

Multiple Agency Fiscal Note Summary

Bill Number: 1173 HB	Title: Light pollution
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Transportation	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	2.4	691,500	691,500	691,500	.0	0	0	0	.0	0	0	0
Energy Facility Site Evaluation Council	.5	0	0	154,506	.0	0	0	0	.0	0	0	0
Total \$	2.9	691,500	691,500	846,006	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Energy Facility Site Evaluation Council	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Final
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Individual State Agency Fiscal Note

Bill Number: 1173 HB	Title: Light pollution	Agency: 405-Department of Transportation
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2023
Agency Preparation: Terri Palumbo	Phone: 360-709-8096	Date: 01/11/2023
Agency Approval: Eric Johnson	Phone: 360-848-7115	Date: 01/11/2023
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 01/11/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached WSDOT fiscal note.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1173 HB **Title:** Light pollution

Agency: 405-Department of Transportation

Part I: Estimates

Check applicable boxes and follow corresponding instructions, use the fiscal template table provided to show fiscal impact by account, object, and program (if necessary), **add rows if needed**. If no fiscal impact, check the box below, skip fiscal template table, and go to Part II to explain briefly, why the program believes there will be no fiscal impact to the department.

No Fiscal Impact (Explain in section II. A)

If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.

Indeterminate Cash Receipts Impact (Explain in section II. B)

Indeterminate Expenditure Impact (Explain in section II. C)

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**

Capital budget impact, **complete Part IV**

Requires new rule making, **complete Part V**

Revised

The cash receipts and expenditure estimates on this fiscal template represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Agency Assumptions

N/A

Agency Contacts:

Preparer: Terri Palumbo

Approval: Eric Johnson

Budget Manager: My-Trang Le

Phone: 360-791-3416

Phone: 360-708-8970

Phone: 360-705-7517

Date: 01/11/2023

Date: 01/11/2023

Date: 01/11/2023

Individual State Agency Fiscal Note

Part II: Narrative Explanation

II. A - Brief description of what the measure does that has fiscal impact

Briefly describe by section number (sections that will change WSDOT costs or revenue), the significant provisions of the bill, and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency.

Section 2 (1) directs the Department of Ecology to adopt rules to establish light mitigation requirements applicable to new and existing wind energy alternative energy resource facilities. The Department of Ecology must consult with the Washington State Department of Transportation and the Energy Facility Site Evaluation Council and ask for input from counties and cities.

Section 2 (2)(d) requires aircraft detection lighting systems.

There is no fiscal impact to the Washington State Department of Transportation.

II. B – Cash Receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

N/A

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The department assumes that the time spent consulting with the Department of Ecology will be part of the normal business activities of the Washington State Department of Transportation Aviation Division and would not require additional staff time or FTE.

Part III: Expenditure Detail

III. A - Expenditures by Object or Purpose

N/A

Part IV: Capital Budget Impact

N/A

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

N/A

Individual State Agency Fiscal Note

Bill Number: 1173 HB	Title: Light pollution	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.9	1.9	2.4	0.0	0.0
Account					
General Fund-State 001-1	414,027	277,473	691,500	0	0
Total \$	414,027	277,473	691,500	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2023
Agency Preparation: Kristy Keeley	Phone: 564-669-3856	Date: 01/16/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/16/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/16/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Under current law, Ecology does not have any existing light pollution rules or regulate light pollution.

This bill would create new light pollution requirements that apply to wind energy alternative energy resource projects that are certified by the Energy Facility Site Evaluation Council (EFSEC).

Section 1 would add a new section to Chapter 80.50 RCW, Energy Facilities, that would require applicants for site certification under EFSEC that are proposing a new wind energy facility, as well as existing EFSEC-certified wind energy facilities, to comply with new light mitigation requirements as adopted by Ecology in rule under section 2 of this bill.

Section 2 would require Ecology to write and adopt rules to establish light mitigation requirements for wind energy facilities by January 1, 2025. Ecology would be required to consult with Washington State Department of Transportation (WSDOT), EFSEC, counties and cities.

Sections 3 to 5 would amend three land use planning laws (chapters 35.63 RCW, 35A.63 RCW, 36.01 RCW) to require new and existing wind energy facilities to comply with new light mitigation rules as adopted by Ecology in section 2.

The bill would require wind energy facilities to comply with the new rules by January 1, 2026.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Years (FY) 2024 and 2025 to implement the requirements of section 2.

Section 2 would require Ecology to write and adopt a rule to establish light mitigation requirements for wind energy facilities by January 1, 2025. Ecology would be required to consult with WSDOT, EFSEC, counties and cities. Rulemaking would be required to:

- (a) be consistent with federal aviation administration regulations
- (b) apply to all obstructions associated with the wind energy facility
- (c) include maintenance and safety standards
- (d) require aircraft detection lighting systems

Ecology estimates that rulemaking would be complex and generate public interest and input. Rulemaking is required to be adopted by January 1, 2025. Rulemaking would require a rulemaking lead, technical staff, and economic research staff. This type of rulemaking would include two preproposal meetings to gather input from stakeholders and then two public hearings to accept comments on the rule proposal.

The rulemaking lead would oversee project management, lead rule development, manage stakeholder engagement, and perform other tasks as necessary. Ecology estimates that this work would require an Environmental Planner 3 (EP3) at 0.85 FTE for FY 2024 and 0.43 FTE for FY 2025.

Technical staff would work with the rulemaking lead to create the rule language and lead the overall policy change of the rulemaking. Ecology estimates that this work would require 0.75 FTE of an Environmental Planner 5, 0.50 FTE and an Environmental Planner 4, and 0.25 FTE of an Environmental Specialist 5 in FY 2024 and 0.37 FTE of an Environmental Planner 5, 0.25 FTE and an Environmental Planner 4, and 0.13 FTE of an Environmental Specialist 5 in FY 2025.

The Public Outreach Coordinator would provide web and social media updates, meeting planning and attendance, as well as a communications strategy. Ecology estimates that this work would require 0.20 FTE in FY 2024 and 0.10 FTE in FY 2025 of a Communication Consultant 5. Ecology assumes six ads in newspapers for required public notices at \$500 each (\$3,000 in Goods and Services).

Economic research staff would complete economic and regulatory analysis in support of the rule as required by law. Ecology estimates that this work would require 0.25 FTE of an Economic Analyst 3 and 0.10 FTE of a Regulatory Analyst 2 in FY 2025.

Ecology would hold two public meetings in FY 2025 and two public hearings in FY 2025 for rulemaking. Goods and services estimates include facility rental costs estimated at \$1,000 per event (\$4,000 in Goods and Services). Ecology assumes that a facilitator would be required for the public meetings and hearings. Contract estimates include facilitator contract costs estimated at \$2,100 per event (total estimated contract costs of \$8,400).

The Attorney General’s Office (AGO) assumes that the time needed would be within the current workload with no fiscal impact.

SUMMARY: The expenditure impact to Ecology under this bill is:

Section 2 RULEMAKING:
 FY 2024: \$414,027 and 2.9 FTEs
 FY 2025: \$277,473 and 1.9 FTEs

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.
 Benefits are the agency average of 36% of salaries.
 Contract costs of \$8,400 in FY 2025 are included for two public meeting and two hearing facilitations.
 Goods and Services are the agency average of \$5,224 per direct program FTE. Also included is \$4,000 in FY 2025 for meeting facility costs and public notices and \$3,000 in FY 2025 for newspaper advertisements.
 Travel is the agency average of \$1,563 per direct program FTE.
 Equipment is the agency average of \$1,031 per direct program FTE.
 Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.75% of direct program salaries and benefits, and is shown as object T. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	414,027	277,473	691,500	0	0
Total \$			414,027	277,473	691,500	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.9	1.9	2.4		
A-Salaries and Wages	225,066	142,394	367,460		
B-Employee Benefits	81,024	51,261	132,285		
C-Professional Service Contracts		8,400	8,400		
E-Goods and Other Services	13,321	15,514	28,835		
G-Travel	3,987	2,547	6,534		
J-Capital Outlays	2,629	1,680	4,309		
9-Agency Administrative Overhead	88,000	55,677	143,677		
Total \$	414,027	277,473	691,500	0	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
COMM CONSULTANT 5	87,144	0.2	0.1	0.2		
ECONOMIC ANALYST 3	85,020		0.3	0.1		
ENVIRONMENTAL PLANNER 3	80,952	0.9	0.4	0.6		
ENVIRONMENTAL PLANNER 4	89,292	0.5	0.3	0.4		
ENVIRONMENTAL PLANNER 5	98,592	0.8	0.4	0.6		
ENVIRONMENTAL SPEC 5	80,952	0.3	0.1	0.2		
FISCAL ANALYST 2		0.3	0.2	0.2		
IT APP DEV-JOURNEY		0.1	0.1	0.1		
REGULATORY ANALYST 2	82,896		0.1	0.1		
Total FTEs		2.9	1.9	2.4		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

This bill would require Ecology to adopt rules to establish light mitigation requirements applicable to new and existing wind energy alternative energy resource facilities by January 1, 2025.

Individual State Agency Fiscal Note

Bill Number: 1173 HB	Title: Light pollution	Agency: 463-Energy Facility Site Evaluation Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	0.0	0.5	0.0	0.0
Account					
Climate Commitment Account-State 26C-1	154,506	0	154,506	0	0
Total \$	154,506	0	154,506	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2023
Agency Preparation: Osta Davis	Phone: 360-485-1674	Date: 01/16/2023
Agency Approval: Dave Walker	Phone: 360-664-1345	Date: 01/16/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/16/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 requires that future and existing wind energy facilities must comply with light mitigation requirements by January 1, 2026, as a condition of their certification. Amending existing Site Certification Agreements will require Staff and Council time for amendment drafting and approval. The amendment process will require Assistant Attorney General review, Council review, stakeholder engagement, and costs related to running Council public meetings associated with makes these changes.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

1 Executive-level FTE for one year for stakeholder engagement with the Federal Aviation Administration, military, existing facility operators, and agencies named in the bill as well as staff time required for evaluating existing technology, completing a small business economic impact statement, and implementation.

Attorney General review costs are based on an estimated 10 hours.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
26C-1	Climate Commitment Account	State	154,506	0	154,506	0	0
Total \$			154,506	0	154,506	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0		0.5		
A-Salaries and Wages	117,700		117,700		
B-Employee Benefits	35,132		35,132		
C-Professional Service Contracts					
E-Goods and Other Services	1,674		1,674		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	154,506	0	154,506	0	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
WMS Band 3		1.0		0.5		
Total FTEs		1.0		0.5		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1173 HB

Title: Light pollution

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: De minimis costs associated with engaging in Ecology's rulemaking process as it pertains to reducing light pollution from wind farms.
- Counties: De minimis costs associated with engaging in Ecology's rulemaking process as it pertains to reducing light pollution from wind farms.
- Special Districts: De minimis costs for public utility districts associated with engaging in Ecology's rulemaking process as it pertains to reducing light pollution from wind farms.
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option: Although Ecology is required to solicit input from cities and towns, local governments are not required to participate in the rulemaking process.
- Key variables cannot be estimated with certainty at this time: It is unknown how many utilities and local governments would be interested in participating in Ecology's rulemaking process as it pertains to reducing light pollution from wind farms or how many meetings there would be.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

Fiscal Note Analyst: Chelsea Mickel	Phone: 518-727-3478	Date: 01/11/2023
Leg. Committee Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/11/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/16/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This bill states that owners and operators of wind energy alternative energy resources to comply with the light mitigation requirements in accordance with rules adopted by the department of Ecology by January 1, 2026, and that applicants for permits to build wind energy alternative energy resource facilities must comply with the light mitigation when the construction of their facilities is completed.

Section 1: Owners or operators of wind energy alternative energy resources must ensure that they comply with the light mitigation requirements outlined in this bill by January 1, 2026. Wind energy alternative energy resource facilities must be equipped with functioning light mitigation technology systems that meet the requirements of this bill.

Section 2: The department of Ecology (Ecology) must adopt rules to establish light mitigation requirements applicable to new and existing wind energy alternative energy resource facilities by January 1, 2025. Ecology must consult with the department of transportation, the energy facility site evaluation council (EFSEC) and solicit input from counties and cities

Sections 3-5: Add sections to RCWs regarding planning commissions, planning and zoning in code cities and general provisions for corporate powers exercised by county commissioners. Applicants for permits to site a wind energy alternative energy resource facility must comply with the light mitigation requirements of the rules adopted by Ecology upon completion of the construction of the facility. Owners and operators of wind energy alternative energy resource facilities must comply with the light mitigation requirements of the rules adopted by Ecology by January 1, 2026.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

As a local option, the Local Government Fiscal Note Program assumes de minimis costs associated with participation in rulemaking. Since wind energy resource facilities are owned and operated by private companies, local governments would not accrue costs associated with adhering to light mitigation requirements.

This bill requires Ecology to do rulemaking and consult with local governments. Cities, towns and utility district in Eastern Washington, where most wind energy projects are located, may be interested in attending these meetings. De minimis costs to local governments will depend upon whether or not staff chooses to attend meetings, the length and frequency of these meetings, distance traveled for each official, as well as per diems and lodging.

For example, if a one-day rulemaking meeting were to be held in Ellensburg, near the Wild Horses Wind & Solar Facility, and a local government staff member had to travel 50 miles to attend, the cost associated with this meeting would be \$207 for that government. This includes a \$59 per diem and \$98 hotel stay. If more than one staff member attended, and representatives from other local governments attended, the costs would increase.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This legislation does not make provisions for fees as a result of wind energy resource facilities violating the requirements for mitigating light pollution or failing to follow the rules outlined by Ecology. The Energy Facility Site Evaluation Council (EFSEC), a state agency, is in charge of permitting wind farm projects, which are owned by private companies rather than local governments, even though they are often developed on public land. As a local option, the Local Government Fiscal Note Program assumes a de minimus revenue impact as a result of this legislation.

SOURCES

