

Fall 2023 CDPHE Legislative and Budget Update

Southern Ute Indian Tribe/State of Colorado Environmental Commission

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Outline

- HB23 - 1294 and Interim Committee on Ozone Air Quality
- HB23 - 1161 - Environmental Standards for Certain Products
- SB23 - 016 - Greenhouse Gas Emission Reduction Measures
- 2024 - Legislative Agenda
- Environmental Justice Budget Agenda

HB23-1294 - Pollution Protection Measures

- **Interim Legislative Committee on Ozone Pollution**
 - Comprises twelve legislators from both houses and parties
 - Have met five times with two more meetings scheduled in December
 - Topics discussed have included ozone 101, background ozone in the west, minor source modeling and permitting, and EJ Action Task Force Recommendations
 - No committee bills allowed by law; however, we expect concepts for bills to be formed in their last meeting
- Requires Energy and Carbon Management Commission (formerly OGCC) to promulgate rules by April 2024 that evaluate and address cumulative impacts of oil and gas operations including defining cumulative impacts

HB23-1161 - Environmental Standards for Appliances

- Energy and water efficiency standards for numerous appliance products sold in Colorado, building off of 2019 legislation, and also NOx standards for water heaters and fan type central furnace heating systems.
- Standards are primarily Energy Star and WaterSense
- Includes a prohibition of the sale of fluorescent light bulbs to keep mercury out of landfills (Clean Lighting Act).
- CDPHE can update standards by rule in the future

SB23-016 - GHG Reduction Measures

- Revised GHG reduction targets adding a 2040 target of 75% and 2050 net-zero target. HB19-1261: 26% by 2025, 50% by 2030, 90% by 2050
- Tax incentive for transition to electric lawn and garden equipment
- Revised the Energy Office's duties and powers in 24-38.5-102 CRS to better represent the current mission of the office
- Added "wastewater thermal energy" to the definition of a clean heat resource in 40-3.2-108 CRS

https://leg.colorado.gov/sites/default/files/2023a_016_signed.pdf

CDPHE Legislative Agenda

- Empower local governments in permitting decisions
- Refinery Regulation
- Environmental Equity and Cumulative Impact Analyses
- Oil and Gas Rapid Response Inspection Team



Budget Requests

Overview of Environmental Justice Budget and Legislative Agenda

Sustainable Funding for CDPHE Environmental Justice Program

- Adding new staff to the EJ Program to implement EJ Action Task Force recommendations about data, best practices for community engagement, and interagency coordination
- Expanded funding community connector program and participation incentives

Expanding Environmental Justice Protections

- Significant funding for Environmental Equity & Cumulative Impact Analyses
- Hiring a refinery expert to develop refinery regulation and increase refinery oversight
- Local government authority to limit local pollution within participating communities
- New oil & gas rapid response program

Enforcing Environmental Laws in DI Communities

- Hiring new air, water, and waste inspectors
- Hiring complaint response specialists for DI Communities
- Hiring community engagement specialists
- Expanding Spanish translation capacity

REMINDER - OVERVIEW OF BUDGET PROCESS

Governor's Budget
(April - November)

JBC Process
(November - March)

- Briefings
- Hearings
- Figure Setting

Long Bill and Other Bills
(end March-April)

- Amendments
- Conference Committee

Oil & Gas Rapid Response Team

- CDPHE is requesting funding and authorization for APCD to establish a 2 member rapid response inspection team
- Rapid response inspectors would be able to more rapidly respond to complaints about oil and gas emissions and potentially other sources
- Rapid response team could provide additional community engagement capacity during and after emissions exceedance events
- Budget includes \$260,000 in funding for the rapid response team

Thank You!

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