



**US Army Corps
of Engineers**®
New England District

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AERONAUTICAL NAVIGATION SAFETY

The Federal Aviation Administration's authority to promote the safe and efficient use of the navigable airspace for any proposed structure is predominately derived from 49 United States Code, Section 44718, Title 14, Code of Federal Regulations, Part 77, *Objects Affecting Navigable Airspace*, which was adopted to establish notice criteria for proposed construction or alteration that would protect aircraft from encountering unexpected structures. The primary objective of an evaluation under Part 77 is to ensure the safety of air navigation and efficient utilization of navigable airspace by aircraft.

Any object greater than 200 feet above ground level (AGL) in height meets the FAA's definition of an obstruction to navigable air space. The height of the proposed individual wind turbines exceeds this 200 feet AGL threshold; therefore, notification is required.

To initiate the FAA study, the Project proponent has filed a *Notice of Proposed Construction or Alteration* (FAA Form 7460-1) for each proposed turbine specifying the exact location. The FAA will evaluate the proposed structures' effect on:

- Existing and proposed public-use and military airports and /or aeronautical facilities;
- Existing and proposed visual flight rule (VFR) / instrument flight rule (IFR) aeronautical departure, arrival and en route operations, procedures and minimum flight altitudes;
- Physical, electromagnetic, or line-of-sight interference on existing or proposed air navigation, communications, radar, and control systems facilities; and
- Airport capacity, as well as the cumulative impact resulting from the structure when combined with the impact of other existing or proposed structures.

The FAA Form 7460-1 also details the proposed lighting scheme that the Proponent suggests will result in the turbines being sufficiently visible to pilots in order to ensure safe air travel. The Proponent has initiated several consultations with the FAA – New England Region staff and has worked with them to develop an acceptable lighting scheme (low-intensity flashing red). This lighting scheme is being installed on a data acquisition tower presently being constructed in Nantucket Sound. The experience of the lighting scheme for the data acquisition tower may provide a basis for design of safe lighting for the proposed wind turbines.

The aeronautical studies conducted by the FAA will determine if the turbines pose a hazard to aeronautical safety. Upon completion of their review, the FAA will either issue a Determination of No Hazard or attempt negotiations with the proponent to mitigate impacts. This evaluation will be incorporated into the EIS to evaluate and mitigate potential effects.