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**MEMORANDUM IN OPPOSITION TO**  
**[S.2694 \(Ortt\)](#) / [A.3883 \(Norris\)](#)**  
**Prohibits the Siting of Wind Electric Generation Facilities Within 40**  
**Miles of an Airfield or Airbase Under Federal Military Jurisdiction**

May 2022

The Alliance for Clean Energy New York (ACE NY) strongly opposes S.2694/A.3883. This bill would restrict the construction of wind electric generation facilities from locating within forty miles of an airfield or airbase under jurisdiction of any federal military department which is in active use. This bill is designed to severely and unfairly curtail the operation of a single, targeted industry sector, and is not related to the secure operation of military facilities.

Currently, nearly 50% of wind farms in New York operate within 40 miles of a military base and do not threaten military exercises or missions. Creating an arbitrary 40-mile setback standard does not further national or domestic security interests, nor is it necessary. The Department of Defense (DOD) already has a process in place for that type of review through its Siting Clearinghouse (Sec. 358 of the FY 2011 NDAA). Under this process, the DOD or any local military base can object to a wind project due to national security concerns, and to date, no wind turbines have been constructed over the objection of the DOD.

With the passage of the Accelerated Renewal Energy Growth and Community Benefits Act, New York's Legislature signaled that the siting of wind power facilities should be conducted in an objective and uniform manner. Instead of trying to limit wind development through the establishment of an arbitrary restriction, the State should allow the Department of Defense Siting Clearinghouse process to make decisions concerning a project's impact based on an objective and detailed analysis. These efforts at the federal level complement the Article 10 and Renewable Energy Siting process set up by the State.

Lastly, increasing our domestic energy supply is in the best interest of our national security. The Climate Leadership and Community Protection Act has set ambitious climate and energy goals including 85% reduction in GHG emissions by 2050; 100% zero-emission electricity by 2040; and 9,000 MW of offshore wind by 2035. Passage of this bill substantially limits the available locations for wind generation facilities in New York, as over 5,000 square miles, which is roughly the size of Connecticut, would be off limits around each facility.

For the above reasons, ACE NY strongly opposes this legislation. For more information contact Anne Reynolds, Executive Director, at 518.432.1405. All of ACE NY's memos on legislation are available at <https://www.aceny.org/legislative-actions>.