

SENATE FILE NO. SF0132

Wind energy facilities-military approval.

Sponsored by: Senator(s) Boner and Nethercott and
Representative(s) Lindholm and Olsen

A BILL

for

1 AN ACT relating to planning and zoning; requiring military
2 review and approval before construction of wind energy
3 facilities; amending permit application requirements; and
4 providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 18-5-503(a)(i) and 18-5-504 by
9 creating a new subsection (d) are amended to read:

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11 **18-5-503. Application.**

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13 (a) To obtain the permit required by W.S. 18-5-502,
14 the owner or developer of a wind energy facility shall

1 submit an application to the board of county commissioners.

2 The application shall:

3

4 (i) Certify that reasonable efforts have been
5 undertaken to provide notice in writing to all owners of
6 land within one (1) mile of the proposed wind energy
7 facility, ~~and~~ to all cities and towns located within twenty
8 (20) miles of the wind energy facility and to the military
9 installation commander if there are any active federal
10 military missile launch or control facilities within five
11 (5) miles of the proposed wind energy facility. Notice
12 shall include a general description of the project
13 including its location, projected number of turbines and
14 the likely routes of ingress and egress;

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16 **18-5-504. Minimum standards; incorporation into other**
17 **processes; pre-construction approval.**

18

19 (d) Before vertical construction of a wind turbine
20 within two (2) nautical miles from any active federal
21 military missile launch or control facility, a wind energy
22 facility shall obtain written approval from the military
23 installation commander or the commander's written designee,

1 a determination of no hazard from the federal aviation
2 administration and documentation from the federal military
3 aviation and installation assurance siting clearinghouse
4 that resolves any potential adverse impact on military
5 operations and readiness and that commits to implement
6 required mitigation measures.

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8 **Section 2.** This act is effective July 1, 2020.

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(END)