

## HB 2375 STAFF MEASURE SUMMARY

### House Committee On Climate, Energy, and Environment

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**Meeting Dates:** 2/20

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#### **WHAT THE MEASURE DOES:**

The measure prohibits a wind energy facility from operating unless a person who is developing or repowering a wind energy facility applies to the Federal Aviation Administration for installation of a light-mitigating technology system for the wind energy facility's wind-powered turbines.

#### Detailed summary:

Defines terms that are applicable until January 1, 2028. Adds new definitions and amends Act's section 1 definitions on January 1, 2028, and apply to a wind energy facility for which a person begins commercial operation, develops, or repowers on or after January 1, 2028. Prohibits a wind energy facility—for which a person begins commercial operation, develops, or repowers on or after January 1, 2026—from operating unless specific requirements are met, including: requiring a person who is developing or repowering a wind energy facility to apply to the Federal Aviation Administration (FAA) for installation of a light-mitigating technology system for the wind energy facility's wind-powered turbines. Requires the person applying to FAA to install the light-mitigating technology system on approved wind-powered turbines within 24 months from the date of approval if the application is approved by the FAA. Establishes that the person applying to FAA shall not be required to install a light-mitigating technology system if the application is not approved by the FAA. Establishes that carrying out light mitigation should not conflict with an applicable federal law or regulation. Prohibits the governing body of a county or city or its designee from allowing or permitting a wind energy facility that does not meet the requirements for installation of a light-mitigating technology system for a wind energy facility's wind-powered turbines.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

To ensure wind turbines can be seen at night, lights are placed on their towers or blades. The Federal Aviation Administration (FAA) recommends the voluntary guidelines and standards for determining how to light and mark obstructions of a certain height, including wind turbines and towers, which affect navigable airspace. Anyone who plans to build an obstruction in the national airspace must notify and be certified by the FAA under Title 14 Code of Federal Regulations.

To mitigate wind turbine lighting's effects on the night sky, Aircraft or Aviation Detection Lighting Systems (ADLS) can be used. ADLS use sensors to activate and turn on lights when an aircraft is approaching or descending toward a wind turbine. Wind project developers must request approval to use ADLSs from the FAA. Such requests may be denied if the project is close to an airport, low-altitude flight routes, or near military training areas.