

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

May 2, 2023
Date

Committee on Appropriations.

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

SB23-285 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 14, line 3, after "(b)" insert "(I)".

2 Page 14, line 6, strike "(I)" and substitute "(A)".

3 Page 14, line 10, strike "(II)" and substitute "(B)".

4 Page 14, after line 12 insert:

5 "(II) UPON REQUEST BY A LOCAL GOVERNMENT, THE COMMISSION
6 SHALL PROVIDE TECHNICAL SUPPORT TO THE LOCAL GOVERNMENT
7 CONCERNING THE IMPLEMENTATION OF THE COMMISSION'S RULES
8 PURSUANT TO THIS SECTION OR THE IMPLEMENTATION BY THE LOCAL
9 GOVERNMENT OF THE COMMISSION'S RULES."

10 Page 22, line 11, strike "IMPACTS;" and substitute "IMPACTS, AND A
11 CONSIDERATION OF:

12 (A) POTENTIAL IMPACTS TO OZONE NONATTAINMENT AREAS FROM
13 THE DEVELOPMENT OF GEOTHERMAL RESOURCES; AND

14 (B) POTENTIAL OZONE MITIGATION MEASURES."

15 Page 23, line 12, strike "and (3.5)" and substitute "(3.5), and (3.7)".

16 Page 24, after line 14 insert:

17 "(3.7) "UNDERGROUND NATURAL GAS STORAGE FACILITY
18 IMPACTS" MEANS, FOR AN UNDERGROUND NATURAL GAS STORAGE
19 FACILITY PROPOSED TO BE SITED IN AN AREA THAT WOULD AFFECT A
20 DISPROPORTIONATELY IMPACTED COMMUNITY, THE EFFECT ON PUBLIC

1 HEALTH AND THE ENVIRONMENT, INCLUDING AIR, WATER, SOIL, AND THE
2 CLIMATE, CAUSED BY THE INCREMENTAL IMPACTS THAT A PROPOSED NEW
3 UNDERGROUND NATURAL GAS STORAGE FACILITY WOULD HAVE WHEN
4 ADDED TO THE IMPACTS FROM DEVELOPMENT IN THE AFFECTED AREA."

5 Page 25, strike lines 16 and 17.

6 Reletter succeeding paragraph accordingly.

7 Page 25, line 21, strike "RULE." and substitute "RULE;

8 (c) SHALL, IF AN UNDERGROUND NATURAL GAS STORAGE FACILITY
9 IS PROPOSED TO BE SITED IN AN AREA THAT WOULD AFFECT A
10 DISPROPORTIONATELY IMPACTED COMMUNITY, EVALUATE AND ADDRESS
11 ANY UNDERGROUND NATURAL GAS STORAGE FACILITY IMPACTS FROM THE
12 PROPOSAL TO ENSURE THAT THE TERMS AND CONDITIONS OF ANY PERMIT
13 ISSUED UNDER THIS SECTION ARE SUFFICIENT TO ENSURE THAT ANY
14 UNDERGROUND NATURAL GAS STORAGE FACILITY IMPACTS ARE AVOIDED,
15 MINIMIZED TO THE EXTENT PRACTICABLE, OR, TO THE EXTENT THAT ANY
16 UNDERGROUND NATURAL GAS STORAGE FACILITY IMPACTS REMAIN, THE
17 REMAINING UNDERGROUND NATURAL GAS STORAGE FACILITY IMPACTS
18 ARE MITIGATED; AND

19 (d) SHALL, IF ANY UNDERGROUND NATURAL GAS STORAGE
20 FACILITY IMPACTS ARE EVALUATED AND ADDRESSED PURSUANT TO
21 SUBSECTION (2)(c) OF THIS SECTION, PROVIDE A PLAIN LANGUAGE
22 SUMMARY OF HOW THE UNDERGROUND NATURAL GAS STORAGE FACILITY
23 IMPACTS ARE AVOIDED, MINIMIZED IF NOT AVOIDED, MITIGATED IF NOT
24 MINIMIZED, AND ANY UNDERGROUND NATURAL GAS STORAGE FACILITY
25 IMPACTS THAT CANNOT BE AVOIDED, MINIMIZED, OR MITIGATED."

26 Page 32, line 10, strike "AND".

27 Page 32, line 12, strike "(2)(b)(II)." and substitute "(2)(b)(II); AND

28 (c) CONSIDER ANY POTENTIAL CUMULATIVE IMPACTS, INCLUDING
29 IMPACTS ON AIR, WATER, SOIL, AND THE CLIMATE, ASSOCIATED WITH THE
30 DEVELOPMENT OF THE STATE'S HYDROGEN RESOURCES."

31 Page 33, line 6, strike "AND".

32 Page 33, line 8, strike "(2)(b)(II)." and substitute "(2)(b)(II); AND

33 (c) CONSIDER ANY POTENTIAL CUMULATIVE IMPACTS ARISING OUT
34 OF THE USE AND SITING OF PIPELINES FOR CURRENT AND EMERGING
35 TECHNOLOGIES."

** *** ** *** **