

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 3, 2024

Committee on Transportation, Housing & Local Government.

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

SB24-212 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 3, line 9, strike "AND".
- 2 Page 3, strike line 17 and substitute "COMMUNITIES; AND
- 3 "(e) THERE MAY BE OPPORTUNITIES TO STREAMLINE AND EXPEDITE
- 4 PERMITTING OF RENEWABLE ENERGY PROJECTS IN STRATEGIC AREAS."
- 5 Page 5, strike lines 20 through 22 and substitute:
- 6 "(b) A COMMERCIAL SOLAR ENERGY FACILITY; OR
- 7 (c) A COMMERCIAL ENERGY STORAGE FACILITY."
- 8 Page 6, after line 14 insert:
- 9 "(14) "LOCAL GOVERNMENT" MEANS A MUNICIPAL OR COUNTY
- 10 GOVERNMENT OF A COMMUNITY IN WHICH A RENEWABLE ENERGY PROJECT
- 11 IS PROPOSED TO BE LOCATED."
- 12 Renumber succeeding subsections accordingly.
- 13 Page 7, strike line 2 and substitute:
- 14 "(II) THE REVIEW OF RENEWABLE ENERGY PROJECTS FOR WHICH A
- 15 LOCAL GOVERNMENT OR A TRIBAL GOVERNMENT RECEIVES AN
- 16 APPLICATION FOR LAND USE APPROVAL AFTER JUNE 30, 2024."
- 17 Page 7, strike lines 14 through 27.
- 18 Page 8, strike line 1 and substitute:

1 "(2) (a) AT THE REQUEST OF A FACILITY OWNER, LOCAL
2 GOVERNMENT, OR TRIBAL GOVERNMENT, THE DIVISION OF PARKS AND
3 WILDLIFE SHALL PROVIDE THE FACILITY OWNER, LOCAL GOVERNMENT, OR
4 TRIBAL GOVERNMENT A SET OF BEST MANAGEMENT PRACTICES TO AVOID,
5 MINIMIZE, AND MITIGATE WILDLIFE IMPACTS OF RENEWABLE ENERGY
6 PROJECTS.

7 (b) THE BEST MANAGEMENT PRACTICES AVAILABLE AT THE TIME
8 OF APPLICATION WITH A LOCAL GOVERNMENT OR TRIBAL GOVERNMENT
9 FOR LAND USE APPROVAL OF A RENEWABLE ENERGY PROJECT MAY BE
10 INCORPORATED INTO PROJECT PLANS AT THE DISCRETION OF THE FACILITY
11 OWNER.

12 (c) THE BEST MANAGEMENT PRACTICES MAY BE CONSIDERED AS
13 CONDITIONS OF APPROVAL BY A LOCAL GOVERNMENT OR TRIBAL
14 GOVERNMENT WITH LAND USE AUTHORITY OR REGULATORY AUTHORITY
15 OVER A PROJECT FOR A RENEWABLE ENERGY PROJECT FOR WHICH THE
16 LOCAL GOVERNMENT OR TRIBAL GOVERNMENT RECEIVES AN APPLICATION
17 FOR LAND USE APPROVAL AFTER JUNE 30, 2024.

18 (d) THE DIVISION OF PARKS AND WILDLIFE SHALL IDENTIFY
19 HIGH-PRIORITY HABITATS FOR RENEWABLE ENERGY PROJECTS BASED ON
20 THE BEST AVAILABLE SCIENCE AND SHALL UPDATE THE LIST OF
21 HIGH-PRIORITY HABITATS AT LEAST ANNUALLY AND MAKE THE LIST
22 PUBLICLY AVAILABLE. A FACILITY OWNER, LOCAL GOVERNMENT, OR
23 TRIBAL GOVERNMENT MAY CONSIDER THE HIGH-PRIORITY HABITATS IN
24 PLANNING, SITING, PERMITTING, AND DEVELOPING RENEWABLE ENERGY
25 PROJECTS."

26 Page 8, line 5, after "PROJECTS" insert "AND COMMERCIAL ENERGY
27 TRANSMISSION FACILITIES".

28 Page 8, line 11, strike "PRIVATE LANDOWNERS AND".

29 Page 8, strike lines 15 through 26 and substitute:

30 "THE SITING OF COMMERCIALY VIABLE RENEWABLE ENERGY PROJECTS
31 AND COMMERCIAL ENERGY TRANSMISSION FACILITIES; AND

32 (II) EVALUATE THE IMPACT OF RENEWABLE ENERGY PROJECTS AND
33 COMMERCIAL ENERGY TRANSMISSION FACILITIES ON WILDLIFE RESOURCES;
34 THE USE OF WILDLIFE MITIGATION, DECOMMISSIONING, AND COMMUNITY
35 BENEFIT AGREEMENTS; AND THE RANGE OF FEES IMPOSED BY LOCAL
36 GOVERNMENTS.

37 (b) IN PREPARING THE REPORT, THE OFFICE SHALL PROVIDE
38 OPPORTUNITIES FOR MUNICIPAL AND COUNTY GOVERNMENTS; RENEWABLE
39 ENERGY PROJECT DEVELOPERS; CONSERVATION ORGANIZATIONS; LOCAL

1 STAKEHOLDERS, INCLUDING PROPERTY OWNERS; TRIBAL GOVERNMENTS;
2 ELECTRIC UTILITIES; AND".

3 Page 9, strike line 5 and substitute "**Brunot agreement of 1874.** FOR
4 RENEWABLE ENERGY PROJECTS FOR WHICH A LOCAL GOVERNMENT
5 RECEIVES AN APPLICATION FOR LAND USE APPROVAL AFTER JUNE 30,".

** ** ** ** **