



Natural Resources and Environment

During the 2022 legislative session, the General Assembly considered several measures related to natural resources and the environment including wildfire prevention and control; air quality; natural resources; environmental protection; and recycling.

Wildfire Prevention and Control

Lawmakers recognized the importance of addressing wildfires and passed a number of bills to mitigate their frequency and intensity. Two bills direct the Colorado State Forest Service (CSFS) at the Colorado State University to address wildfire mitigation through public awareness and information sharing. [Senate Bill 22-007](#) convenes a working group led by the CSFS to consider how to best conduct an enhanced wildfire awareness month outreach campaign in 2023 and 2024. This includes marketing tactics, educational events, an outreach campaign, technical assistance, among other strategies. [House Bill 22-1012](#) requires the CSFS to develop a publicly accessible statewide carbon accounting framework and a forest carbon co-benefit framework for project level forest management, including wildfire mitigation.

A fire suppression pond is a pond that contains water used exclusively for fighting active fires. [Senate Bill 22-114](#) encourages local jurisdictions to create these ponds by allowing county commissioners to consult with their fire protection district to identify a fire suppression

pond in high risk areas of wildfire damage. The commissioners can then apply to the Colorado Department of Natural Resources for an official designation.

Air Quality

The air quality in Colorado is an increasing concern to lawmakers, and the General Assembly considered several bills on the topic. [House Bill 22-1244](#) seeks to prioritize the health of communities impacted by air toxins. It creates a new program in the Department of Public Health and Environment to regulate toxic air contaminants. The bill also requires certain businesses to submit annual toxic air emissions reports and creates a monitoring program. Additionally, it requires the Air Quality Control Commissions to identify up to five priority toxic air contaminants, establish health-based standards, and adopt emission-control standards.

[Senate Bill 22-193](#) offers a set of initiatives to address Colorado's air pollution, including funding for electric school buses and ebikes and a clean air grant program to reduce air pollution from industrial and manufacturing options. Additionally, it creates the Cannabis Resource Optimization Cash Fund, which creates incentives to encourage sustainable practices in cannabis operations. The bill also modifies definitions, reviews form and filing requirements, addresses hearing deadlines, and makes changes to the legislative review process.

Natural Resources and Environment (cont'd)

Natural Resources

The General Assembly considered several bills concerning natural resources including chemical use, geothermal energy, and water quality. [House Bill 22-1348](#) addresses chemical use by the oil and gas industry. The bill requires operators, service providers, and direct vendors that provide chemical products directly to an operator at a well site for use in underground gas and oil operations to disclose chemical-use information to the Colorado Oil and Gas Conservation Commission. The department must then create a web-based chemical disclosure list.

[House Bill 22-1381](#) creates the Geothermal Energy Grant Fund in the Colorado Energy Office. The grant program provides funds to invest in geothermal energy, including heating, cooling, and electricity generation.

The Environmental Justice Act, enacted by [House Bill 21-1266](#) required the Air Quality Control Commission to gather input from disproportionately impacted communities. [House Bill 22-1322](#) extends these requirements to the Water Quality Control Commission (WQCC). Additionally, the bill requires the WQCC to designate use-protected water and creates a 5-year statute of limitations for bringing actions under the Colorado Water Quality Control Act.

Environmental Protection

Environmental protection was a topic of much deliberation in the 2022 legislative session. Polyfluoroalkyl (PFAS) chemicals are manmade chemicals prevalent in products like nonstick pans, cookware, and water-repellant clothing that break down slowly over a long period of time. [House Bill 22-1345](#) phases out PFAS chemicals in carpets, furniture, cosmetics, juvenile products, and some types of food

packaging, as well as in fluids used in producing oil and gas. It also requires cookware with PFAS to be labeled. The amended bill additionally prohibits the use of Class B firefighting foam that intentionally contains PFAS chemicals at structures used for the storage of maintenance of aircrafts located in an airport beginning January 1, 2024.

Colorado's unique geography includes diverse ecosystem and various communities of native pollinating insects. Native pollinating insects are necessary for protecting Colorado's ecosystem. [Senate Bill 22-199](#) requires the Colorado Department of Natural Resources to study the declining native pollinating insects and create a recommendation to address the pollinator decline and improve pollinator health.

Recycling

Colorado's recycling rate is below the national average, and lawmakers looked at ways to make it easier to recycle across the state. [House Bill 22-1355](#) creates a producer responsibility statewide recycling program and requires the Colorado Department of Public Health and Environment Executive Director to select a nonprofit organization to implement it. The program must provide recycling services to residences, businesses, schools, hospitality services, government buildings, and public spaces. Producers of packaging materials and paper products will pay annual dues to fund the project.