September 5, 2025

Via Electronic and First-Class Mail

Board of Supervisors
Norwich Township
3853 West Valley Rd
Smethport, PA 16749

Re: Black Cherry Wind Power, LLC – Met A and Met B Tower Applications

Gentlemen:

As a follow-up to discussions at your September 3, 2025 public meeting, we met with representatives of the operator of the conventional natural gas well located near Black Cherry Wind Power LLC's proposed meteorological evaluation tower A ("Met Tower A"). The operator confirmed that its well is operational. Although a field inspection of that area did not reveal any material safety concerns (as evidenced by the correspondence from the Pennsylvania Department of Environmental Resources previously provided to Norwich Township), Black Cherry has decided to shift the proposed location of Met Tower A. Because this will require new submissions to the Commonwealth of Pennsylvania and McKean County, Black Cherry is withdrawing its application to the Township for Met Tower A and will resubmit an application for the revised location in the future.

At your recent meeting, the Board of Supervisors agreed to schedule a hearing on Black Cherry's two separate met tower applications for Tuesday, September 16, 2025 at 7:00 p.m. Although Black Cherry is withdrawing its application for Met Tower A, it still wishes to proceed with the hearing on its application for meteorological evaluation tower B ("Met Tower B"). As discussed at your September 3rd public meeting, there are no natural gas wells or related facilities in the vicinity of Met Tower B.

Although not required by the Federal Aviation Administration ("FAA") because the proposed structure height above ground level ("AGL") is less than 200 feet AGL, at the Township's request Black Cherry voluntarily requested and has received from the FAA the attached Determination of No Hazard to Air Navigation for Met Tower B ("Determination"). You will note that the Determination references the lighting standards of FAA Advisory Circular 70/7460-1 M Change 1. Additionally, because Met Tower B has a height of less than 200 feet AGL, lighting is voluntary under FAA Advisory Circular 70/7460-1 M Change 1. This said, Black Cherry intends to adhere to the recommended lighting of the FAA Advisory by installing a solid, non-flashing red light on the structure unless the Township provides written notice to Black Cherry that it wishes Met Tower B not be lit.

Finally, with regard to the Township's request for DOD Siting Clearinghouse review and clearance, that clearance has taken place as part of the FAA Determination. The Determination expressly notes that the FAA's aeronautical study was sent to the Military Aviation and Installation Assurance Clearinghouse established by the Secretary of Defense for review, and that "[t]he results of that review resulted in a finding of no risk to national security." In a related matter, Black Cherry had Capitol Airspace Group undertake a full review of the Duke Military Operations Area ("MOA"). That study found that there are 60 approved structures in the Duke MOA with a height Above Mean Sea Level ("AMSL") greater than Black Cherry's highest proposed meteorological tower at 2,473ft AMSL. See attached overview map.

We hope you find this information to be helpful. We look forward to providing a more comprehensive presentation at the public hearing on September 16.

Yours Very Truly,

Joey Shannon
Sr. Director of Development

Attachments

Cc: Andrea Stapleford, Esq. (with attachments; via email)
Blaine A. Lucas, Esq. (with attachments; via email)

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-WTE-6831-OE

Issued Date: 09/02/2025

BLACK CHERRY WIND POWER, LLC
JOEY SHANNON
470 Atlantic Avenue
Suite 601
Boston, MA 02109

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Met Tower (w/WT Farm) Mast B
County, State: McKean, Pennsylvania

Collected Point(s):

Label	Latitude	Longitude	SE	DET AGL	AMSL
pt-1	41-42-58.23N	78-18-52.95W	2276 Ft	197 Ft	2473 Ft

In accordance with the provisions of 49 U.S.C., Section 44718 and as applicable Title 10 of the Code of Federal Regulations, part 183a, this aeronautical study was sent to the Military Aviation and Installation Assurance Clearinghouse established by the Secretary of Defense for review. The results of that review resulted in a finding of no risk to national security.

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M Change 1, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 03/02/2027 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. All information from submission of Supplemental Notice (7460-2 Part 2) will be considered the final data (including heights) for this structure. Any future construction or alteration, including but not limited to changes in heights, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as

indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at 1-404-305-6645, or Lan.norris@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-WTE-6831-OE.

Signature Control No: 673576566-675618695 (DNE -WT)
lan.norris@faa.gov
Specialist

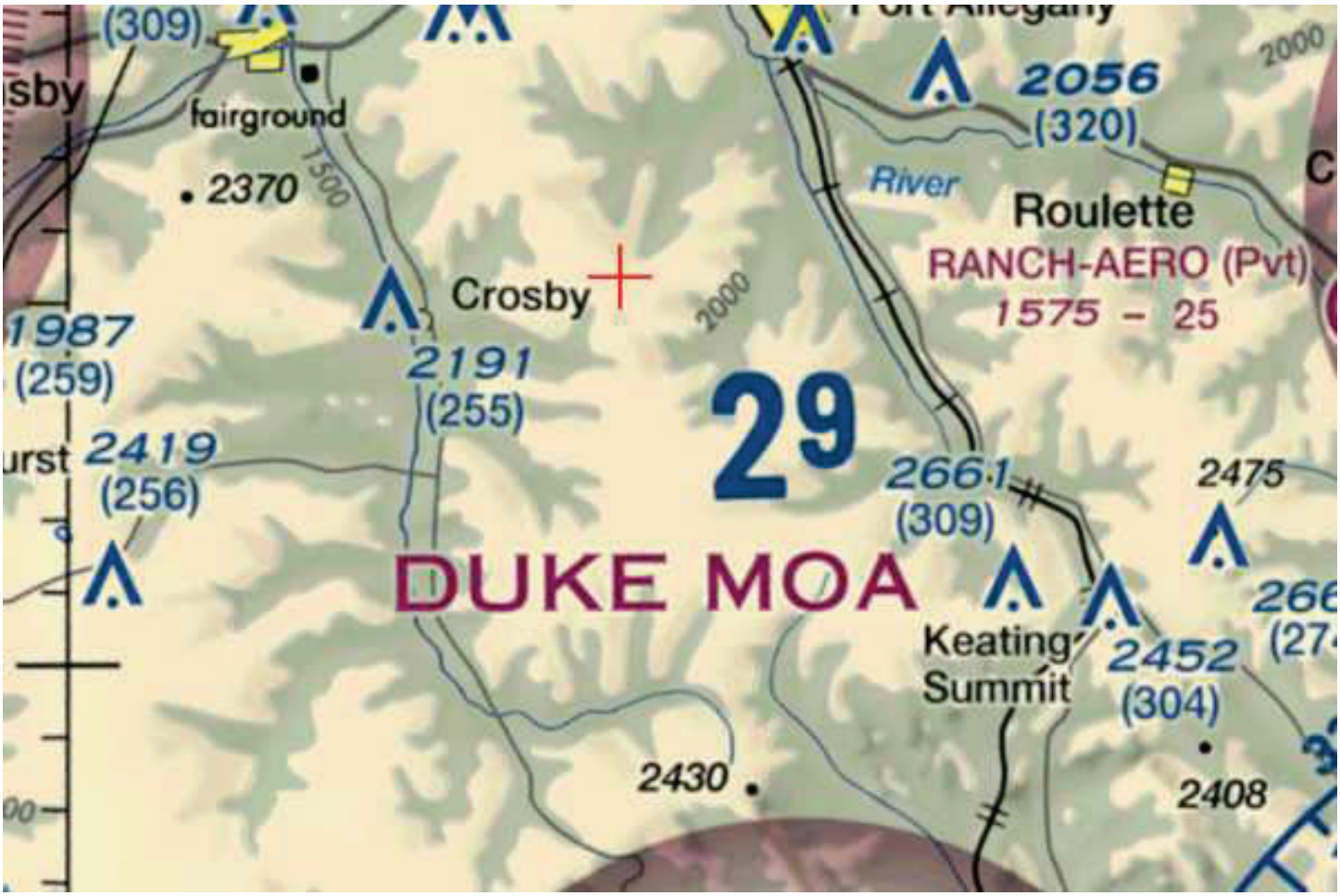
Attachment(s)
Additional Information
Map(s)

NOTE: The FAA recommends voluntary marking of Meteorological Evaluation Towers (MET) less than 200 feet (60.96 m) AGL in accordance with marking guidance contained in AC 70/7460-1. Historically, this guidance has not been applied. However, the FAA recognizes the need to address safety impacts to low-level agricultural flight operations, and it believes that voluntarily marking METs less than 200 feet (61 m) AGL in remote and rural areas enhance the conspicuity of these structures.

Painting - If applicable, the MET should be painted in accordance with the criteria contained in Chapter 3 and Chapter 15, with alternate bands of aviation orange and white paint. In addition, paragraph 3.3.1 states that all markings should be replaced when faded or otherwise deteriorated.

High-visibility sleeves - If applicable, it is recommended that several high-visibility sleeves be installed on the MET's outer guy wires. One high-visibility sleeve should be installed on each guy wire, as close to the anchor point as possible, but at a height well above the crop or vegetation canopy. A second sleeve should be installed on the same outer guy wires midway between the location of the lower sleeve and the upper attachment point of the guy wire to the MET.

Spherical markers - If applicable, it is also recommended that high-visibility aviation orange spherical marker (or cable) balls be attached to the guy wires. Spherical markers should be installed and displayed in accordance with Chapter 11. The FAA recognizes that various weather conditions and manufacturing placement standards may affect the placement and use of high-visibility sleeves and/or spherical markers. Thus, some flexibility is allowed when determining sleeve length and marker placement on METs.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fairground
2370
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2056
(320)
River
Roulette
RANCH-AERO (Pvt)
1575 - 25
2000
Crosby
1987
(259)
2191
(255)
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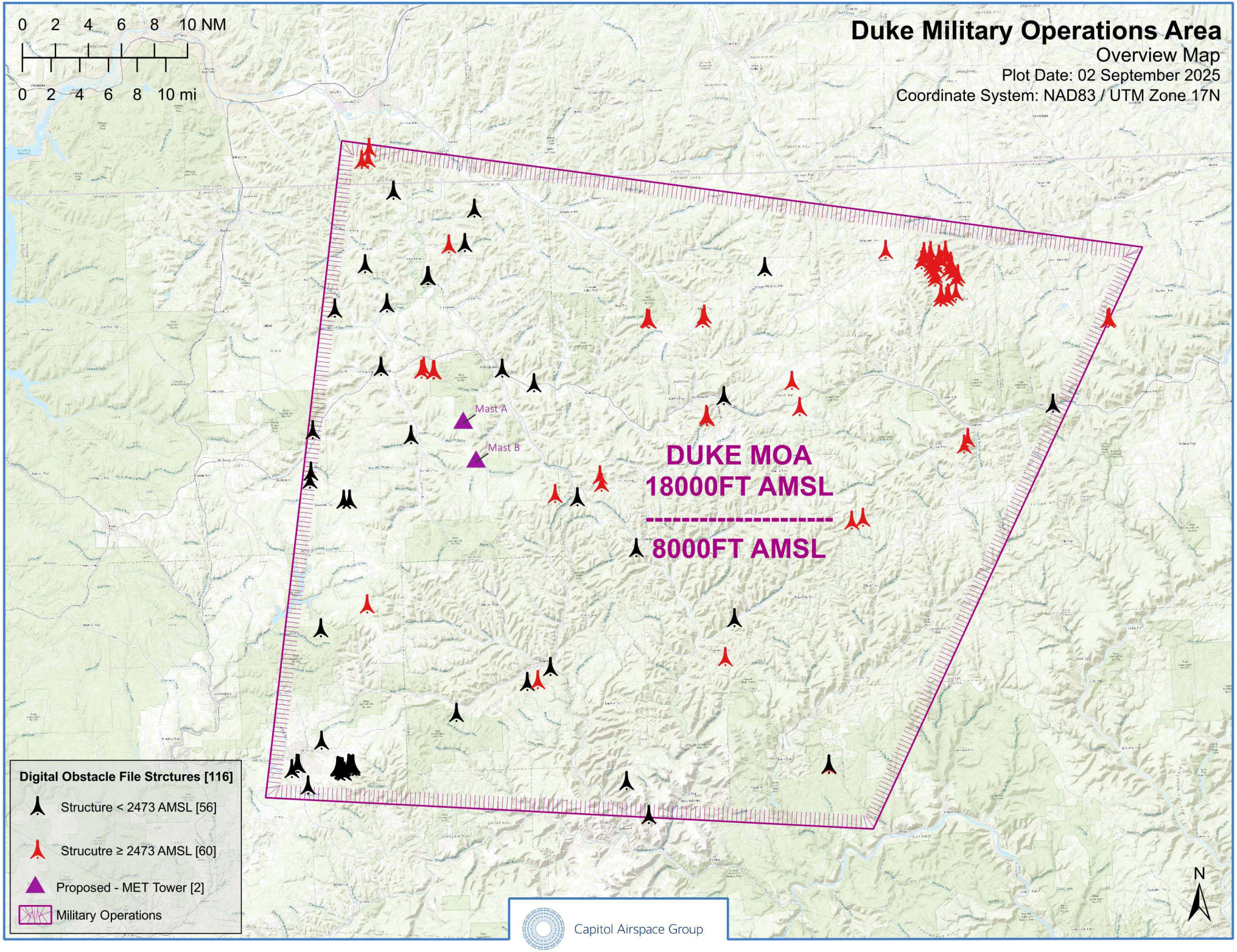
2419
(256)
2661
(309)
2475
DUKE MOA
Keating
Summit
2452
(304)
2430
2408


0 2 4 6 8 10 NM
0 2 4 6 8 10 mi
Duke Military Operations Area
Overview Map
Plot Date: 02 September 2025
Coordinate System: NAD83 / UTM Zone 17N
Mast A
Mast B
DUKE MOA
18000FT AMSL
8000FT AMSL
Digital Obstacle File Strctures [116]
Structure < 2473 AMSL [56]
Strucutre ≥ 2473 AMSL [60]
Proposed - MET Tower [2]
Military Operations
N
Capitol Airspace Group