



STATE OF WASHINGTON  
— OFFICE OF GOVERNOR JAY INSLEE —

May 10, 2023

To the Honorable Speaker and Members,  
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 3 and 9, Engrossed Substitute House Bill No. 1173 entitled:

"AN ACT Relating to reducing light pollution associated with certain energy infrastructure."

This bill generally provides clear requirements for installation of FAA-approved light-mitigation systems on both existing and new wind energy facilities. However, Section 3 adds a confusing layer of direction for local governments by stating that they may adopt ordinances that may include specifications for light-mitigating systems. The provision is confusing because it states such ordinances may contain criteria including "conditions under which light mitigation is required", but the underlying bill makes clear that all wind energy facilities require light mitigation. Additionally, such ordinances could dictate which particular light mitigation system a facility-operator must use and could create a patchwork of different requirements that vary by jurisdiction. The bill delivers clearer and more consistent light-mitigation benefits for communities without Section 3.

Section 9 is an emergency clause. However, the requirements of this bill are not "necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions".

For these reasons I have vetoed Sections 3 and 9 of Engrossed Substitute House Bill No. 1173.

With the exception of Sections 3 and 9, Engrossed Substitute House Bill No. 1173 is approved.

Respectfully submitted,

Jay Inslee  
Governor