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5 Replace lines 28 through 29 on pages 1 through 2 with the
6 following:

7 Relating to military installations; to amend Sections
8 11-106-3, 11-106-4, and 11-106-6, Code of Alabama 1975,
9 to revise the definition of the term "military
10 installation"; to require
11

12 Replace lines 36 through 37 on page 2 with the following:

13 Section 1. Sections 11-106-3, 11-106-4, and 11-106-6,
14 Code of Alabama 1975, are amended to read as follows:

15 "§11-106-3

16 As used in this chapter, the following words ~~shall~~
17 have the following meanings:

18 (1) ADVERSE IMPACT ON MILITARY OPERATIONS AND
19 READINESS. The same meaning as provided ~~for that term~~ in
20 10 U.S.C. § 183a(h), and consistent with ~~Section 3.1.a.4~~
21 ~~of~~ DoD Instruction 4180.02.

22 (2) DEPARTMENT OF DEFENSE SITING CLEARINGHOUSE. The
23 Military Aviation and Installation Assurance Siting
24 Clearinghouse of the Department of Defense, as



established by 10 U.S.C. § 183a.

(3) LOCAL GOVERNMENT. Any county or municipality.

(4) LOCAL IMPACT ISSUE. Any adoption or amendment by a local government of a proposed zoning plan, comprehensive master plan, or land development regulations that, if approved, may or will significantly affect any area or airspace that is within two miles of a military installation.

(5) MILITARY INSTALLATION. Any base, camp, post, station, airfield, yard, center, or any other land area under the jurisdiction of the United States Department of Defense, including any leased facility, ~~the total acreage of which installation is in excess of 500 acres.~~ The term ~~military installation~~ does not include any facility used primarily for civil works, river projects, or flood control projects.

(6) NOTICE OF PRESUMED RISK. The notice provided by the Department of Defense Siting Clearinghouse to an owner of an energy facility pursuant to 10 U.S.C. § 183a(c)(2).

(7) TALL STRUCTURE. Any building, structure, or unit within a multiunit building with a vertical height of more than 200 feet measured from the top of the foundation of the building, structure, or unit to the



49 uppermost point of the building, structure, or unit. The
50 term does not include: wind energy facilities, electrical
51 transmission towers, slender structures, or minor
52 vertical projections of a parent building, including, but
53 not limited to, chimneys, flagpoles, flues, spires,
54 steeples, belfries, cupolas, antennas, poles, lines, or
55 wires, except that no such structure or vertical
56 projection may project more than 20 vertical feet above
57 the parent building. The term also does not include any
58 communications structures requiring antenna structure
59 registration pursuant to 47 C.F.R. § 17.4.

60 (8) WIND ENERGY FACILITY. Facilities for the
61 generation of electricity by wind power."