



December 7, 2023

Allen Wynn
Senior Director, Environmental & Permitting
Pattern Energy
888 Westheimer Road, Suite 350
Houston, TX 77006

RE: Aero Acres Private-Use Airport (IL51) and Planned Wind Development

Dear Mr. Wynn,

As you know, the Federal Aviation Administration (FAA) has previously conducted an aeronautical study of the Heritage Wind project located in proximity to private-use airports, including Aero Acres Airport (IL51). The purpose of an FAA aeronautical study is to determine whether the planned wind turbines would have a substantial impact on the safety or efficiency of navigable airspace. During their aeronautical study, the FAA will consider the potential for impacts on existing and planned public-use airports, Federally owned airports regardless of public or private use, and airports that have at least one "FAA-approved instrument approach."¹ In addition, the FAA will consider the potential for impact on published or planned air traffic operations, such as: visual flight rules (VFR), enroute flight routes, instrument departure procedures, and instrument approach procedures.

Since Aero Acres Airport (IL51) is a privately owned, private-use airport with no existing or planned instrument approach procedures, the FAA did not, and will not, evaluate its air traffic operations during an aeronautical study. Further, the FAA will not apply 14 CFR Part 77.19 obstruction standards, such as the 14 CFR Part 77.19(a) horizontal surface. This is evident by the issuance of favorable Determinations of No Hazard for wind turbines up to 698 feet above ground level (AGL) and as close as 2,220 feet from the private-use airport's reference point.² However, the project must still comply with any other required local, State, or Federal regulations, laws, and ordinances.

The Illinois Department of Transportation (DOT) has established "Minimum Dimensional Standards" that could limit the placement or height of planned wind turbines. [Figure 1](#) below depicts these IDOT standards for IL51. While these standards use similar nomenclature to 14 CFR Part 77, they differ in some cases. For example, wind turbines within 5,000 feet of the geographic center of a private-use airport may exceed the horizontal surface, as defined in Illinois Administrative Code.³ For airports with a single runway, the geographic center of the airport would be the center point of the runway which is also referred to as the airport reference point. This standard is different from, and relatively smaller than, FAA's horizontal surface described in 14 CFR Part 77.19(a).

Turbines that have favorable FAA determinations and are more than 5,000 feet from the geographic center of the airport comply with both aviation requirements associated with FAA under 14 CFR Part 77 and Illinois DOT under Title 92, Chapter 1, Subchapter b, Part 14, Section 14, Appendix A, Illustration A.

Please direct any questions regarding to me at (703) 256-2485 or via email at chris.harrington@capitolairspace.com.

Sincerely,

Chris Harrington
Project Manager

¹ 14 CFR 77.15 "Scope"

² For reference, see favorable FAA determinations of no hazard; example aeronautical study number (ASN) 2022-WTE-3438-OE

³ Illinois Administrative Code, Title 92, Chapter 1, Subchapter b, Part 14, Section 14, Appendix A, Illustration A, Airports (Public- or Private-Use) Minimum Dimensional Standards

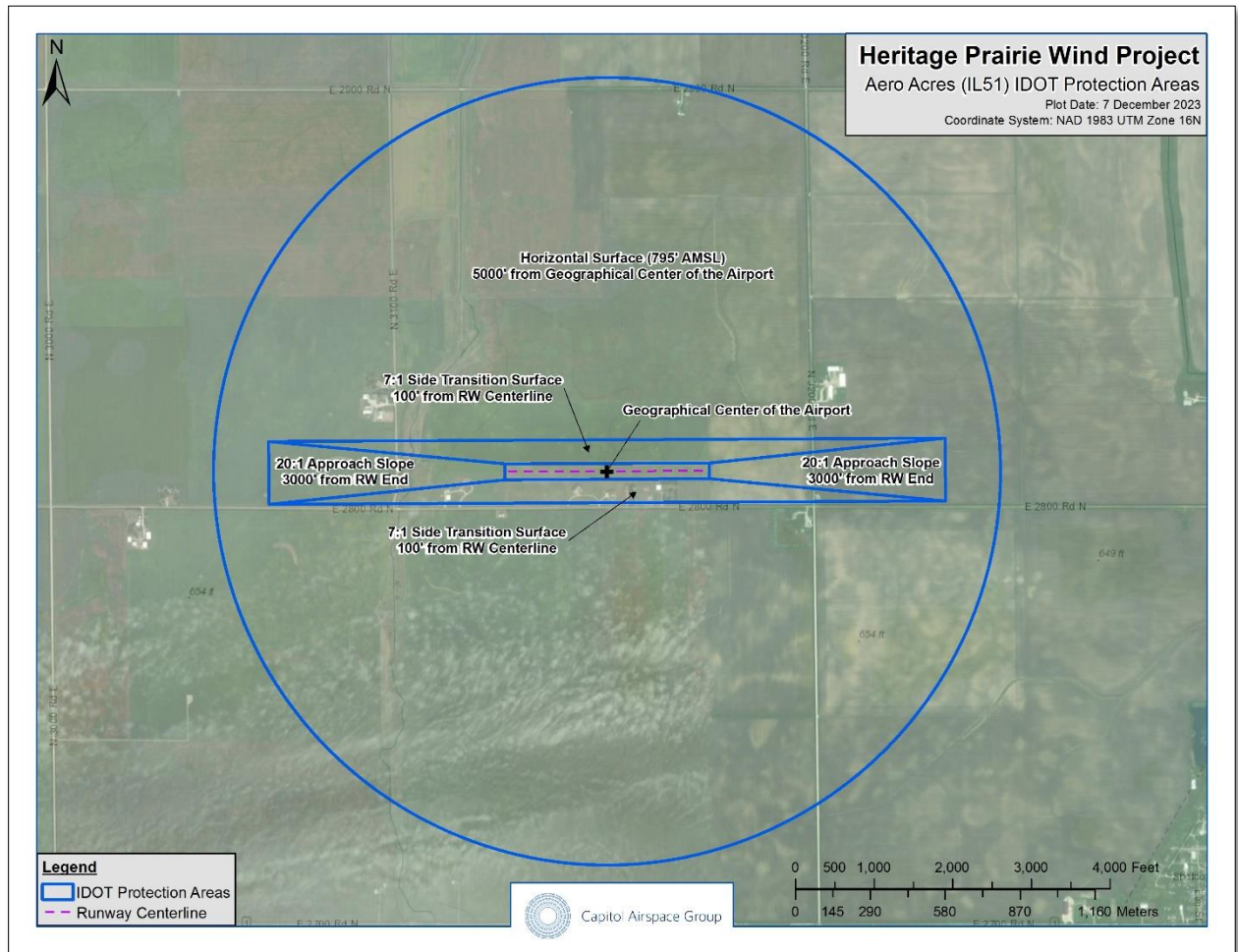


Figure 1: Aero Acres (IL51) IDOT Protection Areas