

## HB 2375 A STAFF MEASURE SUMMARY

### Senate Committee On Energy and Environment

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**Meeting Dates:** 4/21, 4/28

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#### WHAT THE MEASURE DOES:

The measure requires a person who is developing or repowering a wind energy facility to apply to the Federal Aviation Administration and, if applicable, the Federal Communications Commission, for approval for the installation and use of light-mitigating technology systems. The Act would prohibit a city or county from issuing a permit on a wind energy facility unless the applicant provides proof they are in compliance with Act.

#### Detailed summary:

Requires a person developing or repowering a wind energy facility that receives a no hazard to air navigation determination to apply to the Federal Aviation Administration (FAA), and if applicable the Federal Communications Commission, for the approval for the use and installation of light-mitigating technology systems. Requires, if approved by the FAA, the person to install and use the light-mitigating technology within a certain time frame.

Provides a person is not required to install or use light-mitigating technology if the FAA determines it is a hazard to air navigation or they do not issue a determination within 12 months.

Prohibits a city or county from issuing a permit on a wind energy facility unless the applicant provides proof they are in compliance with Act. Stipulates Act only applies to facilities for which an FAA application is submitted on or after January 1, 2028.

- Minimal Fiscal Impact
- No Revenue Impact
- Ayes, 50; Nays, 3

#### ISSUES DISCUSSED:

- Average cost of light-mitigating technology system
- How light-mitigating technology systems work
- Federal approval process

#### 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.

PRELIMINARY