

Wind energy siting requirements are covered extensively at the federal level

and in most cases, at the local level too.

There are a number of regulations, resources, and best practices that ensure wind farms are sited safely and responsibly, taking the military, environment, avian species, cultural, and land use priorities in account.

FEDERAL Environmental Regulations & Cultural Preservation



Endangered Species Act

Lead Agency: U.S Fish and Wildlife Service

Prohibits the take* of species listed under the act without specific permits, which require extensive studies and research to obtain.



National Environmental Review Act

Lead Agency: Varies

Triggered by federal component in the project. Lead agency must conduct studies to determine significant adverse environmental impacts from the project.



Bald and Golden Eagle Protection Act

Lead Agency: U.S Fish and Wildlife Service

Prohibits the take* of Gold and Bald Eagles without a permit from USFWS. Permits require extensive studies and often include impact mitigation and conservation measures.



USFWS Wind Energy Guidelines

Developed by the multi-stakeholder Federal Advisory Council, comprised of wind developers, nonprofit organizations, state and federal agencies, and legal professionals, to provide developers with siting best-practices to avoid serious wildlife impacts.



Migratory Bird Treaty Act

Lead Agency: U.S Fish and Wildlife Service

Prohibits the take* of any of the 1,000+ bird species covered under the act. USFWS provides guidance to developers to avoid the incidental take of covered species.



National Historic Preservation Act

Lead Agency: Advisory Council on Historic Preservation

Requires a review and study of impacts to historic resources by certified professionals. Projects cannot proceed without an agreement from ACHP.



*The term 'take' means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

FEDERAL Military Protection

Obstruction Evaluation and Airport Airspace Analysis

Lead Agency: Federal Aviation Administration

All towers over 200 ft need to undergo obstruction evaluation by the FAA starting with a Notice of Proposed Construction from the developer, which includes detailed maps and drawings of the terrain, each individual turbine's coordinates and elevation, distance from airports and military bases, and proposed marking and lighting.

Through the FAA review process, all branches of the military as well as federal agencies with radar assets are engaged and have the opportunity to raise objections. These agencies include the Department of Defense, the Department of Homeland Security, and the National Oceanic and Atmospheric Administration. **All projects under FAA review are mandatorily subjected to review by the DOD Siting Clearinghouse.**

Determination of No Hazard

Lead Group: Department of Defense Siting Clearinghouse

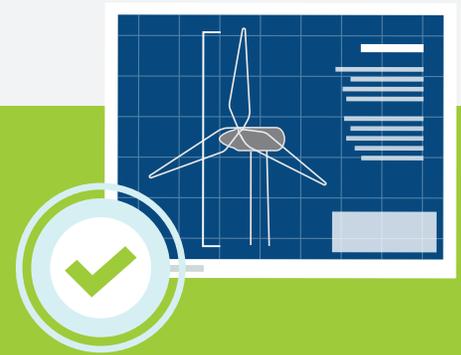
All branches of the military and every potentially impacted base thoroughly reviews the details of the proposed project for potential impacts through technical and operational studies.

They proactively work with developers to identify and address potential conflicts or concerns before building begins, resulting in fewer cancelled projects as a result of earlier military input.

The mitigation process may require additional studies be conducted, or project modifications including siting adjustments, operational timing and radar improvements.

Projects are only issued a **Determination of No Hazard**

when both the DOD Siting Clearinghouse and FAA have determined that it **will not have an adverse impact on military operations and readiness.**



LOCAL County Zoning Ordinance

Zoning ordinances are adopted by a county to promote the orderly and controlled development within its borders. As it relates to wind energy, these ordinances regulate several aspects of a wind farm including:

- 01 Setbacks**
The minimum distance a wind turbine must be built from roads, property lines, buildings, and other infrastructure within the county.
- 02 Shadow Flicker**
Counties either regulate the hours of shadow flicker or prevent shadow flicker on nearby occupied buildings with third party verification.

For counties that do not currently have a wind specific ordinance, most states have adopted a model wind ordinance to guide counties in adopting best practices.

- 03 Decommissioning**
Dictate what parts are included in decommissioning and evidence of financial security for the cost of decommissioning.
- 04 Noise**
The maximum audible sound measured at an occupied building on another's property with third party verification.