determined that the proposed structure would not have a substantial adverse effect upon the safe and efficient utilization of the navigable airspace by aircraft or on any navigation facility and would not be a hazard to air navigation.



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

Aeronautical Study No.
2011-WTE-2275-OE

Issued Date: 03/29/2011

Scott Zeimetz
Element Power
222 South Ninth Street
Suite 2870
Minneapolis, MN 55417

**** 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 BF 91
Location:	Shelby, OH
Latitude:	40-56-25.87N NAD 83
Longitude:	82-44-43.93W
Heights:	492 feet above ground level (AGL) 1506 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 09/29/2012 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 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 April 28, 2011. 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 08, 2011 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.

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.

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 Michael Blach, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTE-2275-OE.

Signature Control No: 137676774-139570583

(DNH -WT)

Sheri Edgett-Baron

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

The proposed construction would be located approximately 4.61 nautical miles (NM) northwest of the Shelby Community Airport (12G). It would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.17(a)(2) by 26 feet - a height that exceeds 466 feet above ground level within 4.61 NM as applied to 12G.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited 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.

