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**HOUSE OF REPRESENTATIVES**  
COMMONWEALTH *of* PENNSYLVANIA

*House Democratic Policy Committee Hearing*

**Anthracite Ridge Wind Project Breakfast Presentation**

**Wednesday, October 27, 2021 | 9:00 A.M.**

**TODAY'S SPEAKERS:**

**Mike Manzo, Senior Vice President**  
*Triad Strategies*

**Jeff Hunsicker, Senior Consultant**  
*Triad Strategies*

**Asa Saidman, Associate**  
*Triad Strategies*

**Nick Cohen, President**  
*Doral Renewables LLC*

**Ed Chupein, Dare Strategies**

**Dave Belotte, Dare Strategies**

*Q & A with Legislators*

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# Anthracite Ridge Wind

Mitigation Response Discussion

House Democratic Policy Committee

October 27, 2021

# Background

In 2011, Congress first established a legal framework to facilitate compatible renewable energy projects near Department of Defense installations and their associated training areas. Across the United States this law, in its current form 10 U.S. Code § 183a, continues to successfully balance the needs of national security with the transition to green energy and the rights of private land owners. The PA DMVA and the PANG have proven to be the rare exception as they continue to defy the statute and the supporting DOD policy.

At risk is the \$300 million Anthracite Ridge Wind Project, associated jobs and tax revenues. Doral Renewables and its associates have committed to the Mission Compatibility Evaluation process *“to identify feasible and affordable actions that can be taken by the Department, the developer, or others to mitigate any adverse impact on military operations and readiness.”* We believe that Fort Indiantown Gap and DMVA have failed to offer or seriously consider proffered mitigation options; instead, they have decided to negatively influence public discourse with dubious or misinformed declarations that end-run the spirit of the law and established DOD processes and reserved authorities.

# Mission Compatibility Evaluation Process

*“The DoD's Mission Compatibility Evaluation (MCE) process provides a timely, transparent, and science-based analysis of potential impacts to military operations. Once impacts are identified, the DoD works to identify mitigation strategies to minimize those impacts.”*

*Military Aviation and Installation Assurance Siting Clearinghouse  
Mission Compatibility Evaluation Process*

# 32 CFR §211

## Roles & Responsibilities

### §211.9 Mitigation options

#### ■ Department of Defense

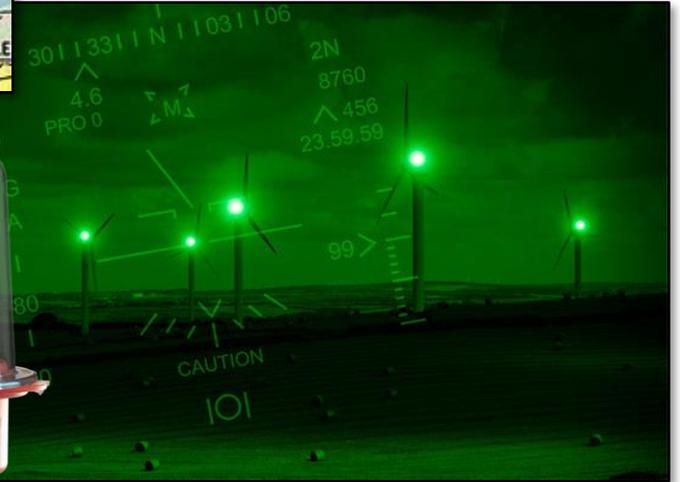
- Modifications to military operations.
- Modifications to radars or other items of military equipment.
- Modifications to military test and evaluation activities, military training routes, or training procedures.
- Providing upgrades or modifications to existing systems or procedures.
- The acquisition of new systems by the DoD and other departments and agencies of the Federal Government.

#### ■ Developer

- Modification of the proposed structure, operating characteristics, or the equipment in the proposed project.
- Changing the location of the proposed project.
- Limiting daily operating hours or number of days in use in order to avoid interference with military activities.
- Providing a voluntary contribution of funds to offset the cost of measures undertaken by the Secretary of Defense to mitigate adverse impacts of the project on military operations and readiness.

# 14 CFR Part 77 Accepted Safety Mitigations

- Night Vision Google Compatible Lighting
- Fund mods to radar software (if required)
- Anti-Icing Systems
- Change to Minimum Vectoring Altitude



# Revised Mitigation Layout 40 Turbines



>51% Reduction in Number of Turbines

≈ 30% Reduction in Layout Footprint; Restores Training Space

# Requested Considerations

- Active, transparent engagement w/ Anthracite Ridge IAW statute and DOD policy
- Review command restrictions that might enable more flexible use of the Northern Training Area (NTA); for example:
  - No more than 3 aircraft per NTA subsection
  - No training below Restricted Area 5802A, even when inactive
  - Most conservative risk management methodology
- Consider more expansive use of NTA within 25NM training radius
  - Expand boundary of NTA-B/C to north slope of Line Mountain
  - Expanded use of State Gamelands/Forest for training (vice private land)
- Accept some modest run-in azimuth restrictions at some LZs
- Revise analytical approach: Assume the project is a commercial or residential development with no means for DOD objection; how would you overcome training impacts?

***Northern Training Area: Approximately 451,000 Acres / 532 Square NMs***

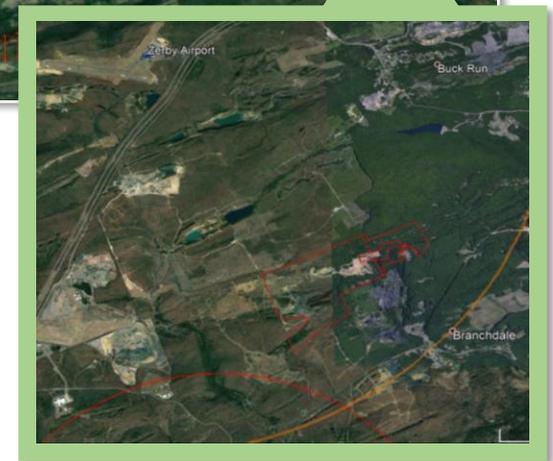
***Anthracite Ridge footprint is approximately 4,200 Acres / 5 Square NMs***

# The Tactical Landscape



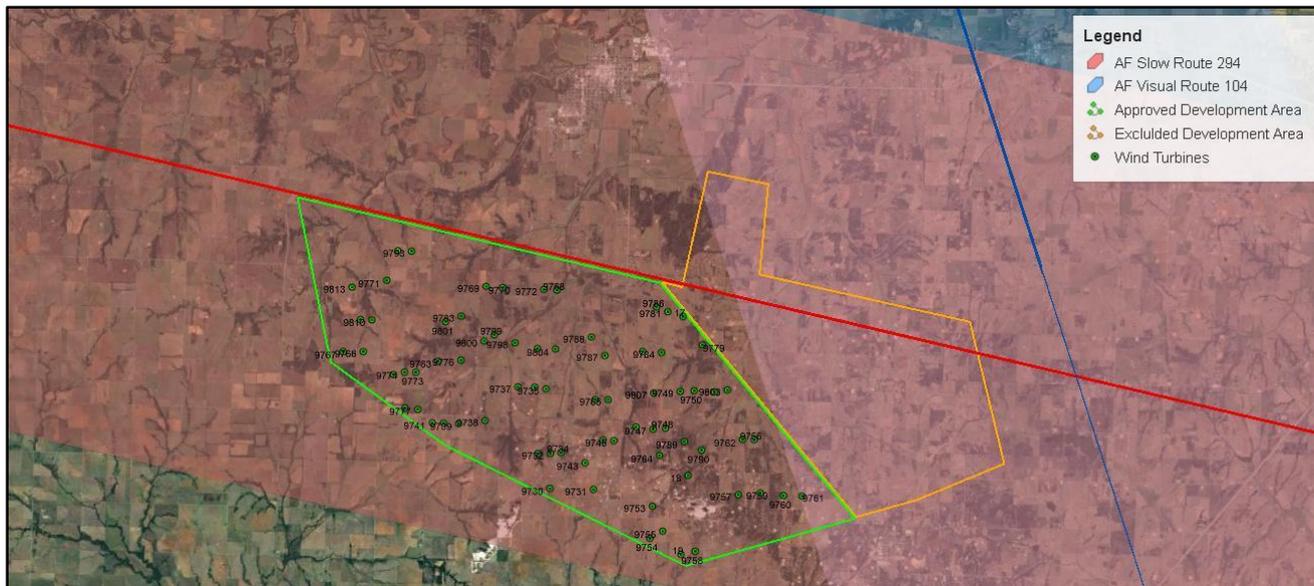
# BACKUPS

# Discussion of Alternate HLZs within 25NM of MUI



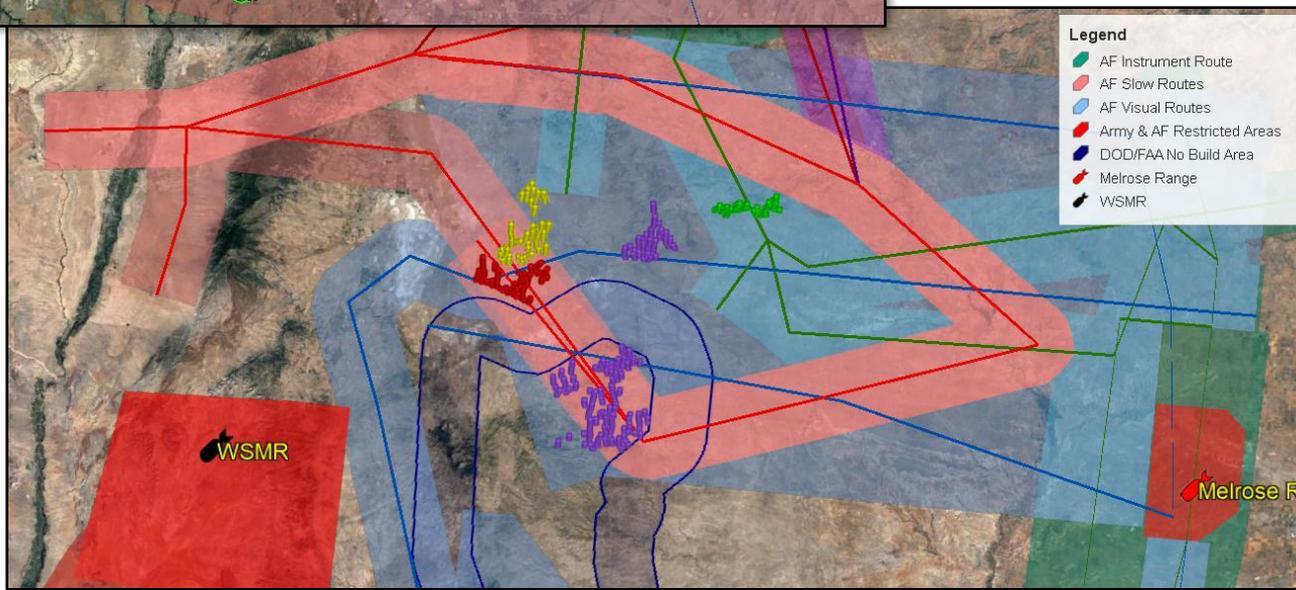
**Rausch Creek Properties is considering a no-cost lease agreement for acreage at Branchdale Mine to develop an Helicopter Landing Zone; will require an agreement with Zerby Airport**

# Successful Mitigation Efforts



White Rock Wind, OK:  
Intensive engagement  
resulted in compatible  
development with  
minimal impact to  
mission

Successive, large scale  
NM wind energy  
development impacting  
multiple Services and  
diverse mission sets



Dear House member,

We have been watching with great interest the ongoing debate over whether or not Pennsylvania should join the Regional Greenhouse Gas Initiative. Supporters of RGGI have repeatedly made the claim that moving towards renewable energy sources will create good paying jobs, a claim that has been hotly debated in Harrisburg.

With that as a backdrop, it is mystifying to our members why the Commonwealth of Pennsylvania is turning its back on a massive alternative energy project that will literally illustrate their case in black and white.

Global Energy Generation has proposed a \$300 million wind farm in Schuylkill County, a project that will be built with approximately 300 members of organized labor. The Anthracite Ridge project will return an abandoned mine to the tax rolls and is 100% privately funded. If there was ever a project that showcases the partnership that can exist between RGGI supporters and the building trades, this is it.

But instead of celebrating this potential partnership, the leadership at Fort Indiantown Gap has decided to scuttle the project by refusing to negotiate a mitigation plan with the developer, as is required by federal law. Instead, have spent their time appearing at local zoning meetings and spreading misinformation about the project.

If the governor and RGGI supporters are serious about claims that this policy is about creating jobs, it is long past time to come to the table on behalf of 300 men and women of the building trades who are ready to get to work. Anything less is just more wind.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Gratti, Jr.", written in a cursive style.

Anthony Gratti, Jr.

Business Manager

IBEW 607 Shamokin Pa.



DEPARTMENT OF MILITARY AND VETERANS AFFAIRS  
OFFICE OF THE ADJUTANT GENERAL  
**COMMONWEALTH OF PENNSYLVANIA**  
FORT INDIANTOWN GAP  
ANNVILLE, PENNSYLVANIA 17003-5002  
www.dmva.pa.gov

October 16, 2021

Hegins Township Zoning Hearing Board  
421 South Gap Street  
Valley View, PA 17983

Dear Members of the Zoning Hearing Board:

As an initial matter, the Pennsylvania National Guard (PANG) joins the objections of the parties opposing Anthracite Ridge, LLC's (hereinafter "Applicant") application. The PANG does not waive its ability to raise these or other objections on its own (particularly at the close of the Applicant's case). However, please allow the attached to serve as the PANG's comments and recommendations as required under Section 4(7) of the Wind Energy Safety Ordinance (WESO) to Project No. 191023.001.

The PANG is unable to issue any requirements and/or directives that would allow the PANG to approve this project. Project No. 191023.001 is a physical hazard to aviators. It is detrimental to the PANG's national security mission. It frustrates the economic impact the PANG has to the community and it is a hazard to the environment.

**Project 191023.001 is Unsafe**

Project 191023.001 is needlessly dangerous to Army aviators. Army rotary wing (RW) aircraft must conduct tactical, low-level flights to maintain proficiency and readiness. The placement of 44 wind turbines in the heart of the Army's Northern Training Area (NTA) and RW training space creates an unsafe environment. The required stand-off distance for a RW flight is three (3) kilometers (or 9,800 feet) of lateral distance and makes this area of the proposed wind turbine installation unusable.

The Applicant's proposals to mitigate known hazards are insufficient. The applicant recommended adjusting maneuver corridors and approaches to landing zones (LZ).<sup>1</sup> The recommendations are inadequate considering the maneuver space required to conduct low-level tactical training and enable aircrews to respond to emergencies.

The Applicant recommended amending approaches and departures to LZs in proximity to template wind turbines. The recommendations do not consider variable and shifting wind conditions, effects of illumination that impact required flight under Night

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<sup>1</sup> Maneuver corridors are essentially "highways in the sky" that pilots operate within. Landing zones are areas where an aircraft lands upon conclusion of their flight in the course of operations or emergencies.

Vision Goggles (NVGs), and escape routes for failed approaches or potential aircraft emergencies that require variable maneuver space to maintain the safety of the aircraft and aircrew.

Current Visual Flight Rules (VFR)<sup>2</sup> weather minimums established at the Muir Army Air Field (AAF or KUMI)<sup>3</sup> ensures aircrews can operate safely within the NTA. Installation of wind turbines will require Muir AAF to increase VFR cloud ceiling<sup>4</sup> and visibility requirements to ensure obstacle avoidance and safe operation. Increasing Muir AAF VFR weather minimums to ensure the safety of aircrew will have a detrimental impact on RW training, resulting in reduced days available to train due to inclement weather.

All of the Applicant's recommendations ask the National Guard to compromise the safety of the aircrews and accept dangerously close flights in the proximity of wind turbines. The Applicant's proposal is unsafe and the risk to aviators and operations cannot be adequately mitigated.

### **Inconsistent with Aviation Operations**

The PANG Aviation Program is the largest National Guard program of its type in the Nation. The Muir AAF facilitates approximately 10,000 flight hours annually. This is second only to the RW aviation proponent and flight school out of Fort Rucker, Alabama. The Muir AAF is home to the largest Army National Guard aviation training site, which produces aircraft qualifications in the UH-60 Blackhawk and CH-47 Chinook<sup>5</sup> for hundreds of students from all components of the U.S. Army (Active, Guard, and Reserves).

Aviators take off and land at the Muir AAF. The training is conducted over the NTA, a unique area in the Nation because the PANG has been able to balance the core issues of maneuver space, density of users, property ownership and the surrounding community, equipment on-hand and in-use, and the volume and altitude of airspace required to conduct training.

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<sup>2</sup> Flight rules adopted by the FAA governing aircraft flight using visual references. VFR operations specify the amount of ceiling and the visibility the pilot must have in order to operate according to these rules. When the weather conditions are such that the pilot cannot operate according to VFR, he or she must use instrument flight rules (IFR).

<sup>3</sup> The Muir AAF is located at Fort Indiantown Gap, Annville, PA 17003.

<sup>4</sup> The height above the earth's surface of the lowest layer of clouds, which is reported as broken or overcast, or the vertical visibility into an obscuration.

<sup>5</sup> UH-60 Blackhawk and CH-47 Chinook are Army RW aircraft.

The PANG analysis shows erecting 44 wind turbines detrimentally impacts airspace when overlaid against Restricted Areas (R-) 5802A, 5802B, 5802C, the NTA, and regulatory stand-off distances from obstacles associated with various airspace structures. Wind Turbines planned in Schuylkill County would affect aviation traffic from the Muir AAF, Schuylkill County airport (KZER), Bendigo (74N) airport, airways associated with the Ravine VHF Omnidirectional Radio Range (VOR) navigational aid, and Unmanned Aircraft Systems (UAS).

Adding wind turbines will require amended procedures for minimum altitudes along routes, approaches and departure for the Muir AAF (KMUI), Schuylkill County (KZER), and Bendigo (74N) airports. The current Muir AAF radar can track aircraft within the NTA, but this cannot be guaranteed upon the installation of wind turbines. Phenomenon such as "shadowing" and "target loss" can create interference with the current radar systems. An additional concern is the possibility of interference of UAS Ground Control Station (GCS) and UAS flying in restricted areas.

A loss in the ability to fly low level tactical flight maneuvering due to the inability to fly in and around wind turbines would impact Fort Indiantown Gap's ability to offer aviation training to the wider military community. The Army will not hesitate to move the Eastern Area Aviation Training Site (EAATS) if the PANG cannot satisfy the Army's mission and training requirements. The result of lost force structure would reduce RW aircraft by 70% or more as they would be removed from the PA Army National Guard's inventory.

All of the aircraft that would be re-allocated to other states are based out of the Muir AAF. It would also result in a loss of force structure from the PA Army National Guard, which includes more than 303 full-time employees that work at Fort Indiantown Gap in support of aviation activities and two Brigade-sized elements equaling almost 2,000 Soldiers on the KMUI. This would have a significant negative impact on the PA Army National Guard's ability to respond to emergencies in the Commonwealth, such as natural disasters and National Special Security Events. This project reduces the community's safety because it takes away from the lifesaving work our personnel performs. In short, this proposal frustrates the PANG from being able to conduct its national defense and national security missions.

### **Economic Impact**

Fort Indiantown Gap is the busiest National Guard training center in the United States; training roughly 135,000 plus military personnel annually and is the second busiest heliport in the U.S. Army. The Applicant's proposed wind turbine locations will reduce useable RW maneuver space in a critical location, making that land and airspace unusable for RW training. An inability to train critical tasks associated with unit readiness and mobilization would negatively impact national security.

Units will not be trained or prepared to meet the demands of missions overseas and within the continental U.S. This would make reduce the value of Fort Indiantown Gap to the Army and likely cause the Army to find another area to conduct its operations. The National Guard provides almost \$2,000,000,000.00 (two billion) dollars to the Commonwealth and more than 65 percent of this is generated from Fort Indiantown Gap.

### **Inconsistent with Fort Indiantown Gap's (FTIG) Environmental Mission**

Both the Commonwealth and the PANG are charged with being good environmental stewards. FTIG has multiple programs in place to accomplish this mission. Among those programs are efforts to monitor and protect threatened migratory species such as the federally endangered Northern Long-Eared Bat.

The proposed location of the wind turbines poses a significant threat to this species. To date, the PANG has not received any information that shows this project will be consistent and adequately protect the environment. Nothing has been received that indicates the applicant has adequately studied the noise impacts or the impacts on vulnerable species.

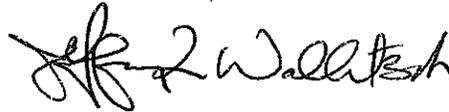
### **Conclusion**

Project No. 191023.001 is a physical hazard to aviators, is detrimental to our national security mission, frustrates the economic impact the PANG has to the community, and it is a hazard to the environment. Section 604 of Act of Jul. 31, 1968, P.L. 805, No. 247 Cl. 53 (Reenacted and amended Dec. 21, 1988, P.L.1329, No.170), commonly referred to as the Pennsylvania Municipalities Planning Code, provides that "[t]he provisions of zoning ordinances shall be designed: to promote, protect and facilitate any or all of the following: the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and *national defense facilities ...*"

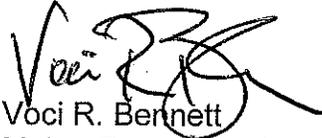
The PANG contends the Hegin WESO is subject to this provision and as such, the WESO must also promote, protect and facilitate national defense facilities. Based on this, the PANG believes there is no way to approve the project without detrimentally affecting the PANG's ability to operate and therefore requests the Hegin Zoning Board deny the application.

The points of contact for this letter are Mr. Jeffrey Wallitsch at 717-861-8503 or jewallitsch@pa.gov and Major Voci Bennett at 717-861-8891 or voci.r.bennett.mil@army.mil.

Sincerely,



Jeffrey L. Wallitsch  
Department of Veterans Affairs  
Assistant Counsel



Voci R. Bennett  
Major, Pennsylvania  
Army National Guard  
Attorney-Advisor

cc:

Linus Fenicle, Esquire  
Charles Haws, Esquire  
Bonald Karpowich, Esquire  
Bruce Anders, Esquire  
William Willard, Manager, SCAA  
Martin Cerullo, Esquire