

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 9, 2023
Date

Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB23-1210 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill page 2, line 2, after "24-38.5-116," insert "**amend**
- 2 (3)(b)(III); and".

- 3 Page 2, after line 8 insert:

- 4 "(III) Develop criteria for awarding money under the grant
- 5 program, which criteria must include CONSIDERING STATEWIDE CARBON
- 6 MANAGEMENT PRIORITIES AS DETERMINED IN THE CARBON MANAGEMENT
- 7 ROADMAP CREATED IN SECTION 24-38.5-119 AND giving priority for
- 8 voluntary projects located in:".

- 9 Page 3, line 4, strike "COMBINATION".

- 10 Page 3, line 11, after "CARBON" insert "SEQUESTRATION OR".

- 11 Page 4, line 6, after "ORGANIZATIONS" insert "THAT DO NOT HAVE A
- 12 CLEAR CONFLICT OF INTEREST, HAVE NOT ACTIVELY LOBBIED FOR OR
- 13 AGAINST CARBON MANAGEMENT IN THE LAST FIVE YEARS, AND" and strike
- 14 "ALL OF".

- 15 Page 4, line 20, strike "AND".

- 16 Page 4, line 23, strike "APPLICATIONS." and substitute "APPLICATIONS;
- 17 AND".

- 18 Page 4, after line 23 insert:

- 19 "(III) EXPERTISE IN CARBON AND GREENHOUSE GAS EMISSIONS

- 1 ACCOUNTING AND VERIFICATION."
- 2 Page 5, line 1, strike "DEVELOPMENT," and substitute "DEVELOPMENT AND
3 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,".
- 4 Page 5, line 5, strike "OFFICE AND" and substitute "OFFICE,".
- 5 Page 5, line 6, strike "DEVELOPMENT." and substitute "DEVELOPMENT,
6 AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT." and after
7 "SHALL" insert "HOLD AT LEAST ONE PUBLIC HEARING TO".
- 8 Page 5, line 7, strike "ROADMAP." and substitute "ROADMAP AND INVITE
9 COMMENT ON THE ROADMAP'S ENVIRONMENTAL HEALTH IMPACTS,
10 INCLUDING LIFE CYCLE EMISSIONS ANALYSES OF CARBON MANAGEMENT
11 PROJECTS IDENTIFIED BY THE ROADMAP AND EFFECTS ON
12 DISPROPORTIONATELY IMPACTED COMMUNITIES.".
- 13 Page 5, strike lines 19 and 20 and substitute:
- 14 "(3) THE ROADMAP MUST IDENTIFY:".
- 15 Page 5, line 25, strike "QUALIFIED ORGANIZATION" and substitute
16 "ROADMAP".
- 17 Page 6, line 6, strike "AND".
- 18 Page 6, line 7, after "WORKFORCE;" insert "AND
19 (IX) ELECTRICITY GENERATION;".
- 20 Page 6, line 10, strike "STORAGE;" and substitute "STORAGE, AS
21 MEASURED BY METRICS PROPOSED IN THE ROADMAP;".
- 22 Page 6, line 13, strike "MINIMIZE" and substitute "REDUCE".
- 23 Page 6, strike lines 26 and 27.
- 24 Page 7, strike line 1 and substitute "IN CARBON MANAGEMENT BY
25 APPLYING GAP FUNDING OR OTHER SUPPORT FOR CARBON MANAGEMENT
26 PROJECTS INVOLVING PRIVATE SECTOR PROVIDERS AND BUYERS, BY
27 IDENTIFYING RELEVANT PUBLIC, PRIVATE, AND NONPROFIT PROJECT
28 FUNDING SOURCES, AND BY PRIORITIZING FUNDING FOR PROJECTS THAT
29 ARE INELIGIBLE FOR FUNDING UNDER THE INDUSTRIAL AND
30 MANUFACTURING OPERATIONS CLEAN AIR GRANT PROGRAM CREATED IN

1 SECTION 24-38.5-116 (3)(a);
2 (E) REDUCE RISKS TO HEALTH, OPPORTUNITY, AND QUALITY OF
3 LIFE, INCLUDING A FOCUS ON REDUCING RISK IN DISPROPORTIONATELY
4 IMPACTED COMMUNITIES; AND".

5 Reletter succeeding sub-subparagraph accordingly.

6 Page 7, strike lines 3 through 6.

7 Page 7, after line 6 insert:

8 "(II) THE ROADMAP MUST RECOMMEND THE STATE AGENCY BEST
9 POSITIONED TO CARRY OUT CARBON MANAGEMENT POLICIES, INCLUDING
10 CARBON ACCOUNTING;"

11 Page 7, strike line 7 and substitute:

12 "(d) THE STATE AGENCY BEST POSITIONED TO CARRY OUT A
13 POTENTIAL POLICY REGIME OF CARBON MANAGEMENT, INCLUDING CARBON
14 ACCOUNTING;

15 (e) RECOMMENDATIONS ON POTENTIAL PUBLIC INTEREST POLICIES
16 INCLUDING:"

17 Reletter succeeding subparagraphs accordingly.

18 Page 7, line 20, before "DISPROPORTIONATELY" insert "COMMUNITIES,
19 INCLUDING" and strike "COMMUNITIES" and substitute "COMMUNITIES,"

20 Page 7, line 26, strike "AND".

21 Page 7, after line 26 insert:

22 "(C) CARBON MANAGEMENT FUNDING IS NOT USED TO SUPPORT
23 FOSSIL FUEL PROJECTS WITHOUT VERIFIED EMISSIONS AND POLLUTION
24 REDUCTION POTENTIAL, FOSSIL FUEL PROJECTS WHICH ALLOW FOR
25 INCREASED LIFETIME EMISSIONS, OR FOSSIL FUEL PROJECTS THAT INCREASE
26 THE LIFETIME NEGATIVE ENVIRONMENTAL IMPACT OF A GIVEN FACILITY;
27 AND".

28 Reletter succeeding sub-subparagraph accordingly.

29 Page 8, line 1, strike "LABOR," and substitute "LABOR ORGANIZATIONS,"
30 and after "GROUPS," insert "PUBLIC HEALTH AGENCIES,"

- 1 Page 8, line 3, strike "CRITERIA" and substitute "POTENTIAL CRITERIA".
- 2 Page 8, line 8, after "RECLAIMED MINING," insert "ENERGY,".
- 3 Page 8, strike lines 9 and 10.
- 4 Reletter succeeding sub-subparagraphs accordingly.
- 5 Page 8, strike lines 16 through 24 and substitute:
6 "(II) ASSESSING THE VERIFIABLE COUNTERFACTUAL REDUCTION IN
7 ATMOSPHERIC CARBON OVER A PROJECT'S LIFE CYCLE AND PRIORITIZING
8 PROJECTS THAT ARE PROJECTED TO HAVE THE GREATEST AND MOST
9 DURABLE IMPACT, EITHER THROUGH THE REDUCTION OF GREENHOUSE GAS
10 EMISSIONS TO MEET THE STATE'S GREENHOUSE GAS EMISSION REDUCTION
11 GOALS, ATMOSPHERIC REMOVAL, OR RELIABLE CARBON STORAGE; AND".
- 12 Page 9, line 9, after "CAPTURED," insert "EMITTED,".
- 13 Page 9, line 11, strike "AND".
- 14 Page 9, after line 13 insert:
15 "(III) PROVIDING INPUT ON CARBON MANAGEMENT FOR THE
16 GREENHOUSE GAS POLLUTION REDUCTION ROADMAP; AND".
- 17 Page 9, line 21, after "INFRASTRUCTURE," insert "PROJECTED ENERGY
18 NEEDS,".
- 19 Page 9, line 27, after "GOVERNMENTS." add "THE OFFICE SHALL WORK
20 WITH OTHER STATE AGENCIES AS APPROPRIATE IN ORDER TO ENSURE THAT
21 THE ROADMAP FUNCTIONS IN CONCERT WITH OTHER STATE TARGETS,
22 TEAMS, AND DOCUMENTS, INCLUDING THE GREENHOUSE GAS POLLUTION
23 REDUCTION ROADMAP, GREENHOUSE GAS ACCOUNTING MEASURES, AND
24 THE COLORADO CARBON CAPTURE AND GEOLOGICAL SEQUESTRATION
25 TASK FORCE REPORT.".
- 26 Page 10, line 3, strike "STAKEHOLDER".
- 27 Page 10, line 11, after "TRIBAL" insert "AND LOCAL".
- 28 Page 10, line 12, strike "LEADERS." and substitute "LEADERS, INCLUDING
29 COMMUNITY LEADERS FROM DISPROPORTIONATELY IMPACTED
30 COMMUNITIES.".

1 Page 10, strike line 23.

2 Page 10, line 25, strike "DESIGNEE." and substitute "DESIGNEE; AND
3 (IX) THE AIR POLLUTION AND CONTROL DIVISION."

4 Page 11, after line 8 insert:

5 "(8) THIS SECTION AND THE ROADMAP CREATED PURSUANT TO THIS
6 SECTION DO NOT PREVENT PUBLIC AND PRIVATE ACTORS FROM ADVANCING
7 THEIR OWN PROJECTS UNDER EXISTING RULES AND REGULATIONS."

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