

2025 Regular Session

HOUSE BILL NO. 637

BY REPRESENTATIVE COATES

ENERGY: Establishes habitat conversion fees for large-scale solar development

1 AN ACT

2 To enact R.S. 30:1128, relative to conversion fees for large-scale solar development; to
3 authorize the Department of Wildlife and Fisheries to impose fees for the conversion
4 of important habitat and species; to authorize rule making; to provide for the deposit
5 and use of fees collected; to provide for effectiveness; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:1128 is hereby enacted to read as follows:

9 §1128. Conversion fees; habitat and wildlife

10 A. The Department of Wildlife and Fisheries is authorized to impose a fee
11 on solar power generation facilities with a footprint of ten acres or more to help
12 mitigate the loss of important habitat and species pursuant to the letter of clearance
13 process in R.S. 30:1125(A)(3).

14 B. The department shall promulgate rules in accordance with the
15 Administrative Procedure Act for the development of a method to charge a per acre
16 fee on such solar power generation facilities to offset the impacts of large scale solar
17 developments on wildlife habitats, loss of biodiversity, and reduction in ecosystem
18 function and services. The department may establish a system of required
19 compensatory mitigation for habitat lost based on historic ecological function and
20 resources impacted. Mitigation values may be based on the following:

1 (1) Geographic location of the project.

2 (2) Market value of the subject property.

3 (3) Rarity of the habitat.

4 (4) Quality of extant habitat.

5 (5) Presence of at-risk species.

6 (6) Comparisons of mitigation value for similarly situated property or habitat

7 type.

8 (7) Costs associated with restoring or conserving similar habitat.

9 (8) Any factor deemed necessary to establish a method that can be applied

10 to any proposed facility in the state.

11 C. The fees collected pursuant to this Section shall not exceed the costs

12 incurred by the department to perform the review required by R.S. 30:1125(A)(3)

13 and the costs associated with protecting, replacing, or otherwise mitigating the loss

14 of the habitat being converted for solar development. Fees collected shall be

15 deposited into the Conservation Fund pursuant to R.S. 56:10(B)(1) to be used for

16 these purposes.

17 Section 2. This Act shall take effect and become operative if and when the Act
18 which originated as House Bill No. 615 of this 2025 Regular Session of the Legislature is
19 enacted and becomes effective.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 637 Engrossed

2025 Regular Session

Coates

Abstract: Authorizes the Dept. of Wildlife and Fisheries to promulgate rules for the imposition of fees for the conversion of important habitat and species for large-scale solar development.

Proposed law authorizes the Dept. of Wildlife and Fisheries to impose fees as part of a letter of clearance process required by HB 615 of this Regular Session for solar developments with a footprint of 10 acres or more.

Proposed law requires the dept. to promulgate rules for a method of charging a per acre fee to offset the impacts of the loss of habitats, biodiversity, and ecosystem functions.

Proposed law provides that the method of calculating fees may be based on the following:

- (1) Geographic location.
- (2) Market value.
- (3) Rarity of the habitat.
- (4) Quality of the habitat.
- (5) Presence of at-risk species.
- (6) Comparisons of mitigation value for similarly situated property or habitat.
- (7) Costs associated with restoring or conserving similar habitat.
- (8) Any other factor deemed necessary to establish a method to be applied statewide.

Proposed law requires any fees collected pursuant to proposed law be deposited into the Conservation Fund.

Proposed law requires that fees collected pursuant to proposed law be used only for the costs incurred by the dept. during the letter of clearance process and for the costs to protect, replace, or mitigate the loss of habitat being converted for large-scale solar development.

Effective only if HB 615 of this 2025 Regular Session becomes law.

(Adds R.S. 30:1128)