



Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215
Office: 614.227.2300
Fax: 614.227.2390

Dylan F. Borchers
Direct Dial: 614.227.4914
dborchers@bricker.com
www.bricker.com
info@bricker.com

July 31, 2019

Via Electronic Filing

Ms. Tanowa Troupe
Administration/Docketing
Ohio Power Siting Board
180 East Broad Street, 11th Floor
Columbus, Ohio 43215-3793

Re: Seneca Wind, LLC Case No. 18-488-EL-BGN

Dear Ms. Troupe:

In the July 3, 2019 Staff Report of Investigation, Staff recommended “that the Applicant not construct the permanent meteorological towers as proposed, because the Applicant does not currently have FAA authorization.” (Staff Report, Condition 45) On July 22, 2019, the Federal Aviation Administration (“FAA”) issued the attached Determination of No Hazard (“DNH”) notices regarding the permanent meteorological towers for the project. On July 25, 2019, Seneca Wind, LLC submitted these DNH notices to the Ohio Power Siting Board Staff and the Ohio Department of Transportation Office of Aviation.

Please contact me if you have any questions regarding this matter.

Sincerely yours,

Dylan F. Borchers

Attachments



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

Aeronautical Study No.
2018-WTE-5691-OE

Issued Date: 07/22/2019

Peter Pawlowski
S Power
2180 South 1300 East
Salt Lake City, UT 84106

**** 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:	Met Tower (w/WT Farm) Pmet1
Location:	Bloomfield, OH
Latitude:	41-05-00.63N NAD 83
Longitude:	82-55-21.30W
Heights:	955 feet site elevation (SE) 440 feet above ground level (AGL) 1395 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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

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

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

See attachment for additional condition(s) or information.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 01/22/2021 unless:

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

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

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

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

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

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

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

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

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

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTE-5691-OE.

Signature Control No: 368323688-411977980

(DNE -WT)

Paul Holmquist
Specialist

Attachment(s)
Additional Information
Map(s)

Note:

As a condition to this Determination, the structure should be obstruction marked as noted below.

Painting.

The meteorological evaluation tower (MET) should be painted in accordance with the criteria contained in FAA Advisory Circular 70/7460-1L, Chapter 3, paragraphs 3.1 through 3.4, specifically, with alternate bands of aviation orange and white paint. In addition, paragraph 3.5 states that all markings should be replaced when faded or otherwise deteriorated.

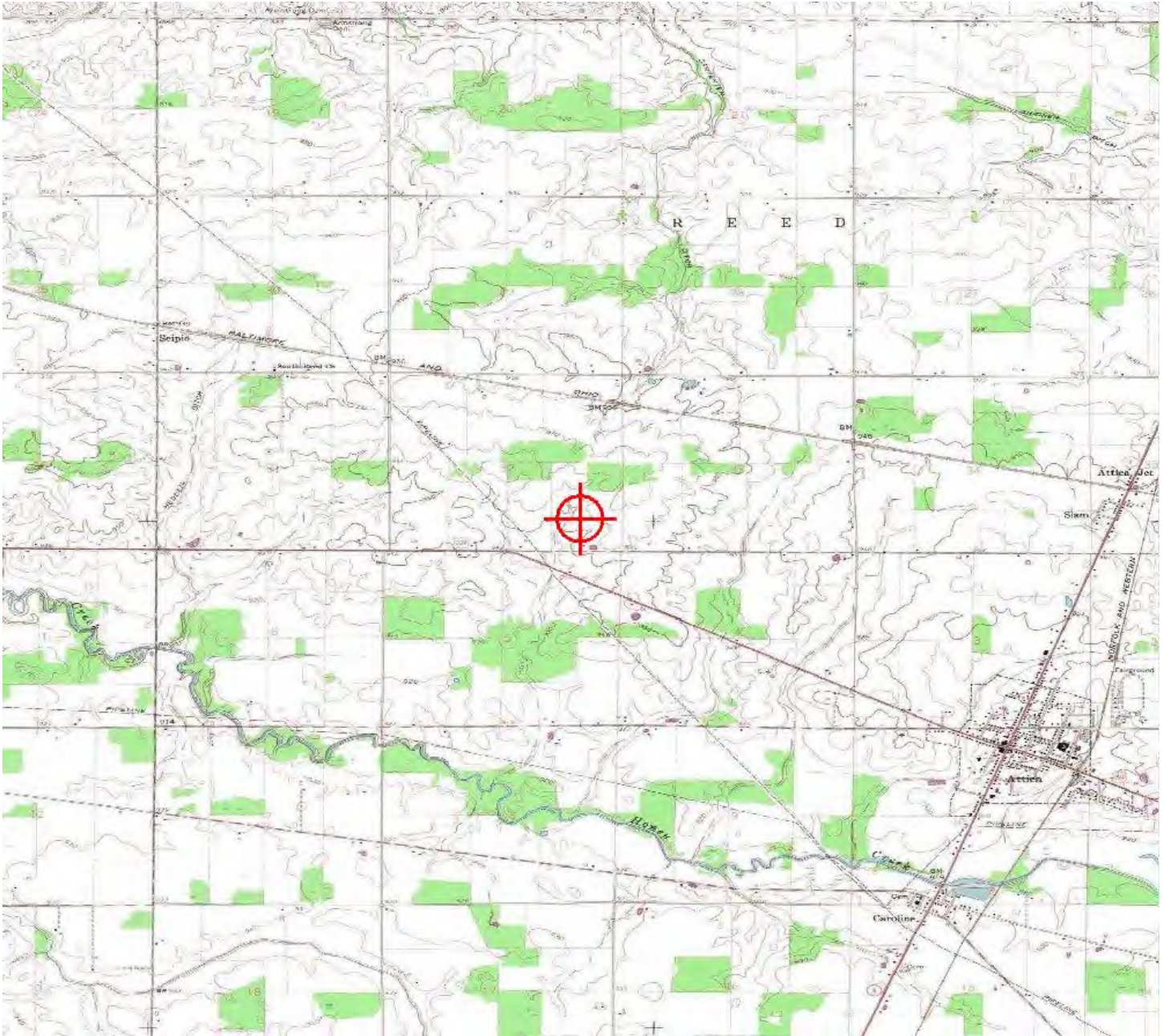
High-Visibility Sleeves.

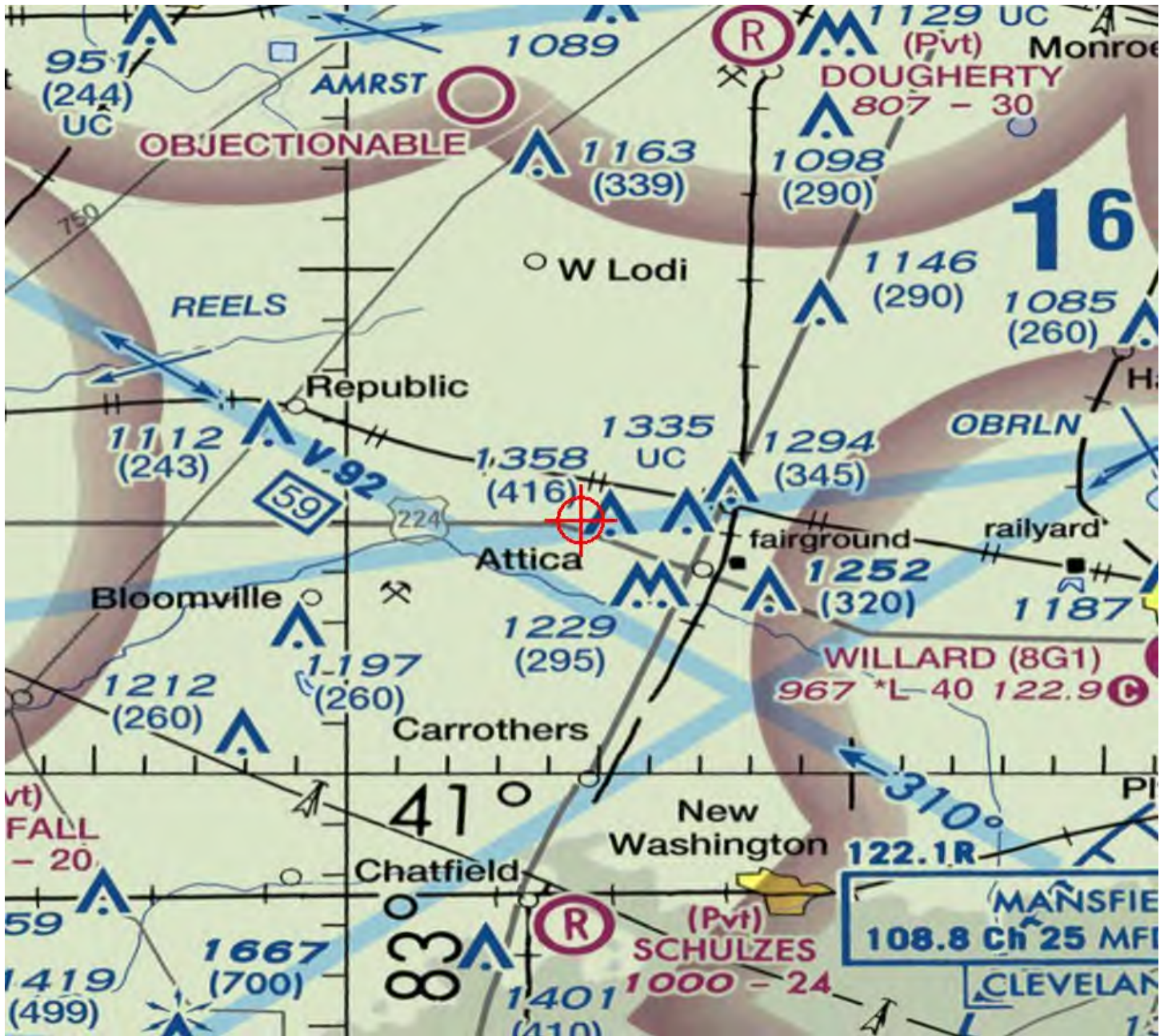
The FAA recommends several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET. The use of sleeves should not impact the placement of spherical marker balls.

Spherical Markers.

The FAA recommends that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. The FAA recommends a total of 8 high visibility spherical marker (or cable balls) of aviation orange color attached to the guy wires; 4 marker balls should be attached to guy wires at the top of the tower no further than 15 feet from the top wire connection to the tower, and 4 marker balls at or below the mid point of the structure on the outer guy wires.

The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.







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

Aeronautical Study No.
2018-WTE-5692-OE

Issued Date: 07/22/2019

Peter Pawlowski
S Power
2180 South 1300 East
Salt Lake City, UT 84106

**** 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:	Met Tower (w/WT Farm) Pmet1a
Location:	Bloomfield, OH
Latitude:	41-05-04.38N NAD 83
Longitude:	82-56-15.21W
Heights:	949 feet site elevation (SE) 440 feet above ground level (AGL) 1389 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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

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

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

See attachment for additional condition(s) or information.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 01/22/2021 unless:

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

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

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

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

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

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

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

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

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

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTE-5692-OE.

Signature Control No: 368323689-411977979

(DNE -WT)

Paul Holmquist
Specialist

Attachment(s)
Additional Information
Map(s)

Note:

As a condition to this Determination, the structure should be obstruction marked as noted below.

Painting.

The meteorological evaluation tower (MET) should be painted in accordance with the criteria contained in FAA Advisory Circular 70/7460-1L, Chapter 3, paragraphs 3.1 through 3.4, specifically, with alternate bands of aviation orange and white paint. In addition, paragraph 3.5 states that all markings should be replaced when faded or otherwise deteriorated.

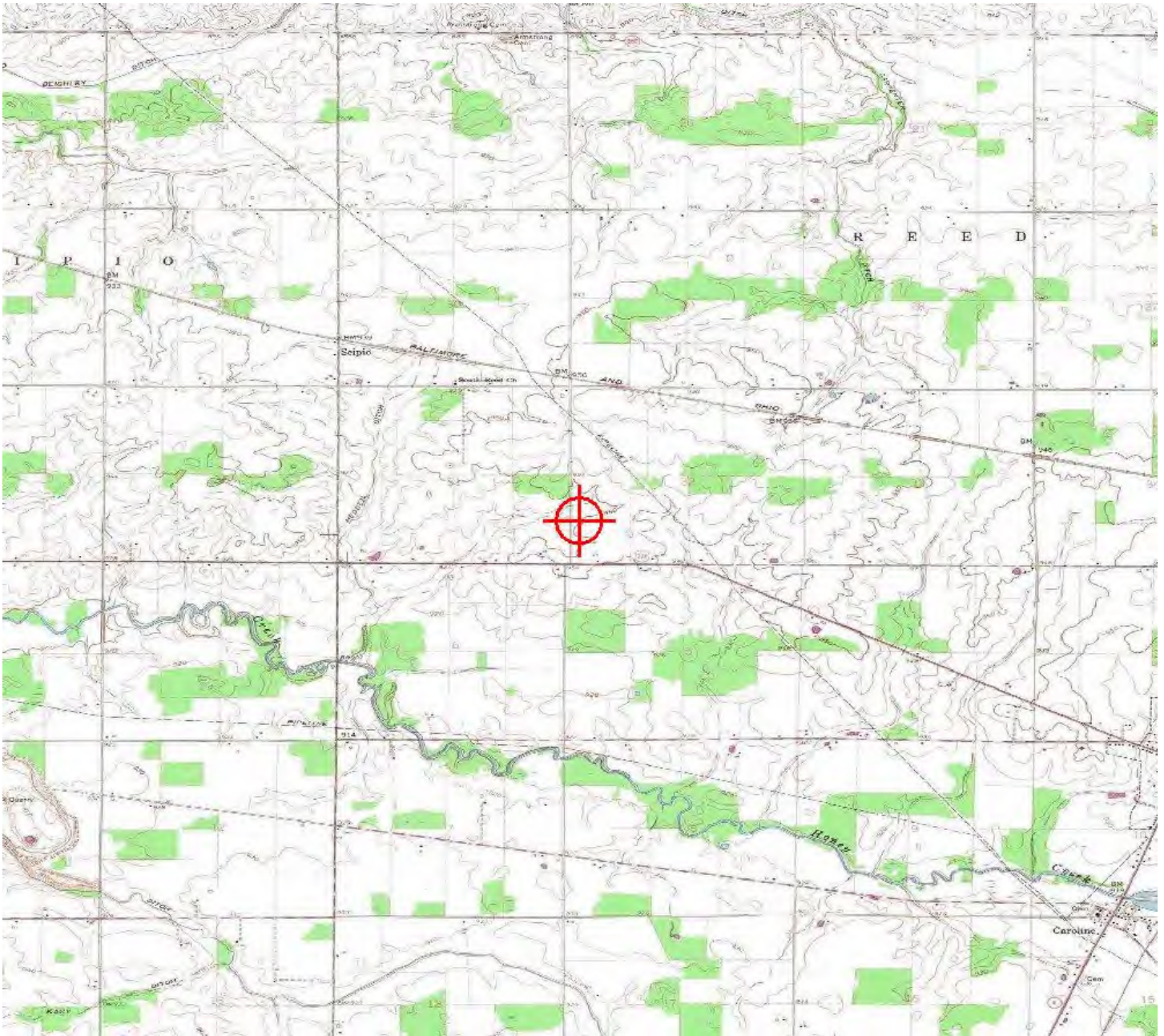
High-Visibility Sleeves.

The FAA recommends several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET. The use of sleeves should not impact the placement of spherical marker balls.

Spherical Markers.

The FAA recommends that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. The FAA recommends a total of 8 high visibility spherical marker (or cable balls) of aviation orange color attached to the guy wires; 4 marker balls should be attached to guy wires at the top of the tower no further than 15 feet from the top wire connection to the tower, and 4 marker balls at or below the mid point of the structure on the outer guy wires.

The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.





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

Aeronautical Study No.
2018-WTE-5693-OE

Issued Date: 07/22/2019

Peter Pawlowski
S Power
2180 South 1300 East
Salt Lake City, UT 84106

**** 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:	Met Tower (w/WT Farm) Pmet2
Location:	Bloomfield, OH
Latitude:	41-01-55.33N NAD 83
Longitude:	83-08-40.24W
Heights:	825 feet site elevation (SE) 440 feet above ground level (AGL) 1265 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 to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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

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

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

See attachment for additional condition(s) or information.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 01/22/2021 unless:

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

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

This determination is subject to review if an interested party files a petition that is received by the FAA on or before August 21, 2019. 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 to the Manager of the Airspace Policy Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on August 31, 2019 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 Policy Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

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

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

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

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when

they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

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

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

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

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

If we can be of further assistance, please contact Paul Holmquist, at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTE-5693-OE.

Signature Control No: 368323690-411976454

(DNH -WT)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Abbreviations

AGL - above ground level

AAMSL - above mean sea level

RWY - runway

VFR - visual flight rules

IFR - instrument flight rules

NM - nautical mile

ASN- Aeronautical Study Number

CAT - category aircraft

Part 77 - Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

1. LOCATION OF PROPOSED CONSTRUCTION

This proposal is for a 440-foot AGL (1265-foot AMSL) meteorological evaluation tower (MET). The tower would be located approximately 29,363 feet (4.83 NM) southeast of Seneca County Airport (16G) Tiffin, OH. The 16G airport elevation is 786 feet above AMSL.

2. OBSTRUCTION STANDARDS EXCEEDED

The structure is identified as an obstruction under the following Part 77 standards:

Section 77.17(a)(2): A height that is 200 feet above ground level or above the established airport elevation, whichever is higher, within three nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport up to a maximum of 500 feet. This structure would exceed the 16G Section 77.17(a)(2) by 57 feet.

3. EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR: No adverse effect.

There are no effects on the VFR traffic pattern.

The impact on any existing or proposed arrival, departure, or en route IFR/VFR minimum flight altitudes: No significant adverse effect. This structure would exceed the 16G Part 77 Section 77.17(a)(2) by 57 feet. Required obstruction marking and lighting mitigates the penetration.

There are no physical or electromagnetic effects on the operation of air navigation and communications facilities.

Effects on any airspace and routes used by the military: the structure will be located within the confines or near a military training route or military training area. All structures associated with the project are located in an area where affordable and feasible actions can be taken by the Air Force to mitigate the project's impacts to the Air Force mission.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR: None.

c. The impact on all planned public-use airports and aeronautical facilities: None.

d. The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures: None.

The Seneca County Airport (16G) Airport Master Record can be viewed/downloaded <http://www.gcr1.com/5010web/airport.cfm?Site=16G>. It states there are 25 single-engine, 9 multi-engine, 1 jet, 0 helicopter, 0 military, 0 ultra- light and 0 glider aircraft based there with 60,165 operations for the 12 months ending 4 October 2018 (latest information).

4. CIRCULATION AND COMMENTS RECEIVED

The proposal was not circularized to the public for comments, as circularization is not required for structures that would exceed the above-cited standard and would be located outside VFR traffic pattern airspace. This does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

5. DETERMINATION - NO HAZARD TO AIR NAVIGATION

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 provided the conditions set forth in this determination are met.

6. BASIS FOR DECISION

Study for possible VFR effect disclosed that the proposed structure would not have a substantial adverse effect on any existing or proposed arrival or departure VFR operations or procedures. In this case, the proposed structure would exceed the 16G Part 77.17(a)(2) surface by a maximum of 57 feet. No other VFR issues could be identified and there are no IFR effects. The incorporation of obstruction marking and lighting will mitigate the Part 77 surface penetrations.

7. CONDITIONS

Within five days after the structure reaches its greatest height, proponent is required to file a FAA form 7460-2, Actual Construction notification, at the OE/AAA website (<http://oeaaa.faa.gov>). This actual construction notification will be the source document detailing the site location, site elevation, structure height, and date structure was built for the FAA to map the structure on aeronautical charts and update the national obstruction database.

Note:

As a condition to this Determination, the structure should be obstruction marked as noted below.

Painting.

The meteorological evaluation tower (MET) should be painted in accordance with the criteria contained in FAA Advisory Circular 70/7460-1L, Chapter 3, paragraphs 3.1 through 3.4, specifically, with alternate bands of aviation orange and white paint. In addition, paragraph 3.5 states that all markings should be replaced when faded or otherwise deteriorated.

High-Visibility Sleeves.

The FAA recommends several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height

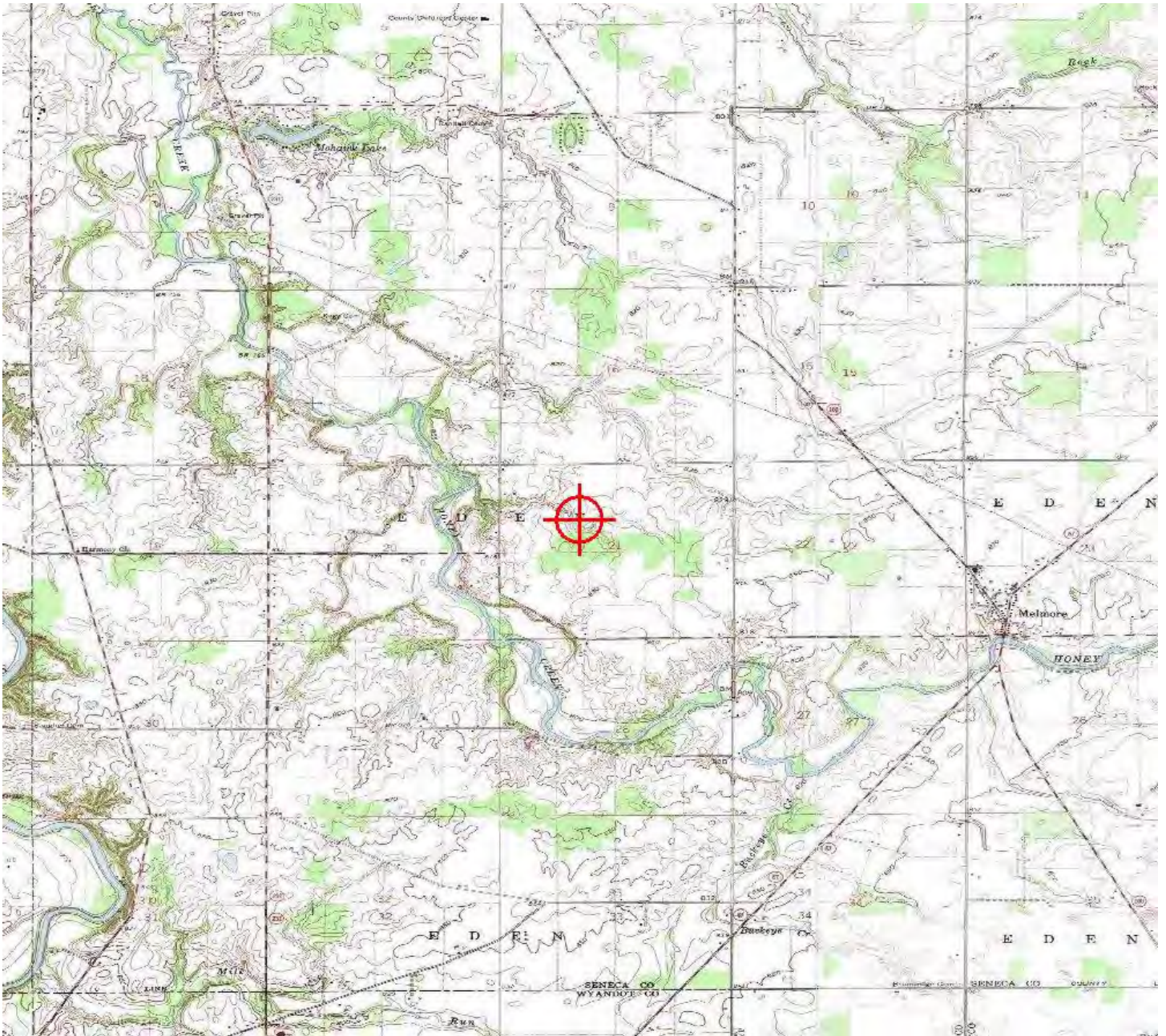
well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET. The use of sleeves should not impact the placement of spherical marker balls.

Spherical Markers.

The FAA recommends that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. The FAA recommends a total of 8 high visibility spherical marker (or cable balls) of aviation orange color attached to the guy wires; 4 marker balls should be attached to guy wires at the top of the tower no further than 15 feet from the top wire connection to the tower, and 4 marker balls at or below the mid point of the structure on the outer guy wires.

The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.

TOPO Map for ASN 2018-WTE-5693-OE







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

Aeronautical Study No.
2018-WTE-5694-OE

Issued Date: 07/22/2019

Peter Pawlowski
S Power
2180 South 1300 East
Salt Lake City, UT 84106

**** 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:	Met Tower (w/WT Farm) Pmet3a
Location:	Bloomfield, OH
Latitude:	41-04-06.79N NAD 83
Longitude:	82-51-37.88W
Heights:	951 feet site elevation (SE) 440 feet above ground level (AGL) 1391 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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

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

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

See attachment for additional condition(s) or information.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 01/22/2021 unless:

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

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

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

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

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

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

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

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

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

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTE-5694-OE.

Signature Control No: 368323691-411977982

(DNE -WT)

Paul Holmquist
Specialist

Attachment(s)
Additional Information
Map(s)

Note:

As a condition to this Determination, the structure should be obstruction marked as noted below.

Painting.

The meteorological evaluation tower (MET) should be painted in accordance with the criteria contained in FAA Advisory Circular 70/7460-1L, Chapter 3, paragraphs 3.1 through 3.4, specifically, with alternate bands of aviation orange and white paint. In addition, paragraph 3.5 states that all markings should be replaced when faded or otherwise deteriorated.

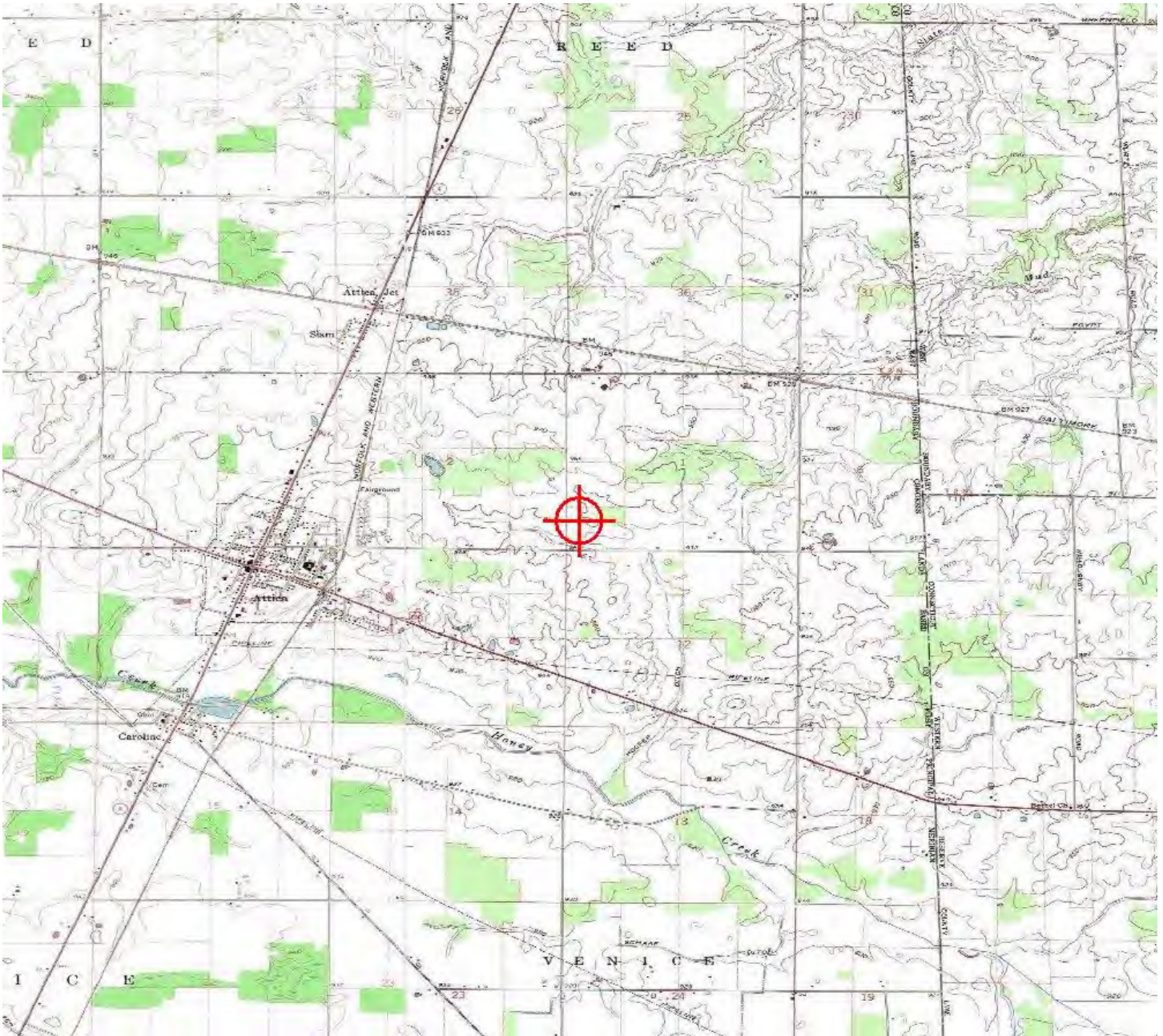
High-Visibility Sleeves.

The FAA recommends several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET. The use of sleeves should not impact the placement of spherical marker balls.

Spherical Markers.

The FAA recommends that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. The FAA recommends a total of 8 high visibility spherical marker (or cable balls) of aviation orange color attached to the guy wires; 4 marker balls should be attached to guy wires at the top of the tower no further than 15 feet from the top wire connection to the tower, and 4 marker balls at or below the mid point of the structure on the outer guy wires.

The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.





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

Aeronautical Study No.
2018-WTE-5695-OE

Issued Date: 07/22/2019

Peter Pawlowski
S Power
2180 South 1300 East
Salt Lake City, UT 84106

**** 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:	Met Tower (w/WT Farm) Pmet4
Location:	Bloomfield, OH
Latitude:	41-00-03.71N NAD 83
Longitude:	83-04-51.97W
Heights:	904 feet site elevation (SE) 440 feet above ground level (AGL) 1344 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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

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

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

See attachment for additional condition(s) or information.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 01/22/2021 unless:

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

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

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

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

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

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

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

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

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

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTE-5695-OE.

Signature Control No: 368323692-411977981

(DNE -WT)

Paul Holmquist
Specialist

Attachment(s)
Additional Information
Map(s)

Note:

As a condition to this Determination, the structure should be obstruction marked as noted below.

Painting.

The meteorological evaluation tower (MET) should be painted in accordance with the criteria contained in FAA Advisory Circular 70/7460-1L, Chapter 3, paragraphs 3.1 through 3.4, specifically, with alternate bands of aviation orange and white paint. In addition, paragraph 3.5 states that all markings should be replaced when faded or otherwise deteriorated.

High-Visibility Sleeves.

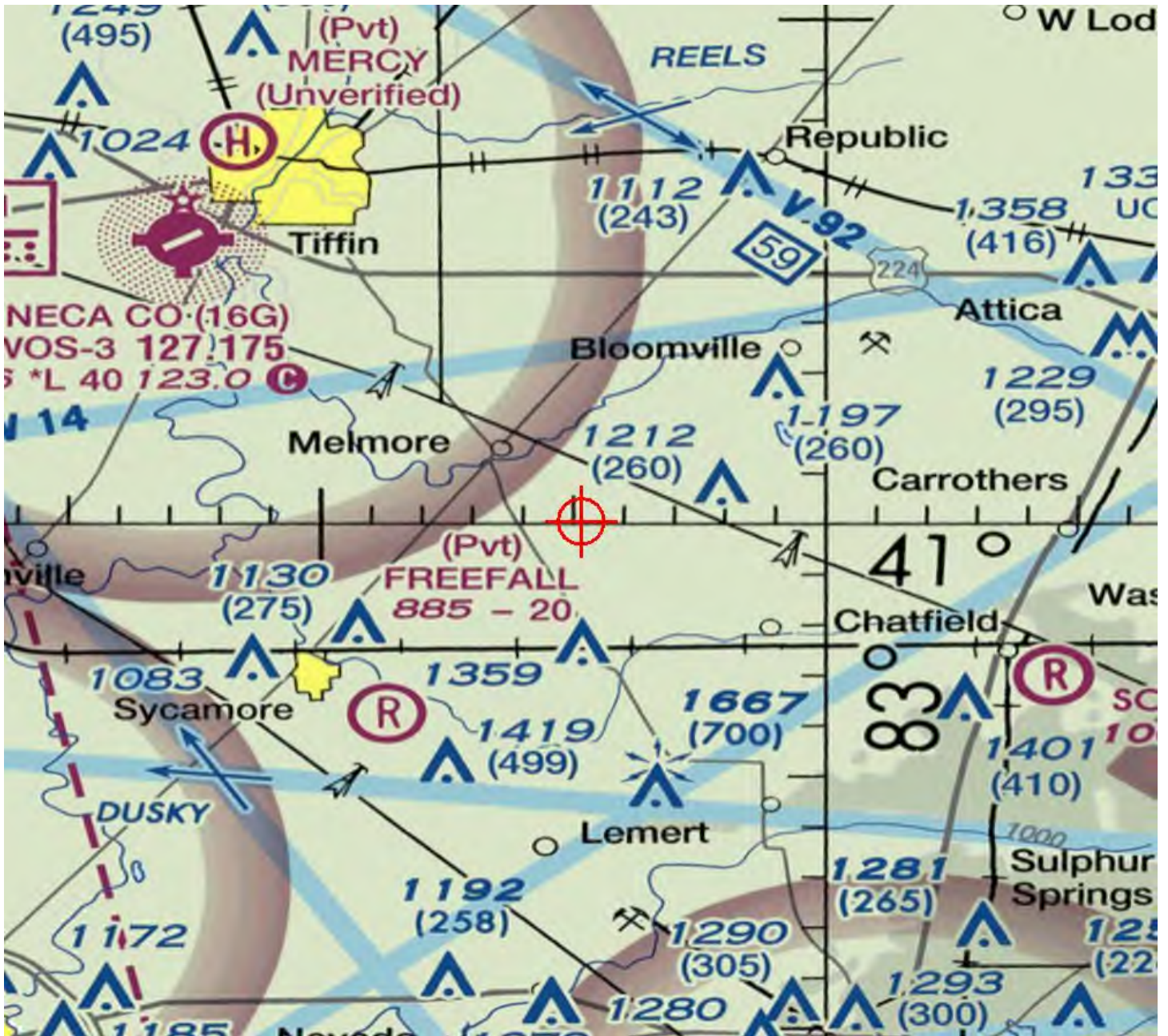
The FAA recommends several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET. The use of sleeves should not impact the placement of spherical marker balls.

Spherical Markers.

The FAA recommends that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. The FAA recommends a total of 8 high visibility spherical marker (or cable balls) of aviation orange color attached to the guy wires; 4 marker balls should be attached to guy wires at the top of the tower no further than 15 feet from the top wire connection to the tower, and 4 marker balls at or below the mid point of the structure on the outer guy wires.

The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.

A topographic map of the Eden, New York area. The map shows Honey Creek flowing through the center, with Buck Run and Mile Run to the south. A red bullseye target marker is placed in the center of the map, near the intersection of Honey Creek and Buck Run. The map includes contour lines, a grid, and labels for various locations such as Melphre, Eden, and Buck Run. The map is oriented with North at the top.





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

Aeronautical Study No.
2018-WTE-5696-OE

Issued Date: 07/22/2019

Peter Pawlowski
S Power
2180 South 1300 East
Salt Lake City, UT 84106

**** 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:	Met Tower (w/WT Farm) Pmet4a
Location:	Bloomfield, OH
Latitude:	41-00-03.86N NAD 83
Longitude:	83-05-01.49W
Heights:	902 feet site elevation (SE) 440 feet above ground level (AGL) 1342 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, paint/red lights - Chapters 3(Marked),4,5(Red),&12.

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

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

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

See attachment for additional condition(s) or information.

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 01/22/2021 unless:

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

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

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

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

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

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

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

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

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

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTE-5696-OE.

Signature Control No: 368323693-411977983

(DNE -WT)

Paul Holmquist
Specialist

Attachment(s)
Additional Information
Map(s)

Note:

As a condition to this Determination, the structure should be obstruction marked as noted below.

Painting.

The meteorological evaluation tower (MET) should be painted in accordance with the criteria contained in FAA Advisory Circular 70/7460-1L, Chapter 3, paragraphs 3.1 through 3.4, specifically, with alternate bands of aviation orange and white paint. In addition, paragraph 3.5 states that all markings should be replaced when faded or otherwise deteriorated.

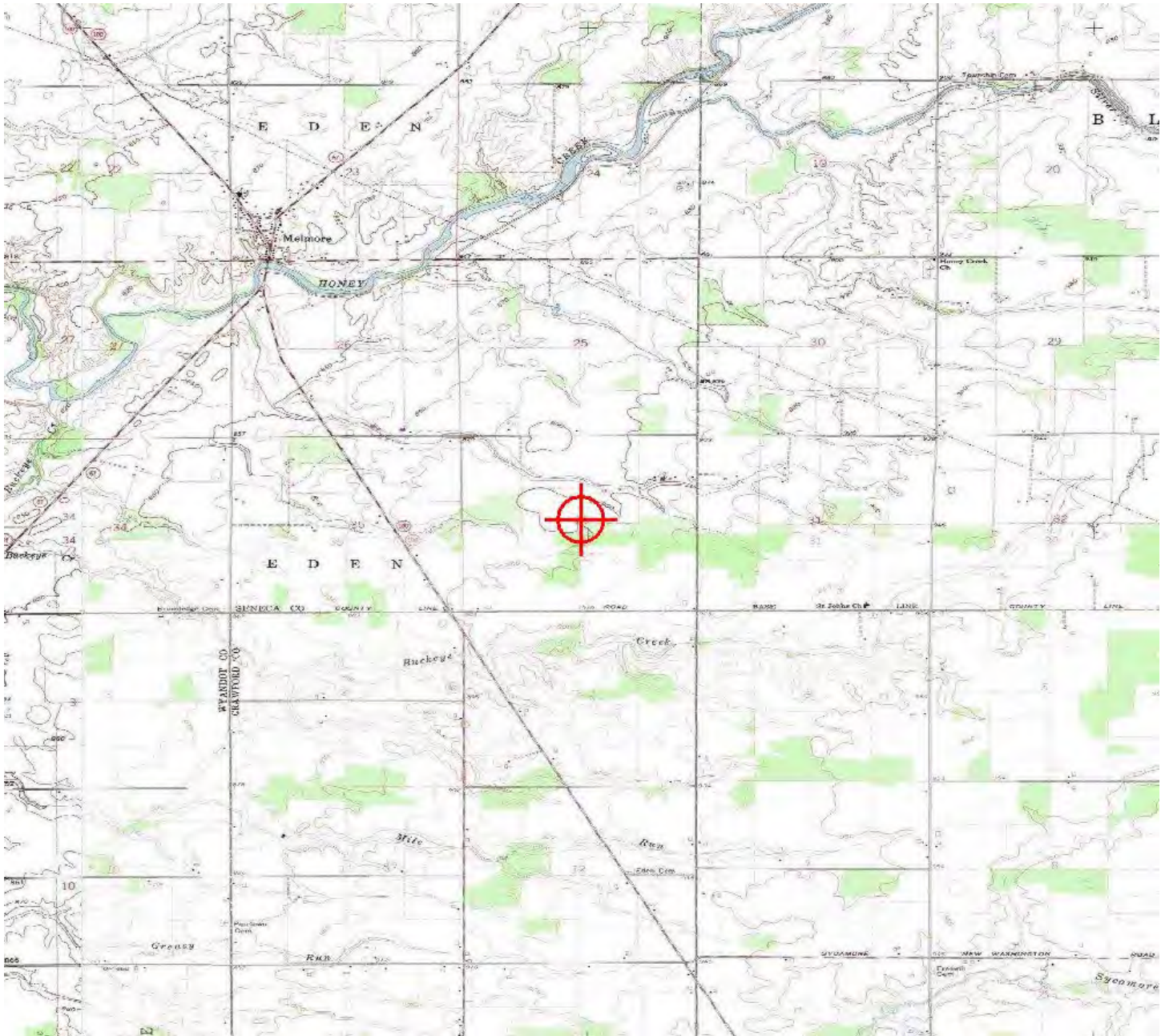
High-Visibility Sleeves.

The FAA recommends several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET. The use of sleeves should not impact the placement of spherical marker balls.

Spherical Markers.

The FAA recommends that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. The FAA recommends a total of 8 high visibility spherical marker (or cable balls) of aviation orange color attached to the guy wires; 4 marker balls should be attached to guy wires at the top of the tower no further than 15 feet from the top wire connection to the tower, and 4 marker balls at or below the mid point of the structure on the outer guy wires.

The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.





This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/31/2019 2:56:58 PM

in

Case No(s). 18-0488-EL-BGN

Summary: Correspondence of Seneca Wind, LLC Submitting FAA Determination of No Hazard Notices Regarding the Permanent Meteorological Towers electronically filed by Teresa Orahod on behalf of Dylan F. Borchers