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Town Petitions FAA Over Determinations of No Hazard for Off-Shore Wind Turbines in Nantucket Sound

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On June 16, 2010, Firm client, the Town of Barnstable, Massachusetts, filed a Petition for Discretionary Review with FAA, challenging FAA's May 17, 2010 issuance of Determinations of No Hazard for 130 wind turbines proposed to be constructed in Nantucket Sound. In its Petition, the Town asked FAA to reverse the 130 Determinations of No Hazard because the wind turbines would create a substantial adverse effect on air navigation. Specifically, the Town argued that the construction and operation of the wind turbines would impair the operation of existing FAA radar facilities, adversely affect existing instrument flight rule (IFR) and visual flight rule (VFR) operations, force a significant number of operations to change their regular course or altitude, and limit the capacity and efficiency of the Barnstable Municipal Airport and the Nantucket Sound airspace.