



February 26, 2021

Mr. James Griffin  
SCHAIN BANKS  
Three First National Plaza  
70 W. Madison Street, Suite 5300  
Chicago, IL 60602

Mr. Joe Brunner  
Invenergy Wind, LLC  
One South Wacker Drive, Suite 1900  
Chicago, IL 60606

Re: Sapphire Sky Wind Farm LLC

Dear Mr. Griffin:

Pursuant to your request Aviation Systems Inc. has reviewed the 89 Determinations of No Hazard (DNH) issued by the FAA for the proposed Sapphire Sky Wind Farm LLC Project in McLean County, IL.

For your information, ASI was founded in 1972 by an aviation consultant and attorney, Jack Chevalier, and is comprised of career aviation specialists in federal regulations pertaining to airspace, airspace analysis, air traffic control, aviation safety, land use risk assessment, airport operations, airport noise and land use compatibility and, in fact, all matters pertaining to aviation. All of our associates had distinguished careers in military aviation and federal service prior to joining ASI, all maintain excellent working relationships with federal and military aviation organizations.

The determinations were issued on 10/07/2020 by the FAA and became final on 11/16/2020. As a condition, they are to be lighted/marked according to the Advisory Circular 70/7460 Change 2 (white paint and synchronized red lights). Any malfunction that lasts more than 30 minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately so a Notice to Airmen (NOTAM) can be issued.

It is required that form 7460-2, Part 1 be file at least 60 days prior to construction and 7460-2 Part 2 be filed within five days after construction reaches its greatest height.

The determinations are valid for 18 months and expire on 04/07/2022. If construction has started (not necessarily completed), FAA Form 7460-2 Part 1 should be filed with the FAA or a one-time extension can be requested and must be filed 15 days prior to expiration date of the determination and is subject to re-evaluation of current operations in the area of the Project.

In the initial FAA review, there were three areas of potential impacts:

- Section 77.17(a)(1) structures exceeding 499 feet AGL.
- Section 77.17(a)(3); a height that increases minimum instrument flight altitude within a terminal area.
- Section 77.29(a)(6); a potential effect on ATC radar, direction finders, ATC tower line-of-sight visibility, and physical or magnetic effects on air navigation, communication facilities, and other surveillance systems.

After a request for FAA further study to determine if there would be any adverse effect to air navigation, due to proposed wind turbines of 624 feet AGL the FAA, for all 98 cases, circularized proposals for public comment on 08/25/2020 to all known aviation interests and to non-aeronautical interest. No comments were received, and circularization was concluded on 10/01/2020.

The further aeronautical study revealed:

- there would be no impact on VFR arrivals or departures or any VFR routes.
- the project would have no impact on IFR procedures.
- A review by SPI determined that increasing the MVA altitudes would ensure the required obstacle clearance is maintained, hence no adverse effect on air traffic operations.
- the proposed wind turbines in the line-of-sight of the Champaign, IL (CMI) ASR 11 would have no substantial adverse impact on military or ATC operations.

Therefore, 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 any air navigation facility. If wind turbines are built at less than 624 feet AGL in the same locations, they would not require re-filing and the AGL height change could just be indicated in Form 7460-2 Part 2 when construction reaches its greatest height.

Respectfully,



Kevin Justis  
Aviation Systems Inc.  
Chief Executive Officer