

HB 2375 -2 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

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Meeting Dates: 2/20, 4/1

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. 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.

ISSUES DISCUSSED:

- How light-mitigating technology on wind energy turbines works
- Federal permitting approvals and staff levels
- Provisions of measure

EFFECT OF AMENDMENT:

-2 The amendment modifies requirements for and prohibitions on developing a wind energy facility and requires a person developing or repowering a wind energy facility to install and begin using light-mitigating technology systems within a certain timeframe.

Detailed summary:

Modifies definitions. Modifies requirements for developing wind energy facilities. Adds language requiring a person developing or repowering a wind energy facility to install and begin using light-mitigating technology systems within a certain timeframe. Modifies prohibitions on wind energy facility permits. Removes amendments in section 3.

- - *FISCAL: Minimal fiscal impact*
- *REVENUE: No revenue impact*

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.