

JOINT BUDGET COMMITTEE



STAFF BUDGET BRIEFING FY 2024-25

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (Environmental Divisions)

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
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ADDITIONAL RESOURCES

Brief summaries of all bills that passed during the 2022 and 2023 legislative sessions that had a fiscal impact on this department are available in Appendix A of the annual Appropriations Report: [Appropriations Report Fiscal Year 2023-24 | Colorado General Assembly](#).

The online version of the briefing document, which includes the Numbers Pages, may be found by searching the budget documents on the General Assembly’s website by visiting leg.colorado.gov/content/budget/budget-documents. Once on the budget documents page, select the name of this department's *Department/Topic*, "Briefing" under *Type*, and ensure that *Start date* and *End date* encompass the date a document was presented to the JBC.

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

DEPARTMENT OVERVIEW

The Department of Public Health and Environment consists of 10 divisions, of which the following four will be covered in this document:

1 Air Pollution Control Division

- a. Performs statewide air monitoring, pollutant analysis, and air emission modeling
- b. Researches the causes and effects of pollution from mobile vehicles and implements strategies aimed at reducing emissions from mobile sources
- c. Permits, monitors, and inspects factories, power plants, and other commercial air pollutant emitters for compliance with air pollutant emissions standards

2 Water Quality Control Division

- a. Issues waste water discharge permits and, if necessary, takes enforcement action to ensure compliance with water quality standards
- b. Issues water quality permits for the following sectors: construction, public and private utilities, commerce and industry, pesticides, and water quality certification
- c. Monitors the pollutant levels in rivers, streams, and other bodies of water
- d. Conducts surveillance of public and non-public drinking water sources to ensure compliance with federal and state water quality standards
- e. Reviews designs and specifications of new and/or expanding water treatment facilities

3 Hazardous Materials and Waste Management Division

- a. Regulates the treatment, storage, and disposal of solid and hazardous waste in Colorado
- b. Performs inspections of solid waste facilities
- c. Oversees hazardous waste generators, transporters, and storage facilities
- d. Regulates commercial radioactive materials in Colorado
- e. Administers the Waste Tire Program

4 Division of Environmental Health and Sustainability

- a. Certifies and inspects wholesale food distributors and dairy processors
- b. Oversees restaurant, child care facility, and school inspections done by local public health agencies (with a few exceptions where the State is responsible for these inspections)
- c. Administers the following environmental sustainability programs:
 - i. Environmental Leadership Program
 - ii. Pollution Prevention Program
 - iii. Pharmaceutical Take-Back Program
- d. Administers the Recycling Resources Opportunity Program
- e. Administers the Animal Feeding Operations Program

DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 *
General Fund	\$92,148,934	\$204,564,309	\$138,311,581	\$147,727,825
Cash Funds	234,257,879	311,690,039	295,736,167	322,895,561
Reappropriated Funds	47,937,784	76,603,566	69,876,513	65,247,023
Federal Funds	315,772,579	323,061,448	330,530,310	339,597,552
TOTAL FUNDS	\$690,117,176	\$915,919,362	\$834,454,571	\$875,467,961
Full Time Equiv. Staff	1,577.6	1,732.4	1,881.7	1,901.7

*Requested appropriation.

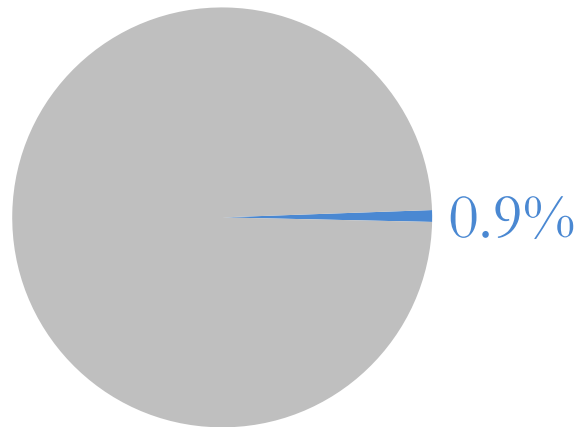
SELECT DIVISIONS: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25 *
General Fund	\$11,195,260	\$85,720,270	\$36,192,351	\$26,734,117
Cash Funds	63,856,446	67,957,369	106,799,354	138,192,054
Reappropriated Funds	514,199	21,523,490	4,073,722	4,697,791
Federal Funds	40,500,432	40,656,144	40,656,144	40,656,144
TOTAL FUNDS	\$116,066,337	\$215,857,273	\$187,721,571	\$210,280,106
Full Time Equiv. Staff	585.6	696.7	804.5	831.0

*Requested appropriation.

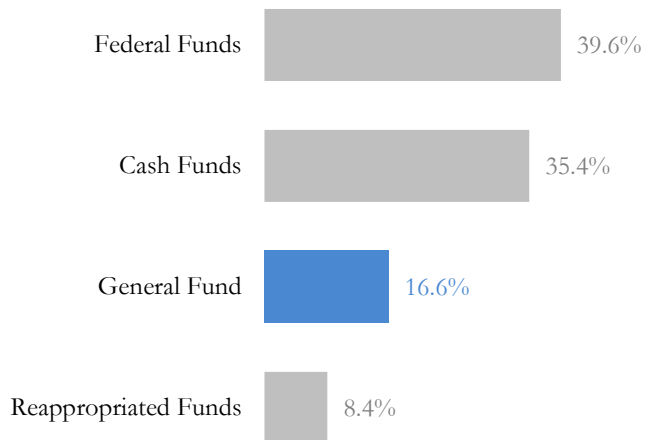
DEPARTMENT BUDGET: GRAPHIC OVERVIEW

Department's Share of Statewide General Fund



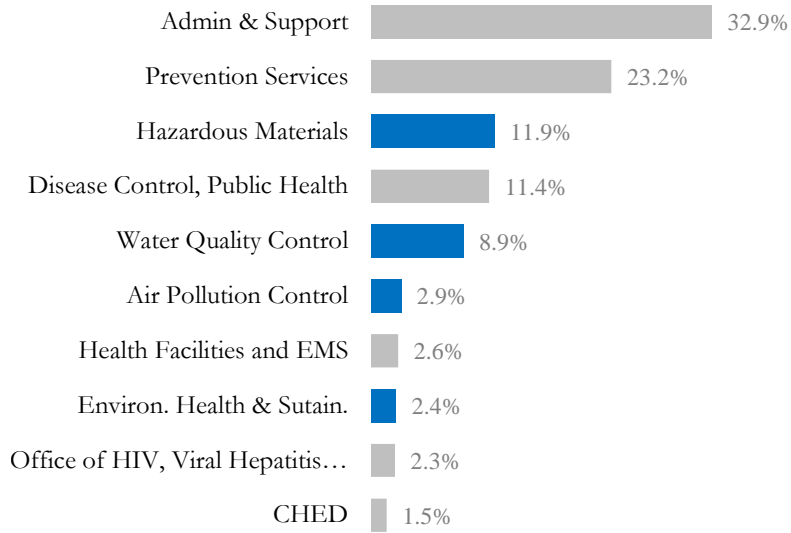
Based on the FY 2023-24 appropriation.

Department Funding Sources



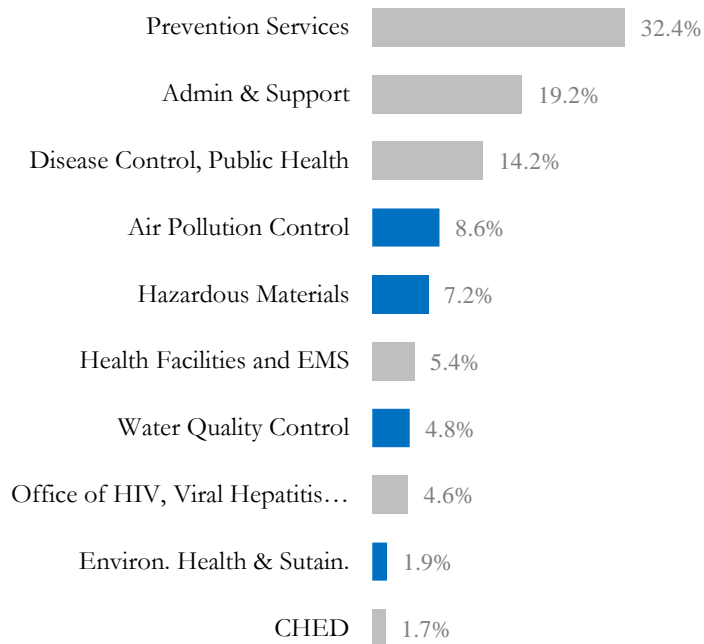
Based on the FY 2023-24 appropriation.

Distribution of General Fund by Division



Based on the FY 2023-24 appropriation.

Distribution of Total Funds by Division



Based on the FY 2023-24 Appropriation

CASH FUNDS DETAIL

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT – ENVIRONMENT DIVISIONS			
FUND NAME OR GROUP	FY 2023-24 APPROP.	PRIMARY SOURCES OF FUND REVENUE	PRIMARY USES IN THIS DEPARTMENT
Stationary Sources Control, CDPHE HUTF AIR Subaccount, Pollution Prevention, Ozone Protection	\$42,417,940	These funds are supported by the collection of fees from stationary sources, individuals registering vehicles, or facilities submitting hazardous chemical inventory reports.	Each fund supports the regulation of or activities around emissions and pollution.
End Users, Waste Tire Admin, Recycling Resources Economic Opportunity	14,621,115	These funds are supported by new tire fees and solid waste disposal user fees.	The End Users and Waste Tire Admin funds support the Waste Tire Program, and the Recycling Resources fund promotes economic development through management of discarded materials.
Hazardous Substance Response, Hazardous Waste Service, Solid and Hazardous Waste Commission, Solid Waste Management	12,318,867	Revenue for these funds includes permitting, registration, and user fees for entities that generate, transport, or dispose of solid and/or hazardous waste.	The collected fees fund the operations of the hazardous and solid waste management programs as well as remedial actions for superfund sites.
Water Quality Improvement, Water Quality Certification Sector, Drinking Water, Public and Private Utilities Sector, Biosolids Management Program, MS4 Sector, Pesticides Sector	5,416,619	Fund revenue includes permitting fees, and penalties related to the Clean Water and Safe Drinking Water Acts.	The fund supports regulatory activities surrounding water treatment, pesticide applications, and biosolid producers related to water quality.
Construction Sector, Commerce and Industry Sector	3,247,750	These funds are supported by annual fees for regulated activities in the construction and commerce and industry sectors.	Funds are utilized for regulation of a number of all industrial activities including mining, hydrocarbon refining, sugar processing, industrial storm water, manufacturing, as well as the construction sector.
Paint Stewardship Program, Lead Hazard Reduction, Radiation Control	2,751,600	Revenue sources include fees from paint stewardship organizations, permit certifications, and radioactive materials licensing.	These funds support the Architectural Paint Stewardship Program, certify and train individuals involved in lead based paint inspection or abatement, and radiation control services.
Wholesale Food and Storage Protection, Food Protection	2,333,696	Fee sources include registration fees for wholesale food manufacturers and warehouses and annual fees for retail food services establishment licenses.	Funds are used for inspection of manufacturers and food service locations.
Animal Feeding Operations, Housed Commercial Swine Feeding Operation, Dairy Protection	561,040	These funds are supported by registration and permitting fees from animal feeding operations, swine feeding operations, and dairy plants, shippers, and haulers.	These fees fund the permitting and oversight costs as well as the state's Dairy Licensing, Testing, and Sampling program.
Various	27,110,382		
Total	\$110,579,009		

ADDITIONAL INFORMATION – SELECT FUND SOURCES

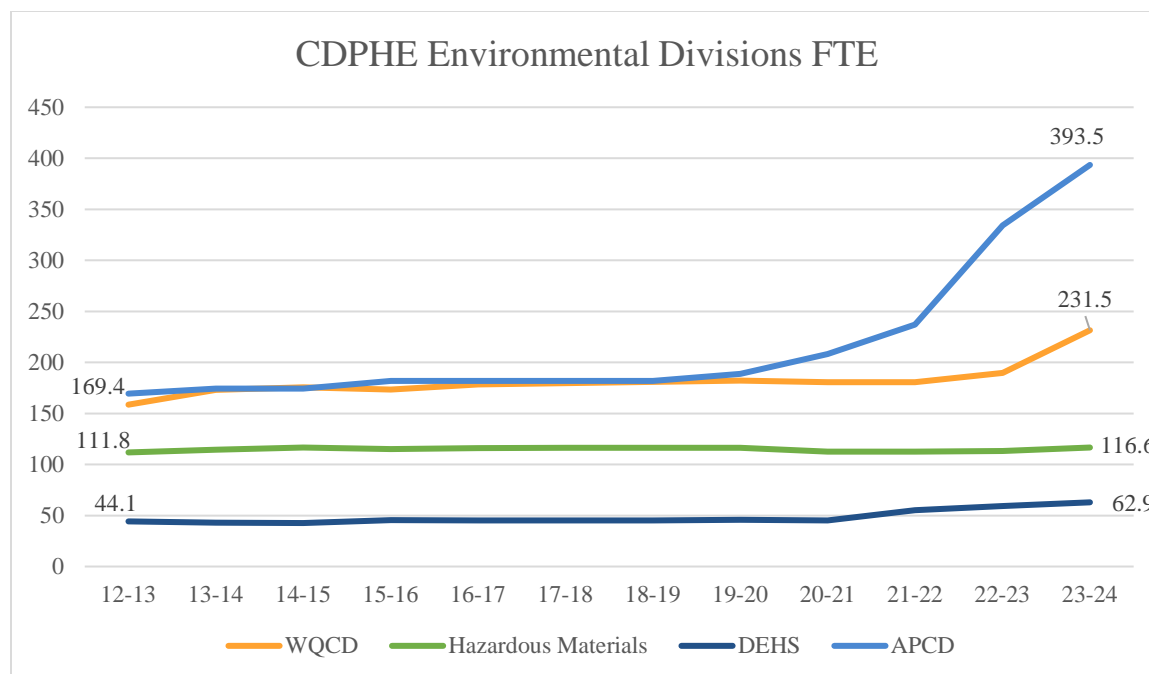
STATIONARY SOURCES CONTROL FUND: The Stationary Sources Control Fund has had increasing demands placed upon it by recent legislation, which has caused expenditures to exceed revenues by an estimated \$9.8 million in FY 2023-24, with this deficit increasing annually to \$28.8 million in FY 2026-27. Based on the Department's current projections, the Stationary Source Control Fund faces insolvency in FY 2024-25. *This topic is addressed more fully in the issue briefing.*

GENERAL FACTORS DRIVING THE BUDGET

Funding for the Department for FY 2023-24 consists of 16.6 percent General Fund (including appropriations from the General Fund Exempt account), 35.4 percent cash funds, 8.4 percent reappropriated funds, and 39.6 percent federal funds. Funding for the environmental divisions covered in this briefing for FY 2023-24 consists of 12.7 percent General Fund, 65.7 cash funds, 2.3 reappropriated funds and 19.3 percent federal funds.

ENVIRONMENTAL REGULATORY STAFF

The Department is responsible for the regulation, inspection, and enforcement of numerous health and environment statutes designed to protect the health of Coloradans and the environment. In order to meet the growing regulatory workload, which is a result of both population growth and an increasing number of statutory and regulatory requirements, the Department has expanded regulatory resources in the environmental divisions. The figure below shows the FTE changes for each of the environmental divisions from FY 2012-13 through FY 2023-24.



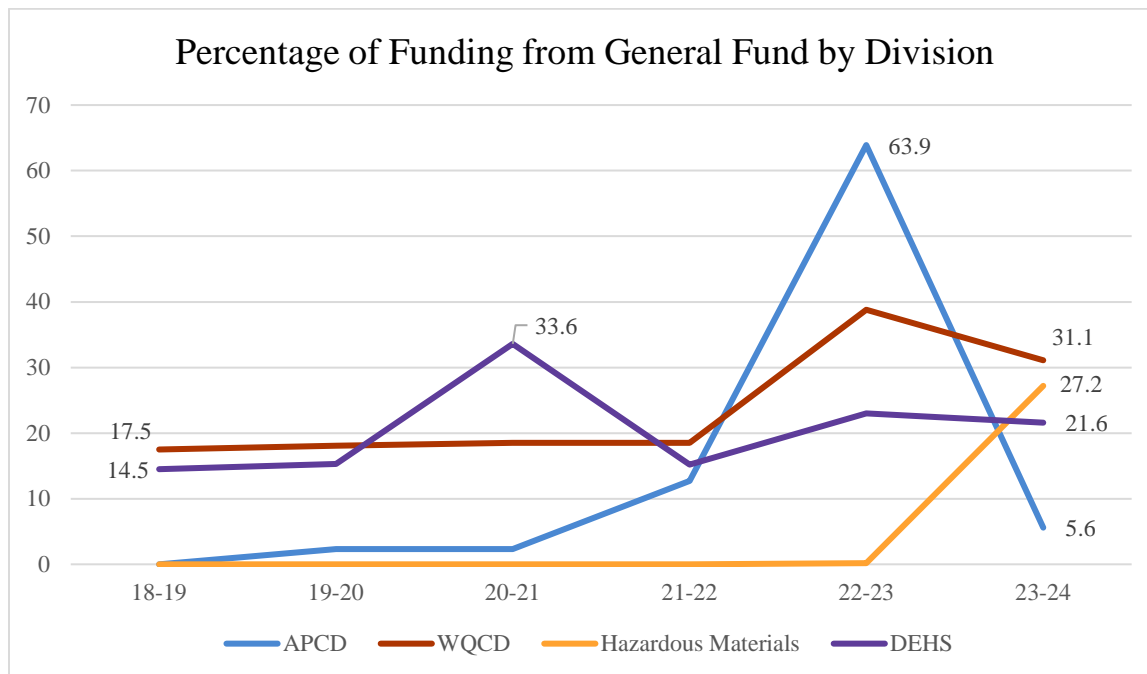
ENVIRONMENTAL DIVISIONS' PRIMARY CASH FUNDS

The four environmental divisions (APCD, WQCD, HMSWD, and DEHS) have historically been primarily cash funded, with each division utilizing multiple cash funds to cover operational expenditures for their programs. The revenues in these cash funds are derived primarily from program fees and are indicative of each division's workload and programmatic scope; available revenue determines expenditures. The following table summarizes the three largest cash funds by appropriation for each of the four divisions.

FY 2022-23 CASH FUND SUMMARY FOR ENVIRONMENTAL DIVISIONS

DIVISION	CASH FUND	BEGINNING BALANCE	ENDING BALANCE	NET REVENUE
Air Pollution Control Division	Stationary Sources Control Fund	\$3,652,470	\$759,070	(\$2,893,400)
	CDPHE HUTF AIR Subaccount	70,108	188,108	118,000
	Ozone Protection Fund	36,255	32,755	(3,500)
Water Quality Control Division	Public and Private Utilities Sector Fund	2,039,308	2,103,395	64,087
	Water Quality Improvement Fund	4,360,944	682,686	(3,678,258)
	Construction Sector Fund	1,753,531	1,949,531	196,000
Hazardous Materials and Waste Management Division	End User Fund	5,745,723	6,206,099	460,376
	Hazardous Substance Response Fund	4,004,131	1,066,894	(2,937,237)
	Solid Waste Management Fund	12,256	66,635	54,379
Division of Environmental Health and Sustainability	Recycling Resources Economic Opportunity Fund	577,141	1,314,244	737,103
	Food Protection Cash Fund	1,377,019	1,551,216	174,197
	Wholesale Food and Storage Protection Cash Fund	996,639	1,068,696	72,057

Over the past several years many of the programs in these division have been increasing their reliance on General Fund, as opposed to the cash funds paid into by the regulated community. The figure below illustrates annual changes in General Fund funding by division since FY 18-19.



SUMMARY: FY 2023-24 APPROPRIATION & FY 2024-25 REQUEST

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 APPROPRIATION:						
SB23-214 (Long Bill)	808,083,100	115,954,005	295,300,422	66,298,363	330,530,310	1,848.6
Other legislation	26,371,471	22,357,576	435,745	3,578,150	0	33.1
TOTAL	\$834,454,571	\$138,311,581	\$295,736,167	\$69,876,513	\$330,530,310	1,881.7
FY 2024-25 REQUESTED APPROPRIATION:						
FY 2023-24 Appropriation	\$834,454,571	138,311,581	\$295,736,167	\$69,876,513	\$330,530,310	1,881.7
R1 Public health infrastructure	15,014,300	15,014,300	0	0	0	83.0
R2 Stationary Sources Control Fund	5,900,000	0	5,900,000	0	0	0.0
R3 Health facility licensure funding	2,591,934	2,189,180	402,754	0	0	1.8
R4 State syphilis response	1,971,961	1,971,961	0	0	0	3.8
R5 State lab operating	2,659,000	1,291,100	1,367,900	0	0	0.0
R6 Tuberculosis program infrastructure	305,702	305,702	0	0	0	2.0
R7 Environmental justice	908,940	908,940	0	0	0	7.4
R8 Lead testing support	1,261,155	1,261,155	0	0	0	2.7
R9 Office of Health Equity and Environmental Justice	3,396,753	193,738	1,115,938	1,964,493	122,584	10.4
R10 Office of health equity tribal relations	(65,629)	142,876	0	0	(208,505)	0.9
R11 Technical adjustments	0	0	0	0	0	0.0
R12 Common policy provide rate adjustment	343,974	304,988	38,986	0	0	0.0
Annualize prior year legislation	9,845,564	(12,014,608)	20,744,996	1,115,176	0	(98.3)
Centrally appropriated line items	8,440,523	1,858,408	16,426,403	(8,072,757)	(1,771,531)	0.0
Non-prioritized decision items	2,154,221	1,504,927	(60,809)	708,494	1,609	0.0
Indirect cost assessment	1,082,062	268,738	290,008	82,867	440,449	0.0
ARPA Fund source adjustments	0	0	(16,164,667)	0	16,164,667	(0.2)
Annualize prior year budget actions	(14,797,070)	(5,785,161)	(2,902,115)	(427,763)	(5,682,031)	6.5
TOTAL	\$875,467,961	\$147,727,825	\$322,895,561	\$65,247,023	\$339,597,552	1,901.7
INCREASE/(DECREASE)						
Percentage Change	4.9%	6.8%	9.2%	(6.6%)	2.7%	1.1%

*Highlighted decision items will be covered in this briefing. Other decision items will be covered in another briefing by Abby Magnus

R2 STATIONARY SOURCES CONTROL FUND: The Department requests \$5,900,000 in ongoing cash fund spending authority from the Stationary Sources Control Fund (SSCF). The Department also seeks legislation allowing for the transfer of \$30 million from the Energy and Carbon Management Commission (ECMC) Cash Fund into the Stationary Sources Control Fund. The goal of this transfer, coupled with fee increases, is to bring the Stationary Source Control Fund into solvency. This appropriation from the SSCF does not require legislation, but an appropriation to the SSCF is necessary for funds to be available and any transfer from the ECMC fund would require legislation. For additional information, see the issue briefing in this document.

R7 ADVANCING EJ IN ENFORCEMENT AND COMPLIANCE: The Department requests \$908,940 General Fund and 7.4 FTE in FY 2024-25. The request annualize to \$918,772 and 8.0 FTE in FY 2025-26 and ongoing to address environmental inspection and compliance capability in disproportionately impacted (DI) communities.

R8 LEAD TESTING SUPPORT: The Department requests \$1,261,155 in General Fund and 2.7 FTE for FY 2024-25 to expand testing and investigation into childhood lead poisoning across the state. Presently, the state of Colorado only conducts lead tests on 23.0 percent of children aged 12 to 24 months enrolled in Medicaid, Child Health Plan Plus or the Colorado Indigent Care Program, with this testing being a federal requirement. Additionally, the testing rate for all children under the age of six in the state is only 7.0 percent annually. The proposed funding would be used to purchase additional equipment to expand lead testing capacity, as well as increasing staff levels to allow for in-home environmental investigations for children identified as having higher levels of lead. The request annualizes to \$950,482 General Fund and 3.0 FTE for FY 2025-26 and ongoing.

R9 OFFICE OF HEALTH EQUITY AND ENVIRONMENTAL JUSTICE: The Department requests \$3,396,753 in funding, including \$193,738 in General Fund, \$1,115,938 in cash funds, \$1,964,493 in reappropriated funds, and \$122,584 in federal funds, to establish the Office of Health Equity and Environmental Justice (OHEEJ) within the Administration and Support Division of CDPHE. This office would house the staff of the Environmental Justice Program (EJP). long-term stability of funding, transparency of EJP actions and increased efficiency in workflow.

R11 TECHNICAL ADJUSTMENTS: The Department requests approval for several technical changes to the Long Bill including:

- Combining all of the Family Planning Program lines in the Long Bill into one line called “Reproductive Health Program” and rename the subcategory (1) Women’s Health to (1) Community Health.
- Transferring LPHA funding for programs delegated by Division of Environmental Health and Sustainability out of the Administration and Support Division; and
- Adding a letternote for the Mobile Sources program within the Air Quality Division, to identify an estimated \$1,385,405 from the Clean Enterprise Fleet Fund is for informational purposes only. *This item will be covered in the other half of this Department’s briefing by Abby Magnus.*

ANNUALIZE PRIOR YEAR LEGISLATION: The request includes a net decrease of \$9.8 million total funds, including a decrease of \$12.0 million General Fund, to reflect the FY 2024-25 impact of bills passed in previous sessions, summarized in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB23-193 Air quality investments	\$21,406,281	\$0	\$21,406,281	\$0	\$0	(5.0)
HB20-1427 Prop EE	20,000,000	0	20,000,000	0	0	7.0
HB23-1257 Mobile home parks water quality	2,213,164	1,106,582	0	1,106,582	0	5.5
HB23-1244 Regional health	1,506,413	1,506,413	0	0	0	0.1
HB22-1244 Toxic air contaminants	1,298,074	1,298,074	0	0	0	12.5
SB23-240 Dairy fees	390,059	0	390,059	0	0	0.0
SB22-254 Increased safety in ALR	101,884	101,884	0	0	0	0.8
SB23-014 Disordered eating	64,719	64,719	0	0	0	0.8
HB23-1223 Grants task force	54,157	54,157	0	0	0	0.0
SB22-178 Deter tampering	48,730	48,730	0	0	0	1.3
SB23-198 Clean energy plans	36,371	36,371	0	0	0	0.6
SB23-172 POWER Act	25,490	25,490	0	0	0	0.1
HB22-1289 Health benefits	10,349	10,349	0	0	0	0.0
SB23-290 Natural medicine regulation	5,650	5,650	0	0	0	0.8
HB23-1242 Water conservation	2,742	0	2,742	0	0	0.0
HB23-1213 Stop the bleed	504	504	0	0	0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB21-243 Public health infrastructure	(21,090,149)	0	(21,090,149)	0	0	(121.4)
HB23-1194 Closed landfills	(14,991,406)	(15,000,000)	0	8,594	0	0.2
SB23-271 Intoxicating cannabinoids	(422,276)	(422,276)	0	0	0	0.1
HB23-1008 Food accessibility	(250,000)	(250,000)	0	0	0	0.0
SB23-189 Reproductive health care	(200,000)	(200,000)	0	0	0	0.0
SB23-186 COGCC study methane	(75,410)	(75,410)	0	0	0	(0.1)
SB22-225 Ambulance sustainability	(62,476)	(62,476)	0	0	0	(0.3)
HB19-1279 Regulation of firefighting foam	(55,278)	(55,278)	0	0	0	(0.7)
SB23-148 Illegal drug labs	(38,453)	(74,516)	36,063	0	0	(0.5)
HB22-1401 Hospital nurse staffing	(36,573)	(36,573)	0	0	0	(0.4)
HB23-1077 Informed consent	(32,915)	(32,915)	0	0	0	0.4
HB23-1161 Appliance standards	(26,439)	(26,439)	0	0	0	0.3
SB23-167 Certified midwives	(15,393)	(15,393)	0	0	0	(0.2)
SB23-016 GG reduction measures	(14,706)	(14,706)	0	0	0	(0.2)
SB23-253 Compostable products	(4,036)	(4,036)	0	0	0	(0.1)
SB23-002 Medicaid reimbursement	(3,340)	(3,340)	0	0	0	0.0
HB23-1294 Pollution prevention	(173)	(173)	0	0	0	0.1
TOTAL	\$9,845,564	(\$12,014,608)	\$20,744,996	\$1,115,176	\$0	(98.3)

CENTRALLY APPROPRIATED LINE ITEMS: The request includes adjustments to centrally appropriated line items for the following line items.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey	\$11,806,680	\$2,917,892	\$4,627,360	\$1,186,223	\$3,075,205	0.0
Payments to OIT	1,545,531	1,277,850	10,687,365	(8,397,344)	(2,022,340)	0.0
PERA Direct Distribution	1,023,530	693,534	277,633	52,363	0	0.0
Paid Family and Medical Leave Insurance	811,716	149,859	273,661	67,786	320,410	0.0
Workers' compensation	84,533	0	0	84,533	0	0.0
ALJ services	43,490	21,745	0	21,745	0	0.0
Capitol Complex leased space	17,966	8,983	0	8,983	0	0.0
Health, life, and dental	(4,771,343)	(1,735,764)	(287,419)	(123,924)	(2,624,236)	0.0
CORE adjustment	(608,550)	0	0	(608,550)	0	0.0
AED	(479,498)	(629,649)	417,336	(10,079)	(257,106)	0.0
SAED	(479,498)	(629,649)	417,336	(10,079)	(257,106)	0.0
Legal services	(396,519)	(198,260)	0	(198,259)	0	0.0
Risk management & property adjustment	(146,061)	0	0	(146,061)	0	0.0
Short-term disability	(11,454)	(18,133)	13,131	(94)	(6,358)	0.0
TOTAL	\$8,440,523	\$1,858,408	\$16,426,403	(\$8,072,757)	(\$1,771,531)	0.0

NON-PRIORITIZED DECISION ITEMS: The request includes an increase of \$2,154,924 in total funds, including \$740,773 General Fund, for adjustments largely related to budget requests from the Department of Personnel. *These items were covered in the briefings for the requesting department.*

NON-PRIORITIZED DECISION ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
NP Central Services Omnibus Request	\$2,180,924	\$1,466,412	\$0	\$714,512	\$0	0.0
CORE Operating Resources	45,092	45,092	0	0	0	0.0
NP4 Convert contractor resources to FTE	1,609	0	0	0	1,609	0.0
NP1 Annual fleet vehicle request	(73,404)	(6,577)	(60,809)	(6,018)	0	0.0
TOTAL	\$2,154,221	\$1,504,927	(\$60,809)	\$708,494	\$1,609	0.0

INDIRECT COST ASSESSMENT: The request includes a net increase of \$1.1 million total funds associated with adjustments to the Department's indirect cost assessment.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The request includes a net decrease of \$14.8 million total funds, including a decrease of \$5.8 million General Fund, to reflect the FY 2024-25 impact of prior year budget actions, summarized in the following table. Items relating to the environmental divisions have been **bolded**.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY22-23 R1 APCD transformation	\$2,114,422	\$0	\$2,114,422	\$0	\$0	0.0
FY23-24 R1 Protective water quality	484,079	484,079	0	0	0	6.4
FY23-24 BA2 BRFS Assistance	54,559	54,559	0	0	0	0.0
FY23-24 R13 CCC registry staffing	35,197	35,197	0	0	0	0.0
FY23-24 R7 Address syphilis	20,540	20,540	0	0	0	0.1
FY23-24 R15 DETC leased space	7,020	0	7,020	0	0	0.0
FY23-24 BA3 Preventing outbreaks	5,450	5,450	0	0	0	0.0
DPS Digital trunk radio	3,866	3,866	0	0	0	0.0
A35, Tobacco, CCPD adjustment	0	0	0	0	0	0.0
Prior year salary survey	(7,843,836)	(1,221,852)	(1,720,148)	(404,086)	(4,497,750)	0.0
FY23-24 CCVS LB amendment	(4,000,000)	(4,000,000)	0	0	0	0.0
FY23-24 R3 Health facilities CF relief	(2,100,000)	0	(2,100,000)	0	0	0.0
FY23-24 R6 VSRCF fee relief	(1,383,409)	(180,000)	(1,203,409)	0	0	0.0
FY23-24 Birth defects monitoring and prevention FF true-up	(1,184,281)	0	0	0	(1,184,281)	0.0
FY23-24 FPP LB amendment	(500,000)	(500,000)	0	0	0	0.0
FY23-24 R4 Dairy protection fee relief	(412,000)	(412,000)	0	0	0	0.0
FY23-24 Mental health first aid LB amendment	(75,000)	(75,000)	0	0	0	0.0
FY23-24 BA4 Indirect spending authority	(14,000)	0	0	(14,000)	0	0.0
FY23-24 NP1 OIT budget request	(9,677)	0	0	(9,677)	0	0.0
TOTAL	(\$14,797,070)	(\$5,785,161)	(\$2,902,115)	(\$427,763)	(\$5,682,031)	6.5

ISSUE: STATIONARY SOURCES CONTROL FUND STABILIZATION

The Department of Public Health and Environment (CDPHE) is tasked with air pollution control, with the Stationary Sources Control Fund (SSCF) being a major source of revenue for these efforts. The SSCF is funded primarily through fees on emissions for stationary sources, with existing fees based on tonnage of emissions. In turn, these fees are used by CDPHE to support anti-pollution initiatives. Under present conditions, the SSCF faces insolvency, with the fund expected to have a negative balance in FY 2024-25. This has largely been driven by stagnating revenues due to fees remaining unchanged and increased costs due to legislative changes and recent budgetary requests by the Department, as well as increasing federal standards regarding ozone nonattainment and other forms of pollution.

SUMMARY

- The SSCF is facing insolvency due to expenditures exceeding revenues. In recent years, the General Assembly has made General Fund appropriations to the department due to legislative and budgetary changes, including H.B. 21-1266 (Environmental Justice and Greenhouse Gas programs), H.B. 22-1244 (Protections From Air Toxics), and the FY 2023 Air Quality Transformation Decision Item (CDPHE R-01). These appropriations were made to cover increased short-term demands on the SSCF, but there has been minimal ongoing action to increase SSCF revenues.
- The Department has suggested transferring \$30 million from the Energy and Carbon Management Cash Fund (ECMC), under Department of Natural Resources, to the SSCF over three years as a means of maintaining solvency of the SSCF. This would be coupled with phased stationary source fee increases over a two year period, as well as new fees being implemented.
- Alternatively, the SSCF could be funded through either immediate fee increases or General Fund appropriation to address the shortfall in the SSCF brought about by new legislation and budgetary decisions.
- The department has identified changes in volume of emissions as a difficulty in projecting future fee revenues to the SSCF.

DISCUSSION

Increased expenditure from the SSCF has largely been driven by legislative changes. In recent legislative sessions, the General Assembly has appropriated approximately \$56 million General Fund to support clean air initiatives through H.B. 21-1266 (\$5.1 million), H.B. 22-1244 (\$5.6 million) and in a FY 2022-23 Long Bill decision item, R01 Air quality transformation (\$45.3 million). This funding was granted in response to the high priority need identified by the legislature, with the expectation than a longer-term funding source would be identified in the future. Funding from H.B. 21-1266 lapsed at the end of FY 22-23, while the funding for H.B. 22-1244 and the Air Quality decision item

will lapse in FY 24-25. The following sections include potential sources of funding to bring the SSCF into solvency.

Energy and Carbon Commission Cash Fund Transfer

Under current conditions, the Department projects that the SSCF will be insolvent by the middle of FY 24-25. The Department has proposed the ECMC Cash Fund as a potential source of funding to bring the SSCF into solvency, believing that this is an appropriate fund source because a large portion of the Stationary Sources program focuses on the oil and gas industry. The Department's proposal includes transferring funds from ECMC to the SSCF, which requires legislation. The Department expects transfers would be phased in over time, initiated by a \$15.0 million transfer in FY 23-24, and a \$7.5 million transfer in both FY 24-25 and 25-26, with funds available by July 1 of the following fiscal year. This transfer will keep the SSCF solvent for an additional 18 months. The request proposes the Department to phase in new fee sources and fee increases to close the funding gap. The Department is requesting a JBC-sponsored bill to transfer ECMC funds to the SSCF.

Existing Fees and New Fees

One revenue difficulty identified by the department is related to increases in fees not being directly proportional to increases in revenue. From FY 19-20 to 22-23, the fee per ton of emissions increased by approximately 26 percent. However, actual revenues to the SSCF remained relatively stagnant during that time, indicating a decrease in total fee-eligible pollutants.

The Department has suggested increasing fee revenue as a tool for maintaining long-term solvency of the SSCF, and has proposed three avenues for accomplishing this. Firstly, the Department could raise emissions fees. Over the past 6 years, total revenue from emissions fees has been relatively flat, even with three increases to the fee during this period, in FY 19-20, FY 21-22 and FY 22-23. Revenue remaining flat while fees were increasing has been attributed to firms reducing emissions to cut costs, thereby reducing total fee revenue. Despite these recent fee increases, however, Colorado's emission fees remain relatively low, at a weighted average of \$42 per ton. By comparison, a sampling of 21 other states yields an average per ton cost of approximately \$87. The Department intends to implement an increase in fees directed to the SSCF to close the fund's deficit.

The second fee source proposed by the department would be the implementation of a Stationary Sources Maintenance Fee. This is a fee structure utilized in other states, with tiered maintenance fees set by annual company or facility emissions. Alternatively, the fee could be set at a flat rate based on company or industry emission. Under this structure, companies are assessed a fee outside of per ton fees. Crucially, this type of tiered maintenance fee has been implemented in conjunction with per tonnage emission fees in other states, such as those utilized by the State of Colorado described above.

The final fee is the implementation of a greenhouse gas (GHG) emissions fee, pursuant to H.B. 21-1266. This bill directs the Air Quality Control Commission to include greenhouse gas as a pollutant subject to permitting and fees. These fees were expected to be implemented in FY 23-24, but will not be implemented by the Department until FY 24-25. The Department expects this fee to generate \$6,550,000 per year, which would significantly close the funding gap in the SSCF.

Ongoing General Fund Appropriation

The Department has identified ongoing General Fund appropriations as a potential option for reducing the SSCF's deficit. The Department suggests that this could be a potential avenue for reducing the burden of fee increases on businesses, while also providing a consistent source of funding to maintain a baseline level of air quality control. Utilization of General Fund would also allow for the phased-in fee increases described above.

Concluding Remarks

The Department prefers a combination of a phased increase in fees and a transfer of funds from the ECMC fund to the SSCF via the General Fund to maintain solvency. If this transfer is not approved, the Department would need to both raise fees immediately and cut core services reliant on the SSCF. Furthermore, the Department is concerned that the large fee increase may have a deleterious impact on existing Colorado businesses and the perceptions of Colorado's business climate. Lastly, this would stabilize the SSCF by providing a consistent source of funding in the short-term, since fee revenues have been identified by the Department as a more difficult revenue source to project.

Staff recommends clarifying the following points with the department:

- What is the emissions fee increase necessary to make the SSCF solvent if no other actions are taken?
- Why might fee increases have a hugely detrimental impact on businesses, considering the comparatively low per ton fee rates Colorado has relative to other states?
- What is the reasoning for transferring from ECMC to General Fund, rather than transferring ECMC funds directly to SSCF?
- Why does the department argue that revenues to the SSCF need to continue increasing if emissions are falling? If emissions are falling, should the Department's costs decrease as well?

ISSUE: ONE-TIME FUNDING AUTHORIZED IN RECENT LEGISLATIVE SESSIONS

During the 2020B, 2021, 2022 and 2023 legislative sessions, the General Assembly allocated significant one-time funding to the Department of Public Health and Environment that included \$143.4 million originating as state General Fund and \$113.5 originating as federal Coronavirus State Fiscal Recovery funds (ARPA funds).

RECOMMENDATION

Staff recommends that the Committee seek updates from all departments during their budget hearings on the use of significant one-time allocations of federal and state funding.

DISCUSSION

During the 2020B, 2021, 2022, and 2023 legislative sessions, the General Assembly allocated \$143.4 million in one-time General Fund funding to the Department of Public Health and Environment through appropriations and transfers. For many programs, authority was provided to expend the funds through FY 2024-25 or beyond. To assist the Committee in tracking the use of these funds, the tables below show the sum of allocations provided for FY 2020-21, FY 2021-22, FY 2022-23, and FY 2023-24 and expenditures through FY 2022-23 by the original source of the funds.¹

ALLOCATION AND EXPENDITURE OF ONE-TIME GENERAL FUND

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT - ONE-TIME GENERAL FUND		
BILL NUMBER AND SHORT TITLE	APPROPRIATION/ TRANSFER OF FUNDS	BRIEF DESCRIPTION OF PROGRAM AND ANTICIPATED USE OF THE FUNDS
S.B. 20B-001 COVID-19 Relief	\$6,780,000	Appropriates GF for one-year hiatus on health inspection fees to retail food establishments and reimburses facilities for lost fee revenue. Actual expenditures were \$6.8 million.
S.B. 21-137 Behav Health Recovery Act	750,000	Appropriates GF for the STI, HIV and AIDS program as well as the Mental Health First Aid program. Actual expenditures were \$750,000.
S.B. 21-243 Public Health Infrastructure	11,090,149	Appropriates GF for DCPHR, continues in FY 2023-24.
	10,000,000	Appropriates GF for distribution to local public health agencies, continues in FY 2023-24.
H.B. 22-1326 Fentanyl	5,300,000	Appropriates GF for opiate detection tests, education campaigns, regional trainings, website development, and independent studies.
H.B. 22-1358 Clean Water & Schools	21,000,000	Appropriates GF for CDPHE to distribute reimbursement to facilities for the costs of testing and remediation of lead in schools in the first year.
S.B. 22-183 Crime Victim Service Funding	1,000,000	Transfers \$1.0 million GF to the Community Crime Victims Grant Program.
H.B. 23-1194 Closed Landfills Remediation Local Government Grants	15,000,000	Appropriates \$15.0 million from the General Fund to a new cash fund for expenditure over multiple years
S.B. 22-193 Air Quality Improvement Investments	65,000,000	Transfers \$65.0 GF million for the electrifying school buses grant program.
	7,000,000	Appropriates \$7.0 million GF to finance the aerial surveying of pollutants.
TOTAL	\$143,412,562	

¹ The divisions relevant to this briefing received no one-time ARPA funding, so this information is not included here. The Department's ARPA funding will be presented in the briefing by Abby Magnus.

APPENDIX A NUMBERS PAGES

Appendix A details actual expenditures for the last two state fiscal years, the appropriation for the current fiscal year, and the requested appropriation for next fiscal year. This information is listed by line item and fund source.

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Jill Ryan, Executive Director

(4) AIR POLLUTION CONTROL DIVISION

This division is comprised of four subdivisions: Administration, Technical Services, Mobile Sources, and Stationary Sources. The division's major sources of cash funds are fees charged for air pollution permits and inspections.

(A) Administration

Program Costs	<u>511,230</u>	<u>4,110,664</u>	<u>5,365,907</u>	<u>11,400,174</u> *	
FTE	23.7	54.5	52.5	96.0	
General Fund	493,460	3,838,131	1,296,409	5,340,774	
Cash Funds	(342,795)	(145,125)	3,885,997	5,875,899	
Reappropriated Funds	0	0	0	0	
Federal Funds	360,565	417,658	183,501	183,501	
Indirect Cost Assessment	<u>3,603,355</u>	<u>3,078,886</u>	<u>4,163,668</u>	<u>4,163,668</u>	
General Fund	0	0	0	0	
Cash Funds	2,967,880	2,661,322	3,491,683	3,491,683	
Reappropriated Funds	0	0	0	0	
Federal Funds	635,475	417,565	671,985	671,985	
SUBTOTAL - (A) Administration	4,114,585	7,189,550	9,529,575	15,563,842	63.3%
FTE	<u>23.7</u>	<u>54.5</u>	<u>52.5</u>	<u>96.0</u>	<u>82.9%</u>
General Fund	493,460	3,838,131	1,296,409	5,340,774	312.0%
Cash Funds	2,625,085	2,516,196	7,377,680	9,367,582	27.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	996,040	835,222	855,486	855,486	0.0%

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
(B) Technical Services					
Personal Services	<u>2,936,116</u>	<u>2,612,450</u>	<u>4,751,796</u>	<u>4,647,681</u>	
FTE	33.7	33.7	44.7	40.7	
General Fund	0	0	367,806	76,398	
Cash Funds	2,324,745	2,240,243	3,160,760	3,348,053	
Reappropriated Funds	0	0	0	0	
Federal Funds	611,371	372,207	1,223,230	1,223,230	
Operating Expenses	<u>374,440</u>	<u>2,785,297</u>	<u>3,266,050</u>	<u>3,024,213</u>	
General Fund	0	2,059,142	241,837	0	
Cash Funds	282,410	253,898	2,773,490	2,773,490	
Reappropriated Funds	0	0	0	0	
Federal Funds	92,030	472,257	250,723	250,723	
Local Contracts	<u>675,289</u>	<u>697,898</u>	<u>912,938</u>	<u>1,212,938</u>	*
General Fund	0	0	0	0	
Cash Funds	552,474	548,459	567,638	867,638	
Reappropriated Funds	0	0	0	0	
Federal Funds	122,815	149,439	345,300	345,300	
SUBTOTAL - (B) Technical Services	3,985,845	6,095,644	8,930,784	8,884,832	(0.5%)
FTE	<u>33.7</u>	<u>33.7</u>	<u>44.7</u>	<u>40.7</u>	(8.9%)
General Fund	0	2,059,142	609,643	76,398	(87.5%)
Cash Funds	3,159,629	3,042,600	6,501,888	6,989,181	7.5%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	826,216	993,902	1,819,253	1,819,253	0.0%

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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(C) Mobile Sources

Personal Services	<u>2,924,921</u>	<u>3,342,152</u>	<u>4,633,790</u>	<u>4,507,649</u>	
FTE	26.7	27.4	39.9	36.2	
General Fund	23,449	75,405	118,484	239,438	
Cash Funds	2,492,832	2,937,450	4,103,906	3,856,811	
Reappropriated Funds	0	0	0	0	
Federal Funds	408,640	329,297	411,400	411,400	
Operating Expenses	<u>200,976</u>	<u>177,485 8.3</u>	<u>22,369,984 0.0</u>	<u>44,061,034 0.0</u>	
General Fund	9,405	7,950	47,276	3,375	
Cash Funds	188,406	169,535	22,245,452	43,980,403	
Reappropriated Funds	0	0	0	0	
Federal Funds	3,165	0	77,256	77,256	
Diesel Inspection/Maintenance Program	<u>632,587</u>	<u>389,775</u>	<u>720,187</u>	<u>734,503</u>	
FTE	6.3	6.3	6.3	6.3	
General Fund	0	0	0	0	
Cash Funds	632,587	389,775	720,187	734,503	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Mechanic Certification Program	<u>5,657</u>	<u>5,369</u>	<u>7,000</u>	<u>7,000</u>	
General Fund	0	0	0	0	
Cash Funds	5,657	5,369	7,000	7,000	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Local Grants	<u>62,429</u>	<u>227,719</u>	<u>77,597</u>	<u>77,597</u>	
General Fund	0	169,322	0	0	
Cash Funds	62,429	58,397	77,597	77,597	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Transfer to Clean Fleet Enterprise	<u>445,877</u>	<u>0</u>	<u>0</u>	<u>0</u>	
General Fund	445,877	0	0	0	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (C) Mobile Sources	4,272,447	4,142,500	27,808,558	49,387,783	77.6%
FTE	<u>33.0</u>	<u>42.0</u>	<u>46.2</u>	<u>42.5</u>	<u>(8.0%)</u>
General Fund	478,731	252,677	165,760	242,813	46.5%
Cash Funds	3,381,911	3,560,527	27,154,142	48,656,314	79.2%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	411,805	329,297	488,656	488,656	0.0%

(D) Stationary Sources

Personal Services	<u>10,663,943</u>	<u>15,246,580</u>	<u>20,855,030</u>	<u>25,192,841</u> *
FTE	144.7	202.1	234.1	210.3
General Fund	1,362,063	10,398,331	1,891,764	1,112,906
Cash Funds	7,327,646	3,278,450	17,541,055	22,657,724
Reappropriated Funds	0	0	0	0
Federal Funds	1,974,234	1,569,800	1,422,211	1,422,211

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Operating Expenses	<u>989,133</u>	<u>1,483,891</u>	<u>2,073,398</u>	<u>2,027,393</u>	
General Fund	745,708	1,112,035	37,177	11,172	
Cash Funds	168,007	210,845	1,987,307	1,967,307	
Reappropriated Funds	0	0	0	0	
Federal Funds	75,418	161,012	48,914	48,914	
Local Contracts	<u>944,518</u>	<u>1,495,944</u>	<u>798,500</u>	<u>1,298,500</u>	*
General Fund	0	0	0	0	
Cash Funds	641,092	652,039	700,000	1,200,000	
Reappropriated Funds	0	0	0	0	
Federal Funds	303,426	843,905	98,500	98,500	
Preservation of the Ozone Layer	<u>152,898</u>	<u>89,055</u>	<u>214,121</u>	<u>218,377</u>	
FTE	2.0	2.0	2.0	2.0	
General Fund	0	0	0	0	
Cash Funds	152,898	89,055	214,121	218,377	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Appropriation to the Stationary Sources Cash Fund	<u>0</u>	<u>25,500,000</u>	<u>0</u>	<u>0</u>	
General Fund	0	25,500,000	0	0	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
SUBTOTAL - (D) Stationary Sources	12,750,492	43,815,471	23,941,049	28,737,111	20.0%
<i>FTE</i>	<u>146.7</u>	<u>204.1</u>	<u>236.1</u>	<u>212.3</u>	<u>(10.1%)</u>
General Fund	2,107,771	37,010,366	1,928,941	1,124,078	(41.7%)
Cash Funds	8,289,643	4,230,388	20,442,483	26,043,408	27.4%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	2,353,078	2,574,717	1,569,625	1,569,625	0.0%
(E) Climate Services					
Program Costs	<u>0</u>	<u>0</u>	<u>1,618,753 14.0</u>	<u>1,903,379 15.0</u>	
General Fund	0	0	0	0	
Cash Funds	0	0	1,618,753	1,903,379	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (E) Climate Services	0	0	1,618,753	1,903,379	17.6%
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>14.0</u>	<u>15.0</u>	<u>7.1%</u>
General Fund	0	0	0	0	0.0%
Cash Funds	0	0	1,618,753	1,903,379	17.6%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%
TOTAL - (4) Air Pollution Control Division	25,123,369	61,243,166	71,828,719	104,476,947	45.5%
<i>FTE</i>	<u>237.1</u>	<u>334.3</u>	<u>393.5</u>	<u>406.5</u>	<u>3.3%</u>
General Fund	3,079,962	43,160,317	4,000,753	6,784,063	69.6%
Cash Funds	17,456,268	13,349,710	63,094,946	92,959,864	47.3%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	4,587,139	4,733,138	4,733,020	4,733,020	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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(5) WATER QUALITY CONTROL DIVISION

tion.

(A) Administration

Administration Program	2,148,100	2,349,999	3,344,359	3,541,580	*
FTE	19.4	19.4	30.8	33.3	
General Fund	516,101	540,172	738,188	768,423	
Cash Funds	363,721	470,855	492,220	514,531	
Reappropriated Funds	0	0	1,065,779	1,210,454	
Federal Funds	1,268,278	1,338,972	1,048,172	1,048,172	

Appropriation to the Mobile Home Park Water Quality

Fund	0	0	3,611,859	3,611,859	
General Fund	0	0	3,611,859	3,611,859	

SUBTOTAL - (A) Administration	2,148,100	2,349,999	6,956,218	7,153,439	2.8%
FTE	19.4	19.4	30.8	33.3	8.1%
General Fund	516,101	540,172	4,350,047	4,380,282	0.7%
Cash Funds	363,721	470,855	492,220	514,531	4.5%
Reappropriated Funds	0	0	1,065,779	1,210,454	13.6%
Federal Funds	1,268,278	1,338,972	1,048,172	1,048,172	0.0%

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
(B) Clean Water Sectors					
Commerce and Industry Sector	<u>2,036,640</u>	<u>2,034,219</u>	<u>2,349,801</u>	<u>2,437,887</u>	
FTE	25.4	25.4	25.4	25.4	
General Fund	938,101	976,224	1,028,455	1,070,579	
Cash Funds	875,380	898,328	1,014,014	1,059,976	
Reappropriated Funds	0	0	0	0	
Federal Funds	223,159	159,668	307,332	307,332	
Construction Sector	<u>1,527,926</u>	<u>1,781,123</u>	<u>2,085,536</u>	<u>2,168,578</u>	
FTE	20.3	20.3	23.3	23.3	
General Fund	279,412	292,929	306,260	318,804	
Cash Funds	1,134,667	1,306,587	1,555,311	1,625,809	
Reappropriated Funds	0	0	0	0	
Federal Funds	113,847	181,607	223,965	223,965	
Municipal Separate Storm Sewer System Sector	<u>236,143</u>	<u>249,823</u>	<u>279,258</u>	<u>289,769</u>	
FTE	3.1	3.1	3.1	3.1	
General Fund	111,676	116,049	121,551	126,530	
Cash Funds	112,470	117,793	122,054	127,586	
Reappropriated Funds	0	0	0	0	
Federal Funds	11,997	15,981	35,653	35,653	
Pesticides Sector	<u>183,396</u>	<u>208,995</u>	<u>303,539</u>	<u>311,902</u>	
FTE	1.0	1.0	1.0	1.0	
General Fund	180,274	192,627	197,461	205,549	
Cash Funds	1,227	5,075	6,078	6,353	
Reappropriated Funds	0	0	0	0	
Federal Funds	1,895	11,294	100,000	100,000	

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Public and Private Utilities Sector	<u>3,223,079</u>	<u>3,603,575</u>	<u>4,086,471</u>	<u>4,242,267</u>	
FTE	44.3	44.3	47.3	47.3	
General Fund	1,526,786	1,596,366	1,671,504	1,739,967	
Cash Funds	1,494,612	1,868,809	1,926,720	2,014,053	
Reappropriated Funds	0	0	0	0	
Federal Funds	201,681	138,400	488,247	488,247	
Water Quality Certification Sector	<u>25,884</u>	<u>74,096</u>	<u>252,857</u>	<u>262,381</u>	
FTE	1.5	1.5	1.5	1.5	
General Fund	8,861	9,888	10,280	10,701	
Cash Funds	4,491	58,544	200,821	209,924	
Reappropriated Funds	0	0	0	0	
Federal Funds	12,532	5,664	41,756	41,756	
SUBTOTAL - (B) Clean Water Sectors	7,233,068	7,951,831	9,357,462	9,712,784	3.8%
FTE	<u>95.6</u>	<u>95.6</u>	<u>101.6</u>	<u>101.6</u>	(0.0%)
General Fund	3,045,110	3,184,082	3,335,511	3,472,130	4.1%
Cash Funds	3,622,847	4,255,136	4,824,998	5,043,701	4.5%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	565,111	512,614	1,196,953	1,196,953	0.0%

(C) Clean Water Program

Clean Water Program Costs	<u>3,065,683</u>	<u>3,458,835</u>	<u>2,725,369</u>	<u>3,543,762</u> *
FTE	1.3	2.0	19.8	27.3
General Fund	425,222	499,696	2,145,950	2,943,840
Cash Funds	117,130	112,651	179,919	188,074
Reappropriated Funds	87,824	96,665	99,500	111,848
Federal Funds	2,435,507	2,749,824	300,000	300,000

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Local Grants and Contracts	<u>4,397,648</u>	<u>5,994,930</u>	<u>3,313,978</u>	<u>3,313,978</u>	
FTE	0.0	0.0	0.0	0.0	
General Fund	0	0	1	1	
Cash Funds	1,311,387	2,529,245	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	3,086,261	3,465,685	3,313,977	3,313,977	
Water Quality Improvement	<u>1,366,196</u>	<u>744,564</u>	<u>1,852,901</u>	<u>1,936,888</u>	0.0
General Fund	0	0	0	0	
Cash Funds	1,366,196	744,564	1,852,901	1,936,888	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (C) Clean Water Program	8,829,527	10,198,329	7,892,248	8,794,628	11.4%
FTE	<u>1.3</u>	<u>2.0</u>	<u>19.8</u>	<u>27.3</u>	37.9%
General Fund	425,222	499,696	2,145,951	2,943,841	37.2%
Cash Funds	2,794,713	3,386,460	2,032,820	2,124,962	4.5%
Reappropriated Funds	87,824	96,665	99,500	111,848	12.4%
Federal Funds	5,521,768	6,215,508	3,613,977	3,613,977	0.0%

(D) Drinking Water Program

Personal Services	<u>8,449,059</u>	<u>8,802,303</u>	<u>11,189,559</u>	<u>11,848,519</u>	
FTE	64.4	72.8	79.3	79.7	
General Fund	942,029	1,536,303	2,307,822	2,410,466	
Cash Funds	443,684	502,177	462,003	484,319	
Reappropriated Funds	0	0	2,303,603	2,837,603	
Federal Funds	7,063,346	6,763,823	6,116,131	6,116,131	

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Operating Expenses	<u>1,016,544</u>	<u>6,375,926</u>	<u>905,985</u>	<u>905,985</u>	
General Fund	123,909	546,915	237,700	237,700	
Cash Funds	458,790	3,841,718	24,815	24,815	
Reappropriated Funds	0	1,114,368	0	0	
Federal Funds	433,845	872,925	643,470	643,470	
Appropriation to the Mobile Home Park Water Quality Fund	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,106,582</u>	
General Fund	0	0	0	1,106,582	
Appropriation to the School and Child Care Clean Drinking Water Cash Fund	<u>0</u>	<u>21,000,000</u>	<u>0</u>	<u>0</u>	
General Fund	0	21,000,000	0	0	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (D) Drinking Water Program	9,465,603	36,178,228	12,095,544	13,861,086	14.6%
<i>FTE</i>	<u>64.4</u>	<u>72.8</u>	<u>79.3</u>	<u>79.7</u>	0.5%
General Fund	1,065,938	23,083,217	2,545,522	3,754,748	47.5%
Cash Funds	902,474	4,343,895	486,818	509,134	4.6%
Reappropriated Funds	0	1,114,368	2,303,603	2,837,603	23.2%
Federal Funds	7,497,191	7,636,748	6,759,601	6,759,601	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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(E) Indirect Cost Assessments

Indirect Cost Assessment	<u>3,312,636</u>	<u>2,899,991</u>	<u>3,531,018</u>	<u>3,531,018</u>	
General Fund	0	0	0	0	
Cash Funds	1,217,601	1,180,174	1,451,368	1,451,368	
Reappropriated Funds	0	0	0	0	
Federal Funds	2,095,035	1,719,818	2,079,650	2,079,650	

SUBTOTAL - (E) Indirect Cost Assessments	3,312,636	2,899,991	3,531,018	3,531,018	0.0%
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0%</u>
General Fund	0	0	0	0	0.0%
Cash Funds	1,217,601	1,180,174	1,451,368	1,451,368	0.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	2,095,035	1,719,818	2,079,650	2,079,650	0.0%

TOTAL - (5) Water Quality Control Division	30,988,934	59,578,380	39,832,490	43,052,955	8.1%
<i>FTE</i>	<u>180.7</u>	<u>189.8</u>	<u>231.5</u>	<u>241.9</u>	<u>4.5%</u>
General Fund	5,052,371	27,307,167	12,377,031	14,551,001	17.6%
Cash Funds	8,901,356	13,636,520	9,288,224	9,643,696	3.8%
Reappropriated Funds	87,824	1,211,033	3,468,882	4,159,905	19.9%
Federal Funds	16,947,383	17,423,659	14,698,353	14,698,353	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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(6) HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

This division is comprised of six subdivisions: Administration, Hazardous Waste Control Program, Solid Waste Control Program, Contaminated Site Cleanups and Remediation Programs, Radiation Management, and Waste Tire Program.

(A) Administration

Program Costs	<u>653,661</u>	<u>658,260</u>	<u>2,365,422</u>	<u>2,387,249</u>	
FTE	13.2	13.2	14.2	13.7	
General Fund	0	0	74,516	0	
Cash Funds	650,031	657,671	1,517,205	1,613,548	
Reappropriated Funds	0	0	0	0	
Federal Funds	3,630	590	773,701	773,701	
Indirect Cost Assessment	<u>3,000,195</u>	<u>2,429,165</u>	<u>3,049,000</u>	<u>3,049,000</u>	
General Fund	0	0	0	0	
Cash Funds	2,076,296	1,700,116	2,128,604	2,128,604	
Reappropriated Funds	9,475	9,554	9,554	9,554	
Federal Funds	914,424	719,495	910,842	910,842	
SUBTOTAL - (A) Administration	3,653,856	3,087,426	5,414,422	5,436,249	0.4%
FTE	<u>13.2</u>	<u>13.2</u>	<u>14.2</u>	<u>13.7</u>	(3.5%)
General Fund	0	0	74,516	0	(100.0%)
Cash Funds	2,726,327	2,357,787	3,645,809	3,742,152	2.6%
Reappropriated Funds	9,475	9,554	9,554	9,554	0.0%
Federal Funds	918,054	720,085	1,684,543	1,684,543	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
(B) Hazardous Waste Control Program					
Personal Services	<u>3,697,004</u>	<u>3,533,940</u>	<u>4,092,696</u>	<u>4,161,478</u>	
FTE	25.9	25.9	25.9	25.9	
General Fund	0	0	0	0	
Cash Funds	1,560,193	1,625,918	1,731,196	1,799,978	
Reappropriated Funds	0	0	0	0	
Federal Funds	2,136,811	1,908,022	2,361,500	2,361,500	
Operating Expenses	<u>43,744</u>	<u>106,591</u>	<u>130,349</u>	<u>130,349</u>	
General Fund	0	0	0	0	
Cash Funds	10,611	65,939	74,380	74,380	
Reappropriated Funds	0	0	0	0	
Federal Funds	33,133	40,652	55,969	55,969	
Emerging Contaminants	<u>0</u>	<u>0</u>	<u>77,040</u>	<u>77,040</u>	
FTE	0.0	0.0	0.9	0.9	
General Fund	0	0	77,040	77,040	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (B) Hazardous Waste Control Program	3,740,748	3,640,531	4,300,085	4,368,867	1.6%
FTE	<u>25.9</u>	<u>25.9</u>	<u>26.8</u>	<u>26.8</u>	(0.0%)
General Fund	0	0	77,040	77,040	0.0%
Cash Funds	1,570,804	1,691,857	1,805,576	1,874,358	3.8%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	2,169,944	1,948,674	2,417,469	2,417,469	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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(C) Solid Waste Control Program

Program Costs	<u>2,739,308</u>	<u>2,638,878</u>	<u>3,429,929</u>	<u>3,671,681</u> *	
FTE	21.5	22.3	23.7	25.7	
General Fund	0	96,004	137,899	335,020	
Cash Funds	2,739,308	2,542,874	3,121,328	3,245,341	
Reappropriated Funds	0	0	170,702	91,320	
Federal Funds	0	0	0	0	
Appropriation to the Closed Landfill Remediation Grant					
Program Fund	<u>0</u>	<u>0</u>	<u>15,000,000</u>	<u>0</u>	
General Fund	0	0	15,000,000	0	

SUBTOTAL - (C) Solid Waste Control Program	2,739,308	2,638,878	18,429,929	3,671,681	(80.1%)
FTE	<u>21.5</u>	<u>22.3</u>	<u>23.7</u>	<u>25.7</u>	8.4%
General Fund	0	96,004	15,137,899	335,020	(97.8%)
Cash Funds	2,739,308	2,542,874	3,121,328	3,245,341	4.0%
Reappropriated Funds	0	0	170,702	91,320	(46.5%)
Federal Funds	0	0	0	0	0.0%

(D) Contaminated Site Cleanups and Remediation Programs

Personal Services	<u>3,179,511</u>	<u>4,952,448</u>	<u>4,676,773</u>	<u>4,717,615</u>	
FTE	18.8	18.8	18.8	18.8	
General Fund	0	0	0	0	
Cash Funds	688,325	768,236	1,027,959	1,068,801	
Reappropriated Funds	0	0	0	0	
Federal Funds	2,491,186	4,184,212	3,648,814	3,648,814	

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Operating Expenses	<u>104,004</u>	<u>191,737</u>	<u>251,563</u>	<u>251,563</u>	
General Fund	0	0	0	0	
Cash Funds	6,109	9,730	10,663	10,663	
Reappropriated Funds	0	0	0	0	
Federal Funds	97,895	182,007	240,900	240,900	
Contaminated Sites Operation and Maintenance	<u>2,708,555</u>	<u>2,943,149</u>	<u>13,307,700</u>	<u>13,419,352</u>	
General Fund	0	0	0	0	
Cash Funds	1,386,620	1,813,829	2,810,215	2,921,867	
Reappropriated Funds	0	0	0	0	
Federal Funds	1,321,935	1,129,320	10,497,485	10,497,485	
Brownsfield Cleanup Program	<u>621,315</u>	<u>1,322,149</u>	<u>250,000</u>	<u>250,000</u>	
General Fund	0	0	0	0	
Cash Funds	126,672	439,883	250,000	250,000	
Reappropriated Funds	0	0	0	0	
Federal Funds	494,643	882,267	0	0	
Transfer to the Department of Law for CERCLA Related Costs	<u>404,839</u>	<u>431,666</u>	<u>771,537</u>	<u>771,537</u>	
General Fund	0	0	0	0	
Cash Funds	404,839	431,666	771,537	771,537	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Uranium Mill Tailings Remedial Action Program	<u>214,188</u>	<u>226,831</u>	<u>326,866</u>	<u>334,442</u>	
FTE	2.5	2.5	2.5	2.5	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Reappropriated Funds	148,522	114,037	307,509	315,085	
Federal Funds	65,666	112,794	19,357	19,357	
Rocky Flats Program Costs	<u>100,080</u>	<u>176,230</u>	<u>119,803</u>	<u>119,803</u>	
FTE	2.1	2.1	2.1	2.1	
General Fund	0	0	0	0	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	100,080	176,230	119,803	119,803	
SUBTOTAL - (D) Contaminated Site Cleanups and Remediation Programs	7,332,492	10,244,209	19,704,242	19,864,312	0.8%
FTE	<u>23.4</u>	<u>23.4</u>	<u>23.4</u>	<u>23.4</u>	0.0%
General Fund	0	0	0	0	0.0%
Cash Funds	2,612,565	3,463,343	4,870,374	5,022,868	3.1%
Reappropriated Funds	148,522	114,037	307,509	315,085	2.5%
Federal Funds	4,571,405	6,666,829	14,526,359	14,526,359	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
(E) Radiation Management					
Personal Services	<u>2,008,974</u>	<u>2,069,646</u>	<u>2,205,906</u>	<u>2,286,040</u>	
FTE	20.7	20.7	20.7	20.7	
General Fund	0	0	0	0	
Cash Funds	1,853,393	1,859,990	2,016,929	2,097,063	
Reappropriated Funds	0	0	0	0	
Federal Funds	155,581	209,657	188,977	188,977	
Operating Expenses	<u>372,852</u>	<u>464,343</u>	<u>1,631,630</u>	<u>1,631,630</u>	
General Fund	0	0	1,151,412	1,151,412	
Cash Funds	275,011	208,541	315,565	315,565	
Reappropriated Funds	0	0	0	0	
Federal Funds	97,841	255,802	164,653	164,653	
SUBTOTAL - (E) Radiation Management	2,381,826	2,533,989	3,837,536	3,917,670	2.1%
FTE	<u>20.7</u>	<u>20.7</u>	<u>20.7</u>	<u>20.7</u>	0.0%
General Fund	0	0	1,151,412	1,151,412	0.0%
Cash Funds	2,128,404	2,068,531	2,332,494	2,412,628	3.4%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	253,422	465,458	353,630	353,630	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
(F) Waste Tire Program					
Waste Tire Program Administration and Cleanup Program					
Enforcement	<u>1,758,752</u>	<u>2,200,835</u>	<u>2,225,511</u>	<u>2,313,932</u>	
FTE	7.8	7.8	7.8	7.8	
General Fund	0	0	0	0	
Cash Funds	1,758,752	2,200,835	2,225,511	2,313,932	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Waste Tire Rebates	<u>1,922,069</u>	<u>3,886,335</u>	<u>6,525,000</u>	<u>6,525,000</u>	
General Fund	0	0	0	0	
Cash Funds	1,922,069	3,886,335	6,525,000	6,525,000	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
SUBTOTAL - (F) Waste Tire Program	3,680,821	6,087,171	8,750,511	8,838,932	1.0%
FTE	<u>7.8</u>	<u>7.8</u>	<u>7.8</u>	<u>7.8</u>	0.0%
General Fund	0	0	0	0	0.0%
Cash Funds	3,680,821	6,087,171	8,750,511	8,838,932	1.0%
Reappropriated Funds	0	0	0	0	0.0%
Federal Funds	0	0	0	0	0.0%
TOTAL - (6) Hazardous Materials and Waste Management Division					
FTE	<u>112.5</u>	<u>113.3</u>	<u>116.6</u>	<u>118.1</u>	1.3%
General Fund	0	96,004	16,440,867	1,563,472	(90.5%)
Cash Funds	15,458,229	18,211,562	24,526,092	25,136,279	2.5%
Reappropriated Funds	157,997	123,591	487,765	415,959	(14.7%)
Federal Funds	7,912,825	9,801,046	18,982,001	18,982,001	0.0%

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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(7) DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY

fecting public health. The Division funds these programs with General Fund, cash funds from inspection fees, and federal funds.

Administration and Support	<u>792,374</u>	<u>992,101</u>	<u>981,660</u>	<u>999,018</u>	
FTE	7.5	7.5	7.6	7.5	
General Fund	513,408	535,914	567,879	579,051	
Cash Funds	181,748	128,156	312,067	318,253	
Reappropriated Funds	0	0	0	0	
Federal Funds	97,218	328,030	101,714	101,714	
Environmental Health Programs	<u>4,404,296</u>	<u>3,192,616</u>	<u>3,839,333</u>	<u>3,892,462</u>	
FTE	22.3	22.3	25.8	25.8	
General Fund	706,579	1,096,756	1,287,496	914,486	
Cash Funds	1,365,149	1,354,445	1,981,044	2,402,331	
Reappropriated Funds	1,671,397	85,583	117,075	121,927	
Federal Funds	661,171	655,832	453,718	453,718	
Sustainability Programs	<u>509,271</u>	<u>712,143</u>	<u>793,433</u>	<u>797,421</u>	
FTE	6.1	6.1	6.1	6.1	
General Fund	0	0	0	0	
Cash Funds	167,738	179,737	201,214	205,202	
Reappropriated Funds	0	0	0	0	
Federal Funds	341,533	532,406	592,219	592,219	

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	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Animal Feeding Operations Program	<u>429,407</u>	<u>517,661</u>	<u>551,735</u>	<u>563,807</u>	
FTE	3.4	3.4	3.4	3.4	
General Fund	101,507	104,316	108,496	111,782	
Cash Funds	327,900	413,345	443,239	452,025	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Recycling Resources Economic Opportunity Program	<u>2,797,516</u>	<u>3,516,808</u>	<u>5,296,899</u>	<u>5,401,890</u>	
FTE	2.6	2.6	2.6	2.6	
General Fund	0	0	0	0	
Cash Funds	2,797,516	3,516,808	5,296,899	5,401,890	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Oil and Gas Consultation Program	<u>86,422</u>	<u>117,561</u>	<u>120,346</u>	<u>122,731</u>	
FTE	0.9	0.9	0.9	0.9	
General Fund	0	0	0	0	
Cash Funds	86,422	117,561	120,346	122,731	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Household Take-back Medication Program	<u>539,717</u>	<u>541,328</u>	<u>547,908</u>	<u>564,501</u>	
FTE	0.3	0.3	0.3	0.3	
General Fund	539,717	541,328	547,908	564,501	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
Cottage Foods Program	<u>91,195</u>	<u>93,749</u>	<u>97,714</u>	<u>100,673</u>	
FTE	1.2	1.2	1.2	1.2	
General Fund	91,195	93,749	97,714	100,673	
Cash Funds	0	0	0	0	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	0	0	
Toxicology and Environmental Epidemiology Unit	<u>435,454</u>	<u>549,814</u>	<u>2,248,848</u>	<u>3,064,229</u> *	
FTE	11.0	15.0	15.0	16.7	
General Fund	77,784	231,376	764,207	1,565,088	
Cash Funds	357,670	318,437	731,538	746,038	
Reappropriated Funds	0	0	0	0	
Federal Funds	0	0	753,103	753,103	
Indirect Costs Assessment	<u>1,091,514</u>	<u>875,887</u>	<u>1,145,761</u>	<u>1,145,761</u>	
General Fund	0	0	0	0	
Cash Funds	679,702	543,079	803,745	803,745	
Reappropriated Funds	0	0	0	0	
Federal Funds	411,812	332,808	342,016	342,016	
TOTAL - (7) Division of Environmental Health and Sustainability	11,177,166	11,109,668	15,623,637	16,652,493	6.6%
FTE	<u>55.3</u>	<u>59.3</u>	<u>62.9</u>	<u>64.5</u>	<u>2.5%</u>
General Fund	2,030,190	2,603,440	3,373,700	3,835,581	13.7%
Cash Funds	5,963,845	6,571,568	9,890,092	10,452,215	5.7%
Reappropriated Funds	1,671,397	85,583	117,075	121,927	4.1%
Federal Funds	1,511,734	1,849,077	2,242,770	2,242,770	0.0%

Appendix A: Numbers Pages

	FY 2021-22 Actual	FY 2022-23 Actual	FY 2023-24 Appropriation	FY 2024-25 Request	Request vs. Appropriation
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TOTAL - Department of Public Health and Environment	90,818,520	160,163,417	187,721,571	210,280,106	12.0%
<i>FTE</i>	<u>585.6</u>	<u>696.7</u>	<u>804.5</u>	<u>831.0</u>	<u>3.3%</u>
General Fund	10,162,523	73,166,929	36,192,351	26,734,117	(26.1%)
Cash Funds	47,779,698	51,769,361	106,799,354	138,192,054	29.4%
Reappropriated Funds	1,917,218	1,420,207	4,073,722	4,697,791	15.3%
Federal Funds	30,959,081	33,806,921	40,656,144	40,656,144	0.0%

APPENDIX B

FOOTNOTES AND INFORMATION REQUESTS

UPDATE ON LONG BILL FOOTNOTES

The General Assembly includes footnotes in the annual Long Bill to: (a) set forth purposes, conditions, or limitations on an item of appropriation; (b) explain assumptions used in determining a specific amount of an appropriation; or (c) express legislative intent relating to any appropriation. Footnotes to the 20223 Long Bill (S.B. 23-214) can be found at the end of each departmental section of the bill at <https://leg.colorado.gov/bills/sb23-214>. The Long Bill footnotes relevant to this document are listed below.

- 95 Department of Public Health and Environment, Air Pollution Control Division, Stationary Sources, Local Contracts -- It is the General Assembly's intent that \$1.5 million of this appropriation is to be used for electric lawn equipment grants to government entities and contractors

COMMENT: This footnote represents legislative intent. The Department is in compliance with this footnote.

- 96 Department of Public Health and Environment, Water Quality Control Program, Clean Water Program, Water Quality Improvement -- This appropriation remains available until the completion of the project or the close of the 2025-26 state fiscal year, whichever comes first.

COMMENT: Due to the unpredictable nature of the work associated with these projects, this footnote ensures the work will not be impacted due to the timing of the fiscal year. This footnote provides the Department with the authority to expend the funds in this line item through June 30, 2026.

- 97 Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Contaminated Site Cleanups and Remediation Programs, Contaminated Sites Operation and Maintenance -- Of this appropriation, \$1,169,181 General Fund and \$10,497,485 federal funds remain available until the completion of the project or the close of the 2025-26 state fiscal year, whichever comes first.

COMMENT: This footnote provides the Department with the authority to expend the funds in this line item through June 30, 2026.

- 98 Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Contaminated Site Cleanups and Remediation Programs, Brownfields Cleanup Program -- This appropriation remains available until the completion of the project or the close of the 2025-26 state fiscal year, whichever comes first.

COMMENT: This footnote provides the Department with the authority to expend the funds in this line item through June 30, 2026.

UPDATE ON LONG BILL REQUESTS FOR INFORMATION

The Joint Budget Committee annually submits requests for information to executive departments and the judicial branch via letters to the Governor, other elected officials, and the Chief Justice. Each request is associated with one or more specific Long Bill line item(s), and the requests have been prioritized by the Joint Budget Committee as required by Section 2-3-203 (3), C.R.S. Copies of these letters are included as an Appendix in the annual Appropriations Report (Appendix H in the FY 2023-234 Report):

<https://leg.colorado.gov/publications/appropriations-report-fiscal-year-2022-23>

The requests for information relevant to this document are listed below.

- 5 All Departments -- The Departments are requested to provide by November 1 of each fiscal year Schedule 9 reports for every annually and continuously appropriated cash fund administered by the Department as part of the standard November 1 budget submission. The Office of State Planning and Budgeting, in coordination with the Office of the State Controller, the Department of the Treasury, and the independent agencies, is further requested to provide by November 1 of each fiscal year a consolidated report that includes the following information for all continuously appropriated cash funds:
 - The name of the fund;
 - The statutory citation for the fund;
 - The year the fund was created;
 - The department responsible for administering the fund;
 - The total cash balance as of July 1, 2023;
 - The unobligated cash balance as of July 1, 2023; and
 - The unencumbered cash balance as of July 1, 2023.

COMMENT: The Department has complied with this request.

- 1 Department of Public Health and Environment, Air Pollution Control Division -- The Department is requested to provide the following information to the Joint Budget Committee by November 3, 2023: A long-term funding plan for the Stationary Sources Control Fund, and any proposed fee adjustments to other air quality related funds in order to implement the air quality transformation initiative. The air quality transformation initiative was provided \$45.3 million General Fund in FY 2022-23 to address the recent downgrade of the air quality status in the Denver Metropolitan/North Front Range area to severe nonattainment status by the United States Environmental Protection Agency.

COMMENT: The Department has submitted the document addressing the Stationary Sources Control Fund solvency plan. The Department has introduced a plan utilizing a transfer of \$30 million from the ECMC Fund to the General Fund for purposes of appropriating to the Stationary

Sources Control Fund. This will also be coupled with increases to existing fees and the introduction of new fees. This plan is described in further detail in the issue brief, located on page 13 of this document.

APPENDIX C

DEPARTMENT ANNUAL PERFORMANCE REPORT

Pursuant to Section 2-7-205 (1)(b), C.R.S., the Department of Public Health and Environment is required to publish an **Annual Performance Report** for the *previous state fiscal year* by November 1 of each year. This report is to include a summary of the Department's performance plan and most recent performance evaluation for the designated fiscal year. In addition, pursuant to Section 2-7-204 (3)(a)(I), C.R.S., the Department is required to develop a **Performance Plan** and submit the plan for the *current fiscal year* to the Joint Budget Committee and appropriate Joint Committee of Reference by July 1 of each year.

For consideration by the Joint Budget Committee in prioritizing the Department's FY 2024-25 budget request, the FY 2022-23 Annual Performance Report and the FY 2023-24 Performance Plan can be found at the following link:

<https://www.colorado.gov/pacific/performancemanagement/departments-performance-plans>