

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 23-186

BY SENATOR(S) Pelton R. and Winter F., Bridges, Buckner, Coleman, Cutter, Danielson, Exum, Fields, Hansen, Hinrichsen, Jaquez Lewis, Marchman, Priola, Will;
also REPRESENTATIVE(S) Winter T. and Willford, Amabile, Bacon, Bird, Brown, DeGraaf, Dickson, Duran, Froelich, Garcia, Hamrick, Joseph, Kipp, Lindsay, Lynch, Michaelson Jenet, Pugliese, Story, Titone, Valdez, Vigil, McCluskie.

CONCERNING METHANE SEEPAGE IN THE RATON BASIN OF COLORADO, AND,
IN CONNECTION THEREWITH, REQUIRING THE COLORADO OIL AND GAS
CONSERVATION COMMISSION TO COMPLETE A STUDY AND MAKING AN
APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 34-60-139 as follows:

34-60-139. Methane seepage in Raton basin - study of best management practices and water quality required - repeal. (1) THE COMMISSION AND THE WATER QUALITY CONTROL DIVISION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, IN CONSULTATION

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

WITH LOCAL GOVERNMENTS, SHALL PERFORM A STUDY THAT:

(a) IDENTIFIES BEST MANAGEMENT PRACTICES FOR CAPTURING METHANE SEEPAGE IN THE RATON BASIN OF SOUTHERN COLORADO;

(b) EVALUATES THE QUALITY OF WATER RESULTING FROM SUCH METHANE CAPTURE OPERATIONS; AND

(c) EVALUATES THE POTENTIAL TO PRESERVE AND MAKE BENEFICIAL USE OF SUCH WATER.

(2) THE PRIMARY OBJECTIVES OF THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION ARE TO:

(a) PROACTIVELY AND SYSTEMATICALLY LOCATE AND SURVEY METHANE GAS SEEPAGE IN THE RATON BASIN;

(b) DOCUMENT PREVIOUS AREAS OF SEEPAGE;

(c) CALCULATE ANY DIFFERENCES IN SEEPAGE AMOUNTS; AND

(d) ASSESS THE POTENTIAL FOR METHANE TO CREATE HAZARDOUS CONDITIONS.

(3) THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION MUST INCLUDE:

(a) A SURVEY TO IDENTIFY SUSPECTED SEEPAGE AREAS, PREVIOUS SEEPAGE AREAS, AND INCREASES OR DECREASES IN SEEPAGE;

(b) DETAILED MAPPING OF SUSPECTED SEEPAGE AREAS;

(c) SAMPLING AND ANALYSIS OF GAS COLLECTED FROM SELECTED SEEPAGE AREAS; AND

(d) SAMPLING AND ANALYSIS OF WATER FROM SELECTED WATER WELLS AND METHANE CAPTURE WELLS IN THE RATON BASIN.

(4) IN PERFORMING THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE COMMISSION AND THE WATER QUALITY CONTROL

DIVISION SHALL COORDINATE WITH:

(a) THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101;

(b) THE DIVISION OF WATER RESOURCES CREATED IN THE DEPARTMENT OF NATURAL RESOURCES PURSUANT TO SECTION 24-1-124;

(c) THE DIVISION OF MINING, RECLAMATION, AND SAFETY IN THE DEPARTMENT OF NATURAL RESOURCES PURSUANT TO SECTION 34-20-103;

(d) THE DIVISION OF PARKS AND WILDLIFE CREATED IN THE DEPARTMENT OF NATURAL RESOURCES PURSUANT TO SECTION 33-9-104; AND

(e) THE BOARDS OF COUNTY COMMISSIONERS IN LAS ANIMAS AND HUERFANO COUNTIES.

(5) THE COMMISSION, IN CONSULTATION WITH LOCAL GOVERNMENTS, SHALL COMPLETE THE STUDY DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND SUBMIT THE STUDY TO THE AGRICULTURE, WATER, AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE AND NATURAL RESOURCES COMMITTEE OF THE SENATE, OR TO ANY SUCCESSOR COMMITTEES, ON OR BEFORE JUNE 30, 2025.

(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

SECTION 2. Appropriation. (1) For the 2023-24 state fiscal year, \$558,500 is appropriated to the department of natural resources for use by the oil and gas conservation commission. This appropriation is from the oil and gas conservation and environmental response fund created in section 34-60-122 (5), C.R.S. To implement this act, the commission may use this appropriation for program costs.

(2) For the 2023-24 state fiscal year, \$85,361 is appropriated to the department of public health and environment. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.2 FTE. To implement this act, the department may use this appropriation for clean water program costs.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO