

## HB 2691 -1, -3 STAFF MEASURE SUMMARY

### House Committee On Agriculture and Natural Resources

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**Prepared By:** Stuty Maskey, LPRO Analyst

**Meeting Dates:** 3/18, 4/6

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#### WHAT THE MEASURE DOES:

Directs Oregon Department of Energy (ODE) to conduct a study to identify practical techniques that are scientifically shown to increase the visibility of rotor blades on wind energy facilities to birds and prevent avian deaths and to evaluate the suitability of the techniques for use at wind energy farms in Oregon. Directs ODE to provide the results of the study in a report to the appropriate interim committees of the Legislative Assembly no later than September 15, 2022. Sunsets January 2, 2023. Takes effect on 91<sup>st</sup> day following adjournment sine die.

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

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

*No subsequent referral.*

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-1 Replaces measure. Defines "wind turbine." Requires that wind turbines constructed in the state be painted black for bottom 10 meters of the turbine tower and have one rotor blade painted black. Authorizes Director of Oregon Department of Energy to impose penalties on wind turbine owner or operator in violation of these requirements, not to exceed \$10,000 per day for each day of violation, up to \$1 million for a single energy facility. Applies, beginning March 1, 2022, to all wind turbines constructed in the state after effective date of this Act; and, beginning January 1, 2031, to wind turbines constructed in the state on or before effective date of this Act.

-3 Replaces the measure. Directs Oregon State University (OSU), in consultation with the Oregon Department of Energy (ODOE), to conduct a study to identify practical techniques for painting wind energy facilities that are scientifically shown to increase the visibility of the facilities to birds and prevent avian deaths; evaluate the suitability of the technique of painting wind turbine blades at wind energy facilities in Oregon; and evaluate the feasibility of implementing the techniques in a manner that complies with any applicable requirements of the Federal Aviation Administration. Requires the study to discuss the potential effects that the identified practical techniques may have on wildlife in Oregon other than birds. Directs OSU to provide the results of the study in a report to the interim committees of the Legislative Assembly related to agriculture and natural resources pursuant to ORS 192.245 no later than September 15, 2025. Sunsets January 2, 2026. Takes effect on 91<sup>st</sup> day following adjournment sine die.

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

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

#### BACKGROUND:

Wind turbines are large structures that often stand around 410 feet tall with generally three turbine blades extending out 246 feet from the central nacelle. As they migrate, birds and bats can be killed by impacts with the spinning turbine blades. Estimates of avian fatalities in the US range from 140,000 to 573,000 birds annually.

House Bill 2691 would direct Oregon Department of Energy (ODE) to conduct a study to identify techniques that are scientifically shown to increase the visibility of rotor blades on wind energy facilities to birds and prevent avian deaths. It would require the ODE to evaluate the suitability of the techniques for use at wind energy farms

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*This summary has not been adopted or officially endorsed by action of the committee.*

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in Oregon and to provide the results of the study in a report to the appropriate interim committees of the Legislative Assembly no later than September 15, 2022.

PRELIMINARY