

EDWARD J. CHUPEIN

OPENING STATEMENT AND WRITTEN TESTIMONY

Good morning, Senators, staff, and interested members of the public. My name is Edward Chupein and I am a Senior Advisor with DARE Strategies and consultant to Doral Energy regarding the Anthracite Ridge Wind project. Previously, I served in the United States Air Force as a rated aviator, completing my 27 years of service at the Pentagon where in 2008, as the Chief of Airspace and Ranges for Headquarters Air Force, I established the first military service office dedicated to compatible siting of renewable energy projects in the vicinity of military installations, radar, and test and training infrastructure. Prior to my Pentagon assignment, I served at Fort Indiantown Gap as the commander of the Air Force air-to-ground range that shares Special Use Airspace and an weapons impact area with the post garrison. Following my retirement from the Air Force in 2010, I returned to the Pentagon as a DOD civilian, first continuing my former role as Chief of Airspace and Ranges and then in an expanded role as Deputy Chief of Operational Training Infrastructure, a large, restructured division that absorbed all functions related to Airspace, Ranges and matters related to the operational aspects related to renewable energy and other commercial development in the United States and offshore. I contributed to the 2011 statute that established the Military Aviation and Installation Assurance Siting Clearinghouse, simply known now as "the Clearinghouse" and subsequently oversaw the analysis of hundreds of wind energy projects that posed potential impacts to the military mission and national security. I am especially proud that in nearly every case we were able arrive at a solution that preserved most, if not all, test and training capabilities and balanced national security interests with private land rights and the furtherance of a clean energy infrastructure that, in and of itself, is regarded as growing national security interest.

The advice I provide to Doral and DARE's other clients differs very little from the advice I provided to the Secretary of the Air Force and elements within the Office of Secretary of Defense. Now, as then, I work to analyze wind energy projects in accordance with Federal law, the Mission Compatibility Evaluation Process, and test and training requirements, all within the prescribed context of "significant impact to national security." I then consult with the unit and respective military service to explore options and develop a mitigation strategy that offers minimal impact to training capabilities while enabling renewable energy projects. These projects have ranged from 25 to over 900 turbines. Please note that I did not say no impact... That has never been the standard. The art behind the science is to find the balance. Officially there has only been one successful DOD objection to a development and that involved very sensitive and unique electronic warfare test capabilities; but this low rate does not account for the many projects that were never pursued because DARE Strategies advised or the developer independently determined the project presented too many adverse impacts to national security. This dynamic is a testament to the relative effectiveness of the law and subordinate Department of Defense and Federal Aviation Administration policy and guidance.

I have successfully mitigated projects from both sides of the table that were far more expansive and impactful to training operations than Anthracite Ridge. These have involved training space far more constrained than Fort Indiantown Gap's 450,000-acre Northern Training Area with multiple aircraft operating at speeds from 250 to 540 knots. And like some of the training at the Gap's Eastern Army National Guard Aviation Training Site, these cases often included initial weapon system syllabus training involving relatively inexperienced aviators. From my perspective, the Anthracite Ridge Wind project presents far fewer challenges and the concessions offered by Doral effectively mitigate most of the

reasonable concerns expressed by the garrison and State Army Aviation Office. Doral has reduced the number of turbines by 51% and the overall footprint by 30%, thus restoring some of the current ridgeline training area and minimizing the impact to the Helicopter Landing Zones – in my experience this is extraordinary concession. Additionally, Rausch Creek Properties is prepared to lease a parcel of land at no cost for a new Landing Zone to alleviate some, if not all, of the remaining impacts to the handful of Landing Zones affected. I have attempted to open a discussion about more rigorous scheduling practices that would open other areas for training and revisiting risk management assumptions that may be hindering compromise and innovation. Frankly, there has been no substantive response from the garrison to these mitigation proposals. Meanwhile, we have had an encouraging engagement with the Deputy Assistant Secretary of the Army for Energy and Sustainability that leads me to believe that there will be more substantive and productive discussions as the Department of Defense develops its official determination as the case filters up through the Department of the Army and, ultimately, the Office of the Secretary of Defense. The key point is that, by law, the “military position” regarding Anthracite Ridge Wind will be issued from the Secretary of Defense or his delegate and based on the advice of his staff and senior officials in the Department of the Army. Fort Indiantown Gap and the Pennsylvania Army National Guard are the entry point for the Mission Compatibility Evaluation Process and rightfully hold an important role in the evaluating the project; typically focused exclusively on effect on training. More senior leadership at the National Guard Bureau and ultimately the Pentagon then apply broader policy and legal considerations. In the event of an objection Congress must then be notified. It is for precisely this reason that I was concerned about the preemptive and pre-decisional effort to portray an official “military position” with the Hegins Township Zoning Board among others. It is important to allow this Congressionally established process to run its course towards an official Department of Defense determination.

Regarding claims this project is unsafe: Again, that claim is pre-decisional. The Federal Aviation Administration is the sole regulatory authority regarding safety within the National Airspace System, and are in fact, the ultimate decisionmaker on the safety of any structures over 200 feet. The Department of Defense determination is an element in the FAA deliberations. The FAA determination will be based on prescribed metrics, relevant expertise and the regulations that govern the national airspace – military aviators must comply with all these regulations except where specifically exempted. We understand that military leaders may implement more conservative safety guidelines and we have made every effort to incorporate them into our analysis and mitigation development. Efforts to discuss or obtain substantive feedback on these options has been fruitless. It should be noted that Doral immediately agreed to install Night Vision Goggle-compatible lighting and to winterize the turbines to eliminate the risk of foreign object damage from ice as soon as those concerns were presented. The FAA will also evaluate impacts to the instrument approaches at Zerbey Airport; while I am not a Terminal Procedures specialist, I do know that minor altitude changes to approaches like the Zerbey VOR approach to runway 22, are routine and easily accomplished.

Doral Energy has sought transparent engagement aimed at sincere and open-minded consideration of a full range of mitigations available. While the Gap did offer experts to provide operating parameters and comment on mitigation options unilaterally offered by Doral, we did not receive any recommendations, concepts, or alternatives for consideration. In my experience, this lack of engagement is an outlier – in every other case I’ve been involved with, the unit is invariably the frontline collaborator, and their active

participation often reveals an otherwise elusive solution. We continue to seek this cooperation as this case moves towards a final Department of Defense determination.

The hallmark of the US military is its ability to adapt. Certainly, wind turbines do and will increasingly present tactical challenges and opportunities in the current and future battlespace. They are a planning reality for the Department of Defense. Likewise, it is an expanding consideration for training operations. I remain hopeful that we may still collaborate on that reasonable middle-ground that preserves most, if not all, military capabilities, while enabling renewable energy development and protecting property rights.