



FACT SHEET: HB 146 – Light Mitigation Systems for Wind Turbines

“This bill imposes an unfunded mandate — not just on new systems — but on existing systems that were built in compliance with all relevant regulations in effect at the time.”

- Parrish Miller, Idaho Freedom Foundation, February 25th, 2025

Why This Is An Unfunded Mandate... And Anti-Idaho

The owners and operators of Idaho’s wind facilities are providing great benefit to the State of Idaho and its residents. To realize these benefits, owners and operators followed a well-established and fair process that allowed them to price their costs into their operations. The section of HB 146 that applies to operating facilities is a retroactive, state-imposed tax and is **out of character with Idaho’s renowned business friendly environment** and the principles of free market policies that have made America’s economy an envy of the world.

The Governor’s Office of Energy and Mineral Resources stated in its *2025 Idaho Energy & Mineral Landscape* report that “[annually], wind projects in the state generate approximately \$13 million for local communities.” These benefits rely on owners of wind farms to fairly price their projects.

This Is An Expensive, Unfunded Mandate

Factors like size, topography, and geography determine how much light mitigation systems cost. However, as a baseline, these systems cost approximately \$2 million to install and operate. This represents a significant expense that passage of HB146 would impose on companies that have been operating lawfully and in good faith.

**Idaho Freedom
Foundation Rating: -1**

HB146 Does Not Guarantee Success

The Federal Aviation Administration and the Department of Defense determine if light mitigation systems are allowed on a facility-by-facility basis. Even if HB 146 passes, some of Idaho’s wind farms may not be permitted to install light mitigation systems.

There’s A Better Way

HB146 should be amended to tie installation of light mitigation systems on existing facilities to either their next repowering or purchase power agreement, whichever comes first. This would allow for adequate cost recovery while still meeting the spirit of HB 146.

**Renewable Northwest urges
this amendment or a
“no” vote on HB146.**

Proposed Amendment to HB 146:

Section 1 (2)

On and after January 1, 2026, any developer, owner, or operator of a wind energy conversion system that has commenced commercial operations in the state without a light-mitigating technology system **and has also not applied to the federal aviation administration (FAA) for installation of such a system** shall apply to the ~~federal aviation administration~~ **FAA** for installation and operation of a light mitigating technology system that complies with federal aviation administration regulations 14 CFR 1.1, et seq. If approved by the federal aviation administration, the developer, owner, or operator of such wind energy conversion system shall install the light-mitigating technology system on approved turbines **either upon repowering of the wind energy conversion system, or upon entrance into or renewal of a new power offtake agreement, whichever occurs first.** ~~within twenty four (24) months following such approval.~~

Definitions

“Repowering” means a rebuild or refurbishment of a majority of the wind energy facility due to the facility reaching the end of its useful life or useful reasonable economic life. The rebuild or refurbishment does not constitute repowering if it is part of routine major maintenance or the maintenance of or replacement of equipment that does not materially affect the expected physical or economic life of the facility.

“Power offtake agreement” means a long-term contract that provides for the provision of the whole or any part of the available capacity or the sale or other disposal of the whole or any part of the output of a wind energy facility. Sales of capacity or energy into a capacity or power market do not constitute a power offtake agreement.