

JOINT BUDGET COMMITTEE



STAFF FIGURE SETTING FY 2023-24

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

(ADMINISTRATIVE AND ENVIRONMENTAL DIVISIONS)

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

PREPARED BY:
ANDREW FORBES, JBC STAFF
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JOINT BUDGET COMMITTEE STAFF
200 E. 14TH AVENUE, 3RD FLOOR • DENVER • COLORADO • 80203
TELEPHONE: (303) 866-2061 • TDD: (303) 866-3472
<https://leg.colorado.gov/agencies/joint-budget-committee>

CONTENTS

CONTENTS

Department Overview	1
Summary of Staff Recommendations.....	2
Description of Incremental Changes.....	2
Major Differences from the Request.....	7
Decision Items Affecting Multiple Divisions	8
➔ R-01: Protective Water Quality Control	8
➔ R-05: Sustaining Environmental Justice	12
➔ R-12: Water Quality Environmental Justice.....	13
(1) Administration and Support.....	15
Decision Items – Administration and Support.....	16
➔ R-11: Sothern Ute Environmental Commission	16
➔ R-15: Emissions Center Leased Space	16
➔ BA-04 Admin Indirect Costs.....	17
➔ Staff Initiated: PERA Direct Distribution Fund Splits	19
Line Item Detail — Administration and Support	19
(A) Administration	20
(4) Air Pollution Control Divison	39
Decision Items – Air Pollution Control Division	41
Line Item Detail – Air Pollution Control Division	41
(A) Administration	41
(B) Technical Services.....	42
(C) Mobile Sources.....	44
(D) Stationary Sources.....	47
(5) Water Quality Control Division.....	50
Decision Items – Water Quality Control Division.....	51
➔ R-02: Water Infrastructure Fund Match.....	51
Line Item Detail - Water Quality Control Division	53
(A) Administration	53
(B) Clean Water Sectors	53
(C) Clean Water Programs	58
(D) Drinking Water Program	60

(E) Indirect Cost Assessment.....	61
(6) Hazardous Materials and Waste Management Division.....	62
Decision Items – hazardous materials and waste Management division	63
➔ R-08: Low Income Radon Mitigation	63
➔ BA-01: Transfer to Satisfy HSRF Obligations.....	65
Line Item Detail - Hazardous Materials and Waste Management Division	66
(A) Administration	66
(B) Hazardous Waste Control Program.....	67
(C) Solid Waste Control Program.....	69
(D) Contaminated Site Cleanups and Remediation Programs.....	70
(E) Radiation Management	74
(F) Waste Tire Program.....	76
(8) Division of Environmental Health and Sustainability.....	77
Decision Items - Division of Environmental Health and Sustainability.....	78
➔ R-04: Dairy Protection Relief.....	78
➔ R-14: Licensing and Inspection Caseload Adjustment.....	80
Line Item Detail - Division of Environmental Health and Sustainability	81
Long Bill Footnotes and Requests for Information	89
Long Bill Footnotes	89
Requests for Information.....	90
Appendix A: Numbers Pages.....	91

HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the division summary tables.

Decision items, both department-requested and staff-initiated, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division. Within a section, decision items are listed in the requested priority order, if applicable.

In some of the analysis of decision items in this document, you may see language denoting certain 'levels of evidence', e.g. theory-informed, evidence-informed, or proven. For a detailed explanation of what is meant by 'levels of evidence', and how those levels of evidence are categorized, please refer to Section 2-3-210 (2), C.R.S.

DEPARTMENT OVERVIEW

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

- 1 Administration and Support
- 2 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
- 3 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
- 4 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
- 5 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

SUMMARY OF STAFF RECOMMENDATIONS

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$756,286,389	\$156,852,349	\$226,496,227	\$48,494,927	\$324,442,886	1,673.0
Other legislation	157,168,072	42,983,344	85,003,480	29,181,248	0	57.9
SB 23-128 (CDPHE Supplemental)	2,464,901	3,347,178	190,332	(1,072,609)	0	1.5
TOTAL	\$915,919,362	\$203,182,871	\$311,690,039	\$76,603,566	\$324,442,886	1,732.4
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$915,919,362	\$203,182,871	\$311,690,039	\$76,603,566	\$324,442,886	1,732.4
R1 Protective water quality control	2,829,375	2,829,375	0	0	0	23.7
R2 Water infrastructure state fund match	66,126,060	0	6,011,460	0	60,114,600	0.0
R3 Health facilities cash fund fee relief	2,100,000	2,100,000	0	0	0	0.0
R4 Dairy protection fee relief	412,000	412,000	0	0	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
R6 Vital statistics fee relief	1,383,409	1,383,409	0	0	0	0.0
R7 Syphilis outreach	840,535	1,205,535	0	0	(365,000)	0.9
R8 Low income radon mitigation	1,151,412	1,151,412	0	0	0	0.0
R9 EpiTrax disease surveillance platform	554,000	0	0	554,000	0	0.0
R10 Technical adjustments	0	0	0	0	0	0.0
R11 Sothern Ute environmental commission	40,000	40,000	0	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
R13 Colorado central cancer registry	3,590	143,188	0	0	(139,598)	0.0
R14 LPHA caseload adjustment	120,000	120,000	0	0	0	0.0
R15 Denver emissions technical center	22,192	0	22,192	0	0	0.0
R16 Provider rate increase	282,486	225,712	56,774	0	0	0.0
BA1 Transfer to satisfy HSRF obligations	0	0	0	0	0	0.0
BA2 BRFS Assistance	317,160	317,160	0	0	0	0.0
BA3 Preventing outbreaks	3,632,053	3,632,053	0	0	0	12.6
BA4 Admin indirect costs	508,176	0	0	508,176	0	5.3
NPBA ARPA Prepay utilization	0	(10,000,000)	10,000,000	0	0	0.0
Tobacco adjustments	(2,599,299)	(59,475)	(2,539,824)	0	0	0.0
Staff initiated PERA refinance	0	0	0	211,306	(211,306)	0.0
Centrally appropriated line items	20,490,031	7,682,136	4,430,449	2,856,229	5,521,217	0.0
Non-prioritized decision items	16,806,198	4,874,695	2,939,366	1,811,817	7,180,320	1.8
Annualize prior year budget actions	(34,439,282)	(50,109,926)	15,549,175	121,469	0	45.0
Annualize prior year legislation	(119,852,359)	(42,371,799)	(57,553,169)	(19,927,391)	0	30.9
TOTAL	\$876,647,099	\$126,758,346	\$290,606,462	\$62,739,172	\$396,543,119	1,852.6
INCREASE/(DECREASE)	(\$39,272,263)	(\$76,424,525)	(\$21,083,577)	(\$13,864,394)	\$72,100,233	120.2
Percentage Change	(4.3%)	(37.6%)	(6.8%)	(18.1%)	22.2%	6.9%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$3,704,654	\$5,639,815	(\$3,664,569)	(\$211,306)	\$1,940,714	12.0

*Highlighted items will be covered in this document, while the rest will be covered at a future date by Abby Magnus.

DESCRIPTION OF INCREMENTAL CHANGES

R1 PROTECTIVE WATER QUALITY CONTROL: The recommendation includes \$2.8 million General Fund and 23.7 FTE in FY 2023-24, annualizing to \$2.9 million General Fund and 26.0 FTE in FY

2024-25 to address Clean Water program permitting and Drinking Water Program inspection backlogs, with funding ending after FY 2024-25. The recommendation differs from the Department request of \$4.1 million in both amount and duration.

R2 WATER INFRASTRUCTURE STATE FUNDS MATCH: The recommendation states that the Joint Budget Committee should sponsor legislation to revise the statutory language of the Small Communities Water and Wastewater Grant Fund, which is continuously appropriated. Staff recommends that the Committee add language around allowable uses for the fund so that it can be used as a state match for the federal Infrastructure Investment and Jobs Act. The Department is expected to increase expenditures by \$6.0 million cash funds in FY 2023-34 to obtain this match of \$60.0 million in federal Funds. This recommendation is in line with the Department's request.

R4 DAIRY PROTECTION FEE RELIEF: The recommendation includes one-time of \$412,000 General Fund appropriation in FY 2023-24 to the Colorado Dairy Program in order to maintain current program activities. A similar one-time appropriation was used for this purpose in FY 2022-23. This recommendation is in line with the Department's request.

R5 SUSTAINING ENVIRONMENTAL JUSTICE: The recommendation includes a denial of the Department's request for an increase of \$4,487,382 General Fund and a decrease of \$4,487,382 cash funds from the Stationary Sources Control Fund in FY 2023-24. This request would represent a net zero refinancing of the our-year impacts of HB 21-1266, which funded the program for two years with General Fund before switching to Cash Fund revenue beginning next year.

R8 LOW INCOME RADON MITIGATION: The recommendation includes an increase of \$1.1 million General Fund in FY 2023-24 and ongoing for the expansion of the Low-Income Radon Mitigation Assistance Program. This recommendation is above the department's request of \$400,000.

R11 SOTHERN UTE ENVIRONMENTAL COMMISSION: The recommendation includes an increase of \$40,000 General Fund in FY 2023-24 and ongoing. The recommended appropriation will fulfill a 50 percent split with the Sothern Ute tribe to staff the Ute/CDPHE Joint Environmental Commission. This recommendation is in line with the Department's request.

R12 WATER QUALITY ENVIRONMENTAL JUSTICE: The recommendation includes a denial of the Department's request for an increase of \$444,594 General Fund and 4.2 FTE in FY 2023-24, and \$494,925 General Fund and 4.2 in FY 2024-25 and beyond. The Department received \$271,798 General Fund and 1.8 FTE from HB 22-1322, but included a departmental difference with Legislative Council Staff on the amount of resources they believe they need to implement the requirements of the bill.

R14 LPHA CASELOAD ADJUSTMENT: The recommendation includes an increase of \$120,000 General Fund in FY 2023-24 and ongoing to provide increased state support for Local Public Health Agencies (LPHAs) to conduct inspections for retail food establishments, schools, and childcare centers. This recommended increase is a result of the Tri-County Health Department breaking into three separate LPHAs. This recommendation is in line with the Department's request.

R15 DENVER EMISSIONS TECHNICAL CENTER: The recommendation includes an increase of \$22,192 cash funds from the AIR account of the Highway Users Tax Fund in FY 2023-24, increasing slightly every year after. The request is for the spending authority to execute a new 10-year lease with

the Denver Emissions Technical Center for vehicle emissions inspection services. This recommendation is in line with the Department’s request.

BA1 TRANSFER TO SATISFY HSRF OBLIGATIONS: The recommendation states that the Joint Budget Committee should sponsor legislation to transfer \$1.8 million cash funds from the Hazardous Substance Site Response Fund to the Hazardous Substance Response Fund (HSRF) to meet the expenditure obligations of the HRSF. This recommendation is in line with the Department’s request, except staff is recommending that the committee run this transfer through legislation.

BA4 ADMIN INDIRECT COSTS: The recommendation includes an increased appropriation of \$508,176 reappropriated funds and 5.3 FTE in FY 2023-24. The increased appropriation accounts for increased expenditures incurred from a newly awarded federal grant from the Centers for Disease Control. This recommendation is in line with the Department’s request.

STAFF INITIATED PERA REFINANCE: The recommendation includes a net zero refinance of the Department’s PERA Direct Distribution line item to remove federal funds sources that are not allowed per federal grant rules. The refinance includes the amount into the Department’s indirect cost plan for FY 2023-24. The recommendation would also increase General Fund expenditures in the current year (FY 22-23) by \$1.4 million.

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

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey	\$10,983,241	\$2,742,989	\$2,872,369	\$870,133	\$4,497,750	0.0
Health, life, and dental	6,899,533	1,259,013	828,726	464,621	4,347,173	0.0
Payments to OIT	2,589,397	1,196,008	449,721	943,668	0	0.0
AED	1,845,275	876,924	353,143	115,723	499,485	0.0
SAED	1,845,275	876,924	353,143	115,723	499,485	0.0
Health, life, dental true-up	1,436,039	369,388	349,813	102,692	614,146	0.0
Leased space	590,419	0	8,500	581,919	0	0.0
DPA Pay plan	171,028	158,487	0	12,541	0	0.0
Legal services	89,644	89,644	0	0	0	0.0
Risk legal adjustment correction	54,962	5,496	0	49,466	0	0.0
Short-term disability	47,652	24,618	8,594	2,825	11,615	0.0
AIJ services	18,073	1,800	0	16,273	0	0.0
Annualize prior year salary survey	(3,768,957)	0	0	0	(3,768,957)	0.0
PERA Direct Distribution	(2,058,560)	118,427	(790,511)	(216,344)	(1,170,132)	0.0
CORE adjustment	(152,406)	(15,000)	0	(137,406)	0	0.0
Payment to risk management and property funds	(50,244)	(5,000)	0	(45,244)	0	0.0
Workers’ compensation	(21,657)	(2,100)	0	(19,557)	0	0.0
Lease Depreciation Payments	(15,169)	(15,169)	0	0	0	0.0
Shift differential correction	(12,621)	(224)	(3,049)	0	(9,348)	0.0
Capitol Complex leased space	(893)	(89)	0	(804)	0	0.0
TOTAL	\$20,490,031	\$7,682,136	\$4,430,449	\$2,856,229	\$5,521,217	0.0

NON-PRIORITIZED DECISION ITEMS: The request includes an increase of \$16,806,198 total funds, including a reduction of \$4,874,695 General Fund, for adjustments related to budget requests from the Department of Personnel, the Department of Public Safety, the Governor’s Office of Information Technology package, and changes within the Department of Law.

NON-PRIORITIZED DECISION ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Statewide operating expenses inflation	\$8,558,385	\$544,301	\$1,679,217	\$235,522	\$6,099,345	0.0
OIT Real time billing	7,152,755	3,510,984	1,100,058	1,482,646	1,059,067	1.8
OIT Budget package	682,833	211,910	62,905	386,110	21,908	0.0
NP06 Law CDPHE costs	578,537	459,969	113,568	5,000	0	0.0
NPBA7 PEAK	78,637	78,637	0	0	0	0.0
DPS Digital trunk radio	39,942	39,942	0	0	0	0.0
DPA COE common policy	27,745	27,745	0	0	0	0.0
DPA Transfer perf. budgeting to DPA	11,207	1,207	0	10,000	0	0.0
NPBA4 Transition CDEC admin	(307,461)	0	0	(307,461)	0	0.0
Transfer to DOL for CERCLA costs	(16,382)	0	(16,382)	0	0	0.0
TOTAL	\$16,806,198	\$4,874,695	\$2,939,366	\$1,811,817	\$7,180,320	1.8

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The request includes a net decrease of \$34.4 million total funds, including a decrease of \$50.1 million General Fund, for prior year budget actions, summarized in the following table. Items relating to the administrative and environmental divisions have been **bolded**.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 22-23 BA3 EPA Permit targets	\$108,087	\$0	\$108,087	\$0	\$0	6.0
FY 22-23 R6 Enterprise phone system	64,921	0	0	64,921	0	0.0
FY 22-23 R5 Admin policy staff	56,548	0	0	56,548	0	0.0
FY 22-23 R1 Air quality transformation	(27,671,579)	(43,353,451)	15,681,872	0	0	40.3
FY 22-23 BA5 residential care relief	(3,385,000)	(3,385,000)	0	0	0	0.0
FY 22-23 R4 Emgcy med trauma svcs supp	(2,000,000)	(2,000,000)	0	0	0	0.0
FY 22-23 R3 CO gen lic hlth facility prot	(1,000,000)	(1,000,000)	0	0	0	0.0
FY 22-23 R2 CO Dairy Protection	(371,475)	(371,475)	0	0	0	0.0
FY 22-23 BA2 med marijuana registry	(240,784)	0	(240,784)	0	0	(1.3)
TOTAL	(\$34,439,282)	(\$50,109,926)	\$15,549,175	\$121,469	\$0	45.0

ANNUALIZE PRIOR YEAR LEGISLATION: The request includes a net decrease of \$119.9 million total funds, including a decrease of \$42.4 million General Fund, to reflect the FY 2023-24 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
SB22-193 Air quality improvement	\$14,509,324	(\$7,000,000)	\$21,509,324	\$0	\$0	3.5
HB22-1244 Toxic air contaminants	420,048	420,048	0	0	0	10.3
HB21-1266 Environmental justice	296,872	(3,040,353)	3,337,225	0	0	0.7
HB22-1322 Water Quality Regulation	271,798	271,798	0	0	0	1.8
SB22-179 Deter tampering emission system	208,100	208,100	0	0	0	1.2
HB22-1256 Civil involuntary commitment	197,660	197,660	0	0	0	2.1
HB22-1286 Energy perf buildings	185,779	185,779	0	0	0	2.6
HB22-1345 Perfluoroalkyl Polyfluoroalkyl	118,045	118,045	0	0	0	0.9
SB22-224 Protections donor-conceived persons	101,027	101,027	0	0	0	2.4
HB22-1278 Behavioral health admin	69,385	0	69,385	0	0	1.0
SB22-154 Safety assisted living residences	61,144	61,144	0	0	0	0.9
SB22-182 Economic mobility program	51,049	0	51,049	0	0	1.0
HB22-1392 Contaminated land prop tax	10,000	0	10,000	0	0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB22-1289 Hth benefits CO children	9,308	9,308	0	0	0	0.2
SB22-186 Rare Disease Council	5,781	5,781	0	0	0	0.2
SB21-260 Transportation System	0	0	0	0	0	0.0
HB22-1251 Cardiac arrest mgmt	0	0	0	0	0	0.8
HB22-1358 Clean water in schools	(43,548,419)	(22,548,419)	0	(21,000,000)	0	2.6
SB22-226 Prgms support health-care wrkfrce	(35,000,000)	0	(35,000,000)	0	0	0.0
HB22-1326 Fentanyl accountability prevention	(31,703,151)	(5,703,151)	(26,000,000)	0	0	0.0
SB22-181 Behavioral health-care wrkfrce	(20,000,000)	0	(20,000,000)	0	0	0.0
SB23-198 CDPHE Supplemental	(2,464,901)	(3,347,178)	(190,332)	1,072,609	0	(1.5)
SB22-147 Behavioral health services children	(1,500,000)	0	(1,500,000)	0	0	0.0
HB22-1267 Culturally relevant trg hlth prof	(900,000)	(900,000)	0	0	0	0.0
HB21-1189 Regulate air toxics	(618,264)	(800,000)	181,736	0	0	0.7
HB22-1157 Utilization demographic data CDPHE	(360,000)	(360,000)	0	0	0	0.0
SB22-225 Ambulance svc sust & licensing	(133,958)	(133,958)	0	0	0	(0.2)
HB22-1401 Hospital nurse staffing standards	(52,515)	(52,515)	0	0	0	(0.3)
SB22-098 Redispensing unused drugs	(47,423)	(47,423)	0	0	0	(0.1)
SB22-170 Uses waste tire fund	(14,050)	0	(14,050)	0	0	0.0
HB22-1284 Hlth ins surprise billing	(7,506)	0	(7,506)	0	0	(0.1)
HB22-1355 Producer recycling	(7,481)	(7,481)	0	0	0	0.2
SB22-210 License suppl health-care staffing agency	(7,301)	(7,301)	0	0	0	0.1
SB22-053 Health facility visitation pandemic	(2,710)	(2,710)	0	0	0	(0.1)
TOTAL	(\$119,852,359)	(\$42,371,799)	(\$57,553,169)	(\$19,927,391)	\$0	30.9

MAJOR DIFFERENCES FROM THE REQUEST

The following are the major differences from the Department's request:

- The recommendation includes several adjustments to common polices and non-prioritized requests that differ from the Department request.
- The recommendation includes partial denial of the Department's R1 Protective Water Quality Control decision item. The Department requested \$4,125,165 General Fund and 31.0 FTE in FY 2023-24, \$5,961,596 General Fund and 46.0 FTE in FY 2024-25, and \$5,581,596 General Fund and 46.0 FTE in FY 2025-26 and ongoing. Staff is recommending an appropriation of \$2,829,375 General Fund and 23.7 FTE for FY 2023-24 and \$2,895,669 General Fund and 26.0 FTE for FY 2024-25, with funding ending after FY 2024-25. Staff's recommendation includes denial of administrative FTE and denial of the programs expansion in the out years. Staff believes General Fund should not be a long term funding solution for this program and encourages the Department to come back with another request in two years that is primarily cash funded.
- The recommendation includes a denial of the following requests:
 - R5 Sustaining Environmental Justice
 - R12 Water Quality Environmental Justice
- The recommendation includes an increase of \$1.1 million General Fund for the Department's R8 Low Income Mitigation decision item, as opposed the to the Department's request of \$400,000. Staff's recommendation would fully fund the remediation needs for all 521 expected applications.
- Staff has included a PERA Direct Distribution refinance for FY 2022-23 and 2023-24 to account for a mistake in improperly charging federal programs that do not allow for PERA DD expenditures.

DECISION ITEMS AFFECTING MULTIPLE DIVISIONS

→ R-01: PROTECTIVE WATER QUALITY CONTROL

REQUEST: The Department requests \$4,125,165 General Fund and 31.0 FTE in FY 2023-24, \$5,961,596 General Fund and 46.0 FTE in FY 2024-25, and \$5,581,596 General Fund and 46.0 FTE in FY 2025-26 and ongoing to address Clean Water Program permitting backlogs and Safe Drinking Water Program inspection backlogs to align with Environmental Protection Agency (EPA) Targets.

RECOMMENDATION: **Staff recommends an appropriation of \$2,829,375 General Fund and 23.7 FTE for FY 2023-24 and \$2,895,669 General Fund and 26.0 FTE for FY 2024-25, with funding ending after FY 2024-25.**

EVIDENCE LEVEL: The Department indicated that this request item is theory informed, and staff agrees with this designation. When a request item is designated theory informed it means that the program “reflects a moderate to low, or promising level of confidence related to the effectiveness, ineffectiveness, or harmfulness as determined by tracking and evaluating performance measures including pre and post intervention evaluation of program outcomes. Evaluation of program outputs, identification and implementation of a theory change, or equivalent measures.” (Section 2-3-210 (2)(f), C.R.S.)

ANALYSIS:

CLEAN WATER PROGRAM

The Clean Water Program was established under the federal Clean Water Act, the Water Quality Control Act, and delegated authority from the EPA. The program assesses water quality, develops water quality standards, issues discharge permits, monitors compliance, conducts inspections, provides technical assistance, and as necessary, pursues enforcement actions for five industry sectors:

- construction, commerce and industry;
- municipal separate storm sewer systems (MS4);
- pesticides;
- public and private utilities (PPU); and
- water quality certification.

Colorado issues two types of clean water permits, a General Permit and Individual Permit. A General Permit covers multiple facilities with similar operations, operating conditions, use or disposal practices, pollutant sources, types of discharged wastes or sludge use, effluent limits, or monitoring needs. An Individual Permit is a permit for that particular facility based on the information contained in the permit application (e.g., type of activity, nature of discharge, receiving water quality). Individual permits cover the largest operations with the largest potential for environmental impact. Clean water permits have five-year terms, after which permit conditions cannot be changed until the permit is reviewed and reissued. The Clean Water Program also funds grants and contracts from the federal Clean Water State Revolving Fund, primarily to local governments for the Non-Point Source Program (NPS) and the Water Quality Improvement Program.

The Department's Performance Partnership Agreement with the EPA includes a 75 percent target for permits to be current. As of June 2022 only 24 percent of the Departments active general and individual permits were considered current. NOTE: The Department was in compliance with previous EPA guidelines on permit backlogs, but new direction from the EPA has removed Stormwater Construction General Permits from the calculation. Because of this new guidance 6,476 of the Departments total 9,572 permits are discounted. This bring the Department's compliance rate down from 75 percent to 24 percent.

To meet EPA standards, the Department estimates it would need to renew 64 permits a year, which is nearly double the current 35 permits a year the Department typically issues. To achieve and maintain a zero backlog, the Department would have to renew 20 percent of permits each year, or 89 permits. The Department is requesting 23.0 FTE and \$2.8 million specifically for this purpose in the Clean Water Program.

DRINKING WATER PROGRAM

The Safe Drinking Water Program was established under the federal Safe Drinking Water Act and delegates authority to the State to implement measures to ensure that public water systems throughout Colorado provide safe drinking water. Currently, there are over 2,000 active public drinking water systems in Colorado, which range in size from small restaurants or communities that serve 25 people to those with a service area the size of the City of Denver. Drinking water sources include groundwater wells; surface waters such as rivers, lakes, and reservoirs; or a combination of both. The Safe Drinking Water Act also requires that Colorado adopt regulations that are at least as stringent as new or amended federal regulations and maintain adequate procedures for enforcement of such regulations. If a state fails to perform these activities, the EPA is required to revoke their primary enforcement authority and all associated federal funding that supports the Safe Drinking Water Program. The Department has also seen a rise in the number of water systems that need to be regulated due to population increases and changes in state and federal regulations. There has been a growth in restaurants, resorts, campgrounds, homeowner associations, schools, and small communities that meet the regulatory thresholds.

The federal Safe Drinking Water Act requires that all community drinking water systems receive a sanitary survey inspection at least once every three years and non-community drinking water systems, like campgrounds, lodges, and businesses with their own water source, must be inspected at least once every five years. Currently, 32 percent of drinking water systems in Colorado are not receiving a sanitary survey on the mandated three- or five-year schedule, up from just 2 percent in 2015. The Department primarily cites the COVID pandemic as the cause for the decline in compliance rates, noting that many inspections were not done in 2020. The Department requests 4.0 FTE and \$501,178 in FY 23-24 specifically for the Drinking Water Program.

FY 2022-23 BA3 REQUEST

Last year the Department received \$734,634 cash fund spending authority and 6.0 FTE from the Construction Sector Fund and the Public and Private Utility Fund (a roughly 50/50 split) to address permit backlogs. At the time Staff recommended approval of the request because construction activities requiring discharge permits had risen 19 percent since 2020 and 37 percent since 2016, and the backlog of permits in the Public and Private Utilities (PPU) sector have risen from 48 percent in

2017 to 63 percent in 2020. The BA3 request and approval was specific to those two sectors backlogs and was being paid for by cash funds in which regulated entities pay into.

DEPARTMENT CASH FUNDS

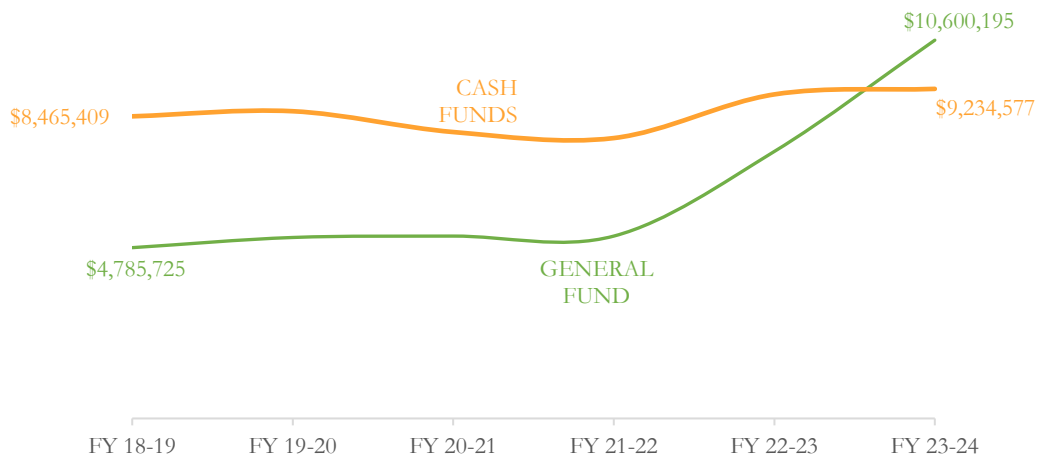
Staff believes that it is unusual for the Department to request such a large increase in General Fund to supplement a regulated industry that has historically paid for its services through fees paid in by regulated industries. The Water Quality Control Division received \$28.2 million General Fund and \$9.1 million cash fund spending authority in FY 2022-23, but \$21.0 million of that General Fund was an appropriation to a cash fund required by HB 22-1358 (Clean Water in Schools). This skews the typical annual funding split for the division. After accounting for HB 22-1358 General Fund will surpass cash fund appropriations beginning in FY 2023-24.

WATER QUALITY CONTROL DIVISION APPROPRIATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 18-19	\$27,359,011	\$4,785,725	\$8,465,409	\$39,673	\$14,068,204	180.9
FY 19-20	28,064,887	5,071,052	8,608,458	61,548	14,323,829	182.2
FY 20-21	27,578,239	5,109,975	8,025,254	95,202	14,347,808	180.7
FY 21-22	27,665,011	5,109,990	7,856,087	95,202	14,603,732	180.7
FY 22-23 ¹	31,355,955	7,480,935	9,080,002	96,665	14,698,353	189.8
FY 23-24 (requested) ²	34,632,625	10,600,195	9,234,577	99,500	14,698,353	235.4

¹ This excludes the \$21.0 million General Fund and reappropriated funds outlined in HB 22-1358.

² this excludes the Department's R2 request for the same year.

Water Quality Control Division General Fund and Cash Fund Appropriations.



While General Fund has been used to supplement the regulated industry in past years the revenue generated by the Department’s applicable cash funds are not currently sufficient to cover the expenses in the R1 request. The Water Quality Control Divisions main cash funds are outlined below; of which many have small or stagnant fund balances. Typically, staff believes it is healthy for the Department to maintain stagnant fund balances, as this conveys that revenue is roughly matching up with expenditures. However, this does not allow the Department to expand spending authority to adapt to new federal regulations. Further complicating the issue is that all of the below mentioned cash funds

have fees that are set in statute, meaning the Department would need legislation to raise the revenue needed to fund this request.

WATER QUALITY CASH FUNDS				
	FY 20-21	FY 21-22	FY 22-23	FY 23-24
Construction Sector Fund				
Revenue	2,807,754	3,279,656	3,526,000	3,526,000
Expenditures	1,993,172	2,133,205	3,330,000	3,330,000
Balance	1,302,410	1,753,531	1,949,531	2,145,531
Public and Private Utilities (PPU) Fund				
Revenue	2,672,049	3,114,202	3,122,025	3,025,050
Expenditures	2,494,523	2,619,864	3,057,938	3,225,000
Balance	1,598,666	2,039,308	2,103,395	1,903,445
Municipal Separate Storm Sewer Systems Fund (MS4)				
Revenue	204,076	205,037	205,800	206,800
Expenditures	164,361	178,987	179,600	180,250
Balance	244,568	291,762	317,962	344,512
Water Quality Certification Sector Fund				
Revenue	105,643	30,738	30,767	32,100
Expenditures	117,412	22,648	27,300	27,800
Balance	3,587	11,231	14,698	18,998
Commerce and Industry Fund				
Revenue	1,397,520	1,309,158	1,385,000	1,305,000
Expenditures	1,323,198	1,335,571	1,329,100	1,329,200
Balance	126,498	29,639	85,539	61,339
Drinking Water Cash Fund				
Revenue	576,440	570,794	580,531	589,240
Expenditures	571,321	540,637	564,547	581,469
Balance	12,183	2,978	18,962	26,733

RECOMMENDATION:

Staff believes that the Clean Water Program and Drinking Water Program do not currently have the resources to meet the objectives established by the EPA. However, Staff does not believe that General Fund is a long term funding solution for a division that has historically been supported by Federal (50 percent) and cash fund (31 percent) sources. For this reason, staff is recommending partial approval of the request, primarily for Environmental Protection Specialists, Engineers, and Data Management. Staff is recommending denial of the overhead costs of accounting and division IT staff, and out-year expansion of staffing.

With approval of two years’ worth of General Fund the Department can begin to address the issue of permitting and inspection backlogs while also develop and implement a plan to change the necessary fee structures to lessen the burden of General Fund in the future. Staff expects the Department to submit a future decision item in which includes the sustainable balance of General Fund and cash funds to retain these FTE.

→ R-05: SUSTAINING ENVIRONMENTAL JUSTICE

REQUEST: The Department requests an increase of \$4,487,382 General Fund and a decrease of \$4,487,382 cash funds from the Stationary Sources Control Fund in FY 2023-24. This represents a net zero refinancing of the our-year impacts of HB 21-1266 (Environmental Justice Disproportionate Impacted Community).

RECOMMENDATION: **Staff recommends the Committee deny the Department’s request.**

ANALYSIS

House Bill 21-1266 directs the Air Quality Control Commission (AQCC) to update the list of air pollutants that are required to be reported in an air pollutant emission notice (APEN) to include greenhouse gases (GHG), and to establish a fee per ton of GHG based on the most recent APEN on file. The bill also creates an environmental justice ombudsperson and advisory board to promote environmental justice throughout the state. The bill provided General Fund resources to the Department for the first two years of the program while the estimated \$4.3 million in cash fund revenue is generated to support the program long term.

House Bill 21-1266 directed the AQCC to add GHG to the list of air pollutants required to be reported in an APEN and to establish in rule a per-ton fee on GHG emissions in an amount that is sufficient to cover the costs required to develop and administer GHG programs. The Department expects reporting will occur by December 31, 2023, a full year after the AQCC approved the list of GHG, and that that they intend to engage stakeholders in the spring 2023 to propose the new fee to the Air Quality Control Commission by the end of 2023. The Department expects invoicing and payment processes will be established in early 2024 and revenue collection will begin in time to cover FY 2024-25 costs.

The argument as to why the Department was unable to establish the revenue stream outlined in the bill were twofold:

- That there was a “statewide moratorium on new fees or fee increases during the pandemic”
- That there are “a number of activities occurring in FY 2022-23 that will inform the GHG fee structure”

First, Staff is not aware of any statewide moratorium on new fees or fee increase. If there is any sort of executive branch policy on fee increases it would be in direct conflict with legislation such as HB 21-1266, which instructs the Department specifically to increase GHG fees. Second, staff is aware that AQCC has several pieces of legislation passed in recent years which require and inform rulemaking. The table provided below outlines recent legislation requiring an increased workload of the AQCC and Air Pollution Control Division.

RECENT LEGISLATION AND WORKLOAD INCREASES TO THE AIR POLLUTION CONTROL DIVISION		
BILL	FY 23-24 FTE	FY 23-24 APPROPRIATION
Sustainability of Transportation (SB 21-260)	8.0	\$2,801,451
Environmental Justice (HB 21-1266)	31.7	4,979,425
Reduce Greenhouse Gas Emissions (SB 21-264)	1.7	194,707
Regulate Air Toxics (HB 21-1189)	1.6	234,785

RECENT LEGISLATION AND WORKLOAD INCREASES TO THE AIR POLLUTION CONTROL DIVISION		
BILL	FY 23-24 FTE	FY 23-24 APPROPRIATION
Air Quality Improvement Investments (SB 22-193)	5.0	21,659,188
Toxic Air Contaminants (HB 22-1244)	41.7	5,647,069
TOTAL	89.7	\$35,516,625

In addition to the legislation referenced above the Department was appropriated \$25.5 million to the Stationary Sources Cash Fund as part of the Department’s \$43.4 million FY 2022-23 R1 Air Quality Transformation request. This brings the cash fund balance to \$29,152,470. The Stationary Sources Cash Fund is where the new GHG fees are to be deposited into once approved by the AQCC as outlined in HB 21-1266.

Staff should note that the \$25.5 million transfer is intended to fund the out year costs of the FY 2022-23 R1 request. R1 Air Quality Transformation was intended, in part, to fund an additional 65.7 FTE in FY 22-23, annualizing up to 106.0 FTE in FY 23-24. As of December 2022, halfway through the initial year, the Department had only been able to hire 28.0, or 42.6% of those initial 65.7 FTE.

Staff is sympathetic to the ever increasing regulatory workload of the Division and the constantly changing environment in which they have to conduct their work. However, the Department has had two years of General Fund appropriations in which to establish a revenue stream to support the programs outlined in HB 21-1266. This combined with the significant fund balance of the Stationary Sources Cash Fund and expected savings from hiring delays have led to staff’s recommended denial of the request.

→ R-12: WATER QUALITY ENVIRONMENTAL JUSTICE

REQUEST: The Department requests \$444,594 General Fund and 4.2 FTE in FY 2023-24 and \$494,925 General Fund and 4.2 FTE in FY 2024-25 and ongoing to account for the Departmental Difference noted in the H.B. 22-1322 (Water Quality Regulation) fiscal note.

RECOMMENDATION: **Staff recommends the Committee deny the Department’s request.**

ANALYSIS

House Bill 22-1322 (Water Quality Regulation) added the Water Quality Control Commission (WQCC) to the list of agencies required to comply with H.B. 21-1266 (Environmental Justice Disproportionate Impacted Community) by conducting outreach to and engagement with disproportionately impacted communities regarding proposed state actions in rulemaking proceedings, licensing proceedings, and adjudicatory hearings. House Bill 22-1322 appropriated \$271,798 General Fund and 1.8 FTE for FY 2023-24 and \$304,595 General Fund and 2.0 FTE ongoing to cover the personal services and operating expenses for one community liaison and one rule author. This request is for additional funds on top of that appropriation bringing to total to \$716,392 General Fund and 6.0 FTE in FY 2023-24 and \$799,520 and 6.2 FTE in the out years.

The Department asked for a departmental difference note to be included in the fiscal note, which reads as follows:

The CDPHE estimates that the bill will increase its General Fund expenditures by \$800,138 in FY 2023-24 and \$818,986 in FY 2024-25 and ongoing, on the assumption that the CDPHE requires 7.3 FTE to coordinate, prepare for, facilitate, and follow up from public outreach related to rulemaking hearings at the commission. The CDPHE was appropriated approximately \$240,000 per fiscal year and 1.3 FTE to engage in enhanced outreach efforts to disproportionately communities under HB 21-1266, and contends that these resources are insufficient for the current air quality engagement and that additional funding should be provided under this bill for the water quality engagement. However, this fiscal note analysis assumes that the amount appropriated under HB 21-1266 was sufficient for the CDPHE to meet the minimum requirements of the bill. Based on this information provided by the CDPHE about its prior implementation of HB 21-1266 and the LCS assessment of the requirements of this bill, the fiscal note assumes that an appropriation of approximately \$300,000 per fiscal year and 2.0 FTE, which is 50 percent higher than the staff resources appropriated in HB21-1266, suffices to meet the requirements of this bill.

The Department argues that without the additional resources, they will not be able to fully comply with statute requiring the WQCC to:

- Schedule public input meetings at variable times and days of the week;
- Provide notice at least 30 days prior to a public comment period or public meetings;
- Use multiple methods of outreach;
- Provide multiple methods for public input;
- Consider a variety of locations for public input on the proposed state action; and
- Provide information concerning the proposed state action in the top two languages spoken in the disproportionately impacted community.

JBC Staff believes that Legislative Council Staff acted in good faith and made reasonable assumptions in the published fiscal note, especially given the similar responsibilities and resources allocated through HB 21-1266. JBC staff also believes that the Senate Appropriations Committee, House Appropriations Committee, and both chambers Committees of the Whole were given opportunities to review the fiscal note with the Departmental Difference included. Members of the General Assembly could have allocated the additional resources at that time and chose not to do so. The Department argues that they have learned from the implementation of HB 21-1266 that community outreach activities are labor intensive, and that the resources allocated in both of these bills is insufficient. For staff, this again comes down to the use of General Fund. If the Department adjusts it's fee structure to allow for increased expenditures staff would be more receptive to an increase in cash fund spending authority.

(1) ADMINISTRATION AND SUPPORT

This division is comprised of three subdivisions: Administration, Office of Health Equity, and Office of Planning and Partnerships. Only the Administration subdivision will be covered in this document.

(A) ADMINISTRATION

This subdivision provides department-wide administrative services including accounting, budgeting, human resources, and purchasing. The appropriations for this subdivision include funds for expenses incurred through the provision of department-wide services, and centrally appropriated personnel line items like salary survey and health, life and dental. Funding for this subdivision is primarily from reappropriated funds from departmental indirect cost recoveries with a small amount from Medicaid reappropriated funds. This subdivision also receives appropriations from the General Fund, cash funds including the AIR subaccount of the Highway Users Tax Fund, and federal funds.

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$94,404,279	\$20,623,193	\$17,282,155	\$34,171,655	\$22,327,276	88.2
Other legislation	1,462,247	1,444,120	18,127	0	0	0.6
SB 23-128 (CDPHE Supplemental)	(882,277)	0	190,332	(1,072,609)	0	1.5
TOTAL	\$94,984,249	\$22,067,313	\$17,490,614	\$33,099,046	\$22,327,276	90.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$94,984,249	\$22,067,313	\$17,490,614	\$33,099,046	\$22,327,276	90.3
Centrally appropriated line items	17,939,239	6,818,702	2,935,706	2,663,614	5,521,217	0.0
Non-prioritized decision items	8,422,071	4,269,030	1,276,531	1,795,535	1,080,975	1.8
Annualize prior year budget actions	1,184,389	(1,557,367)	2,620,287	121,469	0	0.0
R1 Protective water quality control	594,345	594,345	0	0	0	0.0
R9 EpiTrax disease surveillance platform	554,000	0	0	554,000	0	0.0
BA4 Admin indirect costs	508,176	0	0	508,176	0	5.3
BA3 Preventing outbreaks	290,812	290,812	0	0	0	0.0
R11 Sothern Ute environmental commission	40,000	40,000	0	0	0	0.0
R15 Denver emissions technical center	22,192	0	22,192	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
R13 Colorado central cancer registry	0	0	0	0	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
R7 Syphilis outreach	0	0	0	0	0	0.0
Staff initiated PERA refinance	0	0	0	211,306	(211,306)	0.0
Annualize prior year legislation	(138,406)	(1,831,274)	620,259	1,072,609	0	2.4
TOTAL	\$124,401,067	\$30,691,561	\$24,965,589	\$40,025,755	\$28,718,162	99.8
INCREASE/(DECREASE)	\$29,416,818	\$8,624,248	\$7,474,975	\$6,926,709	\$6,390,886	9.5
Percentage Change	31.0%	39.1%	42.7%	20.9%	28.6%	(1)
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$303,765	\$2,420,320	(\$2,125,903)	(\$211,306)	\$220,654	(0.0)

DECISION ITEMS – ADMINISTRATION AND SUPPORT

→ R-11: SOTHERN UTE ENVIRONMENTAL COMMISSION

REQUEST: The Department requests an increase of \$40,000 General Fund in FY 2023-24 and ongoing to cover the costs of staffing the Southern Ute/CDPHE Joint Environmental Commission.

RECOMMENDATION: **Staff recommends an approving the Department's request.**

ANALYSIS:

The State of Colorado and the Southern Ute Indian Tribe signed an interagency agreement creating the Tribe's air quality program in 1999, including the Southern Ute Joint Environmental Commission. The Commission sets air quality rules and regulations for the Southern Ute Indian Reservation. The reservation has complex jurisdiction due to it being a "checkerboard" reservation as a result of federal allotment policies. Within reservation borders, there is a mix of Tribal trust and fee land, presenting a challenge for cohesive regulation. The Southern Ute Joint Environmental Commission was created where the State and the Tribe have agreed to jointly set rules and regulations via the Commission.

The Commission was created in Section 25-7-1307, C.R.S. When the Commission was created, the Tribe initially used EPA grants to support a coordinator position for the Commission's operations, however EPA support has diminished over time. As a result, the Southern Ute Tribe has been covering 100 percent of its costs to staff the Commission in recent years. Because this Commission is intended to be a 50/50 State/Tribal endeavor, the tribe is requesting the State allocate funds to cover a 50 percent share of the associated costs.

→ R-15: EMISSIONS CENTER LEASED SPACE

REQUEST: The Department requests an increase of \$22,192 cash funds from AIR Account of the Highway Users Tax Fund in FY 2023-24, annualizing up slightly every year up to \$64,593 in FY 30-31.

RECOMMENDATION: **Staff recommends approval of the Department's request.**

ANALYSIS:

The request seeks additional spending authority to extend the Mobile Sources Program's current lease at the Denver Emissions Technical Center. The Department currently leases space near 6th Ave and Federal Blvd to house a large portion of the Mobile Sources Program (MSP), which provides technical assistance for emissions requirements for vehicles. This request will allow the Department to stay at the Denver Emissions Technical Center facility for another 10 years.

The Mobile Sources Program's primary required activities include administering the Automobile Inspection and Readjustment gasoline emissions testing program and Diesel Opacity Inspection Program. In support of these programs, MSP:

- Certifies testing processes and equipment;

- Assists motorists with emissions problems; and
- Certifies gasoline and diesel technicians.

The Department has worked with the State’s real estate broker, Jones Lang Lasalle IP, Inc. (JLL), to find comparable fair market rents for similar facilities in the Denver Metro area. JLL has expressed confidence that the rental rates proposed are in alignment with similar spaces.

DETC RENT SCHEDULE		
FISCAL YEAR	RENT COSTS	SHORTFALL
2023-24	\$124,192	(\$22,192)
2024-25	131,212	(29,212)
2025-26	138,582	(36,582)
2026-27	140,104	(38,104)
2027-28	141,703	(39,703)
2028-29	149,599	(47,599)
2029-30	157,889	(55,889)
2030-31	166,593	(64,593)

The AIR Subaccount of the Highway Users Tax Fund was created in 1986 to support the costs of motor vehicle emissions activities and other environmental pollution control programs. Fee revenue is transferred to the AIR Account from the Highway Users Tax Fund (HUTF). Pursuant to Section 42-3-304 (18)(a), C.R.S., a vehicle owner pays, at the time of registration, a fee of \$0.50 cents on every item of Class A, B, or C personal property registered pursuant to Article 3 of Title 42 (Vehicles and Traffic). The fund has a stable balance of between \$70,000 and \$180,000 and can absorb the requested increase in expenditures.

→ BA-04 ADMIN INDIRECT COSTS

REQUEST: The Department requests an increase of \$508,176 reappropriated funds from indirect cost recoveries and 5.3 FTE for FY 2023-24 and ongoing.

RECOMMENDATION: **Staff recommends approval of the Department’s request.**

ANALYSIS:

Indirect costs are charged to cash and federally funded programs within the Department to pay for Department wide services (e.g. human resources, accounting, etc.). The Department’s indirect cost rate is calculated as a fraction of prior-year expenditures: the numerator equating to administrative overhead expenses, and the denominator equating to the total expenditure base for the entire Department. Any excess collections from the previous year are also reduced from the numerator with the expectation that a lower rate will correct against future over-collections. In general, the Department’s indirect cost recovery plan applies a uniform indirect rate across all fund sources, federal and state, except as specified according to statute, law or grant.

Indirect cost rates are typically based on historical appropriations, and it is common for rates to change each year. For years where the historical appropriations were high, the rate may be high and the

collections are more than is needed to maintain the required administrative costs of operating the Department. In years where the historical appropriation is low and the collections are low, the Department may not collect enough indirect costs to fully fund the Department’s administrative needs. Due to the varied nature of indirect cost collections, the General Assembly created the Indirect Costs Excess Recovery Fund in FY 2013-14 for the purpose of reducing budget adjustments related to the over and under collection of indirect costs in a given fiscal year. The fund is used by the Department for holding excess indirect collections in high years for use by the Department in years when collections are insufficient.

Since 2020, the Department has received more than \$1.8 billion in funding related to controlling and recovering from the pandemic, most of which is “off budget”. During this time the Department has made an error in how they account for temporary administrative staff, by classifying them as direct program staff paid for with direct federal dollars rather than staff funded with indirect costs. This means that it would appear the Department has kept administrative staffing levels relatively constant while the Department’s total funding has grown significantly. Essentially, the Department has still been receiving federal indirects, but not using those funds for associated staff. This has led to a large over collection of indirect funds from federal sources, and brought the balance of the Indirect Cost Recovery Fund from \$2.3 million in 2020 to \$22.1 million in 2022.

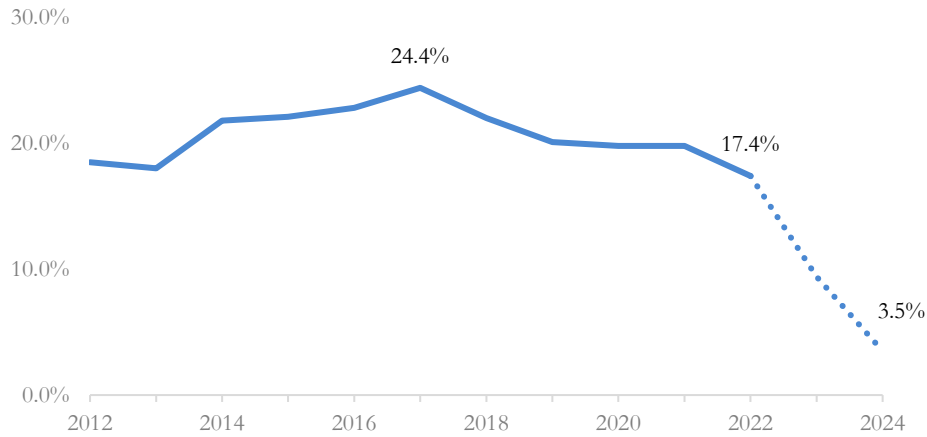
$$\frac{\text{Administrative Expenditures (\$)}}{\text{Total Cost Base (\$)}} = \text{Indirect Cost Rate (\%)}$$

HISTORICAL INDIRECT CALCULATIONS			
FISCAL YEAR	ADMINISTRATIVE EXPENSES (MILLIONS)	TOTAL COST BASE (MILLIONS)	INDIRECT COST RATE
2018-19	\$31.9	\$157.1	20.3%
2019-20	32.1	168.8	19.0
2020-21	32.4	219.9	14.7
2021-22	30.2	298.4	10.1

*Note: The indirect rate is calculated from prior year data, so the indirect rate for any given year is applied to future year costs.

This over collection is going to have the delayed but rather severe effect of reducing the Department’s indirect cost rate down from 19.8 percent in FY 2020-21 to 9.4 percent in FY 2022-23 and down to an anticipated 3.5 percent in FY 2023-24, as illustrated in the graph below.

The Department's indirect cost rate is expected to drop significantly over the next two years.



Accurately accounting for the increased administrative needs that each federal grant contributes to the Department’s administrative services will help stabilize the indirect cost rate in the future by allowing the rates numerator to grow in proportion to the denominator. To begin to right size this appropriation staff recommends approving the Department’s request for increased reappropriated funds spending authority for indirect costs related to the CDC’s Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems grant.

➔ STAFF INITIATED: PERA DIRECT DISTRIBUTION FUND SPLITS

REQUEST AND RECOMMENDATION: The Department did not request this change through an official decision item, but brought the issue to staff’s attention after the supplemental process. Staff is recommending that the Committee approve a net zero refinancing of federal funds in the amount of \$1,381,438 General Fund for FY 2022-23 and \$211,306 reappropriated funds from indirect cost recoveries in FY 2023-24. Staff also asks permission work with the Department to adjust the Department’s indirect cost lines to account for the increased costs.

ANALYSIS:

During the 2019 session, departments were instructed to reach out to their federal partners to ask how they should proceed with the federal portion of the PERA direct distribution. The response from federal partners was that the direct distribution is not an allowable direct charge, and must be treated as an indirect cost. The federal portion, whenever possible, should be built into the Department’s indirect cost recovery plan using the federal government’s preferred methodology. The Committee approved a similar General Fund refinance in 2020 after this response from the federal government.

Because the FY 2022-23 amount was not built into the Department’s indirect cost plan staff believes General Fund should be used to cover current year costs. Staff will take into account the increased indirect costs for FY 2023-24, splitting up the \$211,306 across the Department’s various divisions.

LINE ITEM DETAIL — ADMINISTRATION AND SUPPORT

CENTRALLY APPROPRIATED COMMON POLICY AND NON-PRIORITIZED ITEMS

This section includes a number of non-prioritized items that are for the Department’s share of common policy items and requests addressed in presentations for other departments. Staff requests permission to apply Committee decisions on non-prioritized and centrally-appropriated items that are still pending as well as the decision items in other divisions. This includes line items set through common policy in this division and, where relevant, in other divisions.

(A) ADMINISTRATION

PERSONAL SERVICES

This line funds the personnel expenses for the Department's administration.

STATUTORY AUTHORITY: Sections 25-1-102, 25-1-106, and 25-1-109, C.R.S.

REQUEST: The Department requests an appropriation of \$10,588,127 total funds, including \$1,914,584 General Fund, and 90.3 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$9,810,344	\$1,746,435	\$10,889	\$7,873,783	\$179,237	84.2
SB 23-128 (CDPHE Supplemental)	\$110,993	\$0	\$0	\$110,993	\$0	1.5
Other legislation	\$85,538	\$85,538	\$0	\$0	\$0	0.6
TOTAL	\$10,006,875	\$1,831,973	\$10,889	\$7,984,776	\$179,237	86.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$10,006,875	\$1,831,973	\$10,889	\$7,984,776	\$179,237	86.3
BA4 Admin indirect costs	396,170	0	0	396,170	0	5.3
Centrally appropriated line items	284,229	70,765	480	212,984	0	0.0
Annualize prior year legislation	(99,147)	11,846	0	(110,993)	0	(1.3)
TOTAL	\$10,588,127	\$1,914,584	\$11,369	\$8,482,937	\$179,237	90.3
INCREASE/(DECREASE)	\$581,252	\$82,611	\$480	\$498,161	\$0	4.0
Percentage Change	5.8%	4.5%	4.4%	6.2%	0.0%	4.6%
FY 2023-24 EXECUTIVE REQUEST	\$10,588,127	\$1,914,584	\$11,369	\$8,482,937	\$179,237	90.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

LEAVE PAYOUTS

Under state personnel rules, the Department is required to pay retiring and terminating employees for unused accrued leave. Pursuant to federal regulations in OMB Circular A-87, the Department cannot directly charge these costs to the federal grants. The Department uses indirect cost recoveries to pay these costs to federally funded employees. Any funds in this line item not required for the payout of federally funded employees is used to pay the leave payouts of General Fund and cash funded employees.

STATUTORY AUTHORITY: Sections 25-1-102, 25-1-106, and 25-1-109, C.R.S., and OMB Circular A-87.

REQUEST: The Department requests an appropriation of \$1,293,323 reappropriated funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, LEAVE PAYOUTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,293,323	\$0	\$0	\$1,293,323	\$0	0.0
TOTAL	\$1,293,323	\$0	\$0	\$1,293,323	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,293,323	\$0	\$0	\$1,293,323	\$0	0.0
TOTAL	\$1,293,323	\$0	\$0	\$1,293,323	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$1,293,323	\$0	\$0	\$1,293,323	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

HEALTH, LIFE, AND DENTAL

This line funds the Department's share of the state's group health, life and dental insurance plans for state employees.

STATUTORY AUTHORITY: Sections 24-50-603 (9) and 24-50-611, C.R.S.

REQUEST: The Department requests an appropriation of \$31,925,200 total funds, including \$6,741,956 General Fund.

RECOMMENDATION: Staff recommends an appropriation \$31,741,622 total funds, including \$6,741,956 General Fund.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$22,180,046	\$5,861,286	\$6,689,551	\$1,651,664	\$7,977,545	0.0
Other legislation	\$12,282	\$0	\$12,282	\$0	\$0	0.0
TOTAL	\$22,192,328	\$5,861,286	\$6,701,833	\$1,651,664	\$7,977,545	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$22,192,328	\$5,861,286	\$6,701,833	\$1,651,664	\$7,977,545	0.0
Centrally appropriated line items	8,335,572	1,628,401	1,178,539	567,313	4,961,319	0.0
Annualize prior year budget actions	779,231	(1,123,747)	1,872,852	30,126	0	0.0
R1 Protective water quality control	237,000	237,000	0	0	0	0.0
BA3 Preventing outbreaks	139,016	139,016	0	0	0	0.0
BA4 Admin indirect costs	58,475	0	0	58,475	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0

ADMINISTRATION AND SUPPORT, ADMINISTRATION, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
R7 Syphilis outreach	0	0	0	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
R13 Colorado central cancer registry	0	0	0	0	0	0.0
TOTAL	\$31,741,622	\$6,741,956	\$9,753,224	\$2,307,578	\$12,938,864	0.0
INCREASE/(DECREASE)	\$9,549,294	\$880,670	\$3,051,391	\$655,914	\$4,961,319	0.0
Percentage Change	43.0%	15.0%	45.5%	39.7%	62.2%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$31,925,200	\$7,426,375	\$9,252,383	\$2,307,578	\$12,938,864	0.0
Request Above/(Below) Recommendation	\$183,578	\$684,419	(\$500,841)	\$0	\$0	0.0

SHORT-TERM DISABILITY

This line item funds the Department's share of the state's short-term disability program which is administered by the Department of Personnel (PER).

STATUTORY AUTHORITY: Sections 24-50-603 (9) and 24-50-611, C.R.S.

REQUEST: The Department requests an appropriation of \$283,718 total funds, including \$69,616 General Fund.

RECOMMENDATION: Staff recommends an appropriation \$282,024 total funds, including \$67,426 General Fund.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, SHORT-TERM DISABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$227,580	\$38,496	\$68,651	\$18,887	\$101,546	0.0
Other legislation	\$91	\$0	\$91	\$0	\$0	0.0
TOTAL	\$227,671	\$38,496	\$68,742	\$18,887	\$101,546	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$227,671	\$38,496	\$68,742	\$18,887	\$101,546	0.0
Centrally appropriated line items	47,838	24,641	8,594	2,988	11,615	0.0
R1 Protective water quality control	3,098	3,098	0	0	0	0.0
BA3 Preventing outbreaks	1,687	1,687	0	0	0	0.0
Annualize prior year budget actions	1,169	0	753	416	0	0.0
BA4 Admin indirect costs	561	0	0	561	0	0.0
R13 Colorado central cancer registry	0	0	0	0	0	0.0
R7 Syphilis outreach	0	0	0	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
TOTAL	\$282,024	\$67,922	\$78,089	\$22,852	\$113,161	0.0
INCREASE/(DECREASE)	\$54,353	\$29,426	\$9,347	\$3,965	\$11,615	0.0
Percentage Change	23.9%	76.4%	13.6%	21.0%	11.4%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$283,718	\$69,616	\$78,089	\$22,852	\$113,161	0.0
Request Above/(Below) Recommendation	\$1,694	\$1,694	\$0	\$0	\$0	0.0

S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT

This line funds the costs associated with S.B. 04-257, which requires an additional 5.0 percent state contribution for employees in PERA.

STATUTORY AUTHORITY: Section 24-51-411, C.R.S.

REQUEST: The Department requests an appropriation of \$9,553,401 total funds, including \$2,499,027 General Fund.

RECOMMENDATION: Staff recommends an appropriation \$9,500,465 total funds, including \$2,296,091 General Fund.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$7,440,936	\$1,262,434	\$2,243,778	\$616,995	\$3,317,729	0.0
Other legislation	\$2,877	\$0	\$2,877	\$0	\$0	0.0
TOTAL	\$7,443,813	\$1,262,434	\$2,246,655	\$616,995	\$3,317,729	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$7,443,813	\$1,262,434	\$2,246,655	\$616,995	\$3,317,729	0.0
Centrally appropriated line items	1,853,041	884,127	353,143	116,286	499,485	0.0
R1 Protective water quality control	96,818	96,818	0	0	0	0.0
BA3 Preventing outbreaks	52,712	52,712	0	0	0	0.0
Annualize prior year budget actions	36,544	0	23,541	13,003	0	0.0
BA4 Admin indirect costs	17,537	0	0	17,537	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
R7 Syphilis outreach	0	0	0	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
R13 Colorado central cancer registry	0	0	0	0	0	0.0
TOTAL	\$9,500,465	\$2,296,091	\$2,623,339	\$763,821	\$3,817,214	0.0
INCREASE/(DECREASE)	\$2,056,652	\$1,033,657	\$376,684	\$146,826	\$499,485	0.0
Percentage Change	27.6%	81.9%	16.8%	23.8%	15.1%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$52,936	\$202,936	(\$150,000)	\$0	\$0	0.0

S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT

Senate Bill 06-235 created a mechanism to increase the state's effective PERA rate beginning on January 1, 2008. For FY 2017-18 and beyond the additional State PERA contribution is 5.0 percent of base salaries.

STATUTORY AUTHORITY: Section 24-51-411, C.R.S.

REQUEST: The Department requests an appropriation of \$9,553,401 total funds, including \$2,499,027 General Fund.

RECOMMENDATION: Staff recommends an appropriation \$9,500,465 total funds, including \$2,296,091 General Fund.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$7,440,936	\$1,262,434	\$2,243,778	\$616,995	\$3,317,729	0.0
Other legislation	\$2,877	\$0	\$2,877	\$0	\$0	0.0
TOTAL	\$7,443,813	\$1,262,434	\$2,246,655	\$616,995	\$3,317,729	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$7,443,813	\$1,262,434	\$2,246,655	\$616,995	\$3,317,729	0.0
Centrally appropriated line items	1,853,041	884,127	353,143	116,286	499,485	0.0
R1 Protective water quality control	96,818	96,818	0	0	0	0.0
BA3 Preventing outbreaks	52,712	52,712	0	0	0	0.0
Annualize prior year budget actions	36,544	0	23,541	13,003	0	0.0
BA4 Admin indirect costs	17,537	0	0	17,537	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
R7 Syphilis outreach	0	0	0	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
R13 Colorado central cancer registry	0	0	0	0	0	0.0
TOTAL	\$9,500,465	\$2,296,091	\$2,623,339	\$763,821	\$3,817,214	0.0
INCREASE/(DECREASE)	\$2,056,652	\$1,033,657	\$376,684	\$146,826	\$499,485	0.0
Percentage Change	27.6%	81.9%	16.8%	23.8%	15.1%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$9,553,401	\$2,499,027	\$2,473,339	\$763,821	\$3,817,214	0.0
Request Above/(Below) Recommendation	\$52,936	\$202,936	(\$150,000)	\$0	\$0	0.0

PERA DIRECT DISTRIBUTION

This line item is included as a common policy allocation payment for the state portion of the PERA Direct Distribution created in Section 24-51-414, C.R.S., enacted in S.B. 18-200.

STATUTORY AUTHORITY: Section 24-51-414, (2) C.R.S.

REQUEST: The Department requests \$514,049 total funds, including \$118,427 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request, with the exception of refinancing the requested federal funds with indirect costs.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, PERA DIRECT DISTRIBUTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,572,609	\$0	\$934,266	\$256,905	\$1,381,438	0.0
TOTAL	\$2,572,609	\$0	\$934,266	\$256,905	\$1,381,438	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,572,609	\$0	\$934,266	\$256,905	\$1,381,438	0.0
Staff initiated PERA refinance	0	0	0	211,306	(211,306)	0.0

ADMINISTRATION AND SUPPORT, ADMINISTRATION, PERA DIRECT DISTRIBUTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Centrally appropriated line items	(2,058,560)	118,427	(790,511)	(216,344)	(1,170,132)	0.0
TOTAL	\$514,049	\$118,427	\$143,755	\$251,867	\$0	0.0
INCREASE/(DECREASE)	(\$2,058,560)	\$118,427	(\$790,511)	(\$5,038)	(\$1,381,438)	0.0
Percentage Change	(80.0%)	n/a	(84.6%)	(2.0%)	(100.0%)	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$514,049	\$118,427	\$143,755	\$40,561	\$211,306	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	(\$211,306)	\$211,306	0.0

SALARY SURVEY

This line item funds the recommended salary adjustments pursuant to DPA's annual compensation report done to determine if the state salary structure is comparable to general market conditions.

STATUTORY AUTHORITY: Section 24-50-104, C.R.S.

REQUEST: The Department requests an appropriation of \$11,138,551 total funds, including \$2,887,047 General Fund.

RECOMMENDATION: Staff recommends approval of the Department's request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, SALARY SURVEY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$6,603,978	\$934,199	\$1,495,223	\$405,599	\$3,768,957	0.0
TOTAL	\$6,603,978	\$934,199	\$1,495,223	\$405,599	\$3,768,957	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$6,603,978	\$934,199	\$1,495,223	\$405,599	\$3,768,957	0.0
Centrally appropriated line items	4,534,573	1,952,848	1,377,146	475,786	728,793	0.0
TOTAL	\$11,138,551	\$2,887,047	\$2,872,369	\$881,385	\$4,497,750	0.0
INCREASE/(DECREASE)	\$4,534,573	\$1,952,848	\$1,377,146	\$475,786	\$728,793	0.0
Percentage Change	68.7%	209.0%	92.1%	117.3%	19.3%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$11,138,551	\$2,887,047	\$2,872,369	\$881,385	\$4,497,750	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

SHIFT DIFFERENTIAL

This line item provides additional funds for employees working outside the typical work hours of 8am to 5pm.

STATUTORY AUTHORITY: Section 24-50-104 (1) (a), C.R.S.

REQUEST: The Department an appropriation of \$12,621 total funds, including \$224 General Fund.

RECOMMENDATION: Staff recommends no appropriation in accordance with committee decisions on common policies.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, SHIFT DIFFERENTIAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$12,621	\$224	\$3,049	\$0	\$9,348	0.0
TOTAL	\$12,621	\$224	\$3,049	\$0	\$9,348	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$12,621	\$224	\$3,049	\$0	\$9,348	0.0
Centrally appropriated line items	(12,621)	(224)	(3,049)	0	(9,348)	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$12,621)	(\$224)	(\$3,049)	\$0	(\$9,348)	0.0
Percentage Change	(100.0%)	(100.0%)	(100.0%)	0.0%	(100.0%)	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$12,621	\$224	\$3,049	\$0	\$9,348	0.0

TEMPORARY EMPLOYEES RELATED TO AUTHORIZED LEAVE

STATUTORY AUTHORITY: None

REQUEST: The Department requests an appropriation of \$268,051 total funds, including \$39,372 General Fund.

RECOMMENDATION: Staff recommends the Committee approve the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, TEMPORARY EMPLOYEES RELATED TO AUTHORIZED LEAVE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$268,051	\$39,372	\$0	\$0	\$228,679	0.0
TOTAL	\$268,051	\$39,372	\$0	\$0	\$228,679	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$268,051	\$39,372	\$0	\$0	\$228,679	0.0
TOTAL	\$268,051	\$39,372	\$0	\$0	\$228,679	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

WORKERS' COMPENSATION

This line item is used to pay the Department's share of the state's workers' compensation program run by DPA.

STATUTORY AUTHORITY: Section 24-30-1510.7, C.R.S.

REQUEST: The Department requests an appropriation of \$358,900 total funds, including \$574 General Fund.

RECOMMENDATION: Staff recommends approval of the Department's request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, WORKERS' COMPENSATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$380,557	\$2,674	\$0	\$377,883	\$0	0.0
TOTAL	\$380,557	\$2,674	\$0	\$377,883	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$380,557	\$2,674	\$0	\$377,883	\$0	0.0
Centrally appropriated line items	(21,657)	(2,100)	0	(19,557)	0	0.0
TOTAL	\$358,900	\$574	\$0	\$358,326	\$0	0.0
INCREASE/(DECREASE)	(\$21,657)	(\$2,100)	\$0	(\$19,557)	\$0	0.0
Percentage Change	(5.7%)	(78.5%)	0.0%	(5.2%)	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$358,900	\$574	\$0	\$358,326	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item funds the operating expenses of the Administration subdivision.

STATUTORY AUTHORITY: Sections 25-1-102, 25-1-106, and 25-1-109, C.R.S.

REQUEST: The Department requests an appropriation of \$3,542,065 total funds, including \$250,001 General Fund.

RECOMMENDATION: Staff recommends approval of the Department's request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,627,925	\$191,918	\$0	\$2,436,007	\$0	0.0
SB 23-128 (CDPHE Supplemental)	\$29,103	\$0	\$0	\$29,103	\$0	0.0
Other legislation	\$6,875	\$6,875	\$0	\$0	\$0	0.0
TOTAL	\$2,663,903	\$198,793	\$0	\$2,465,110	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,663,903	\$198,793	\$0	\$2,465,110	\$0	0.0

ADMINISTRATION AND SUPPORT, ADMINISTRATION, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
R9 EpiTrax disease surveillance platform	554,000	0	0	554,000	0	0.0
Non-prioritized decision items	236,513	17,273	0	219,240	0	0.0
Annualize prior year budget actions	64,921	0	0	64,921	0	0.0
R11 Sothern Ute environmental commission	40,000	40,000	0	0	0	0.0
BA4 Admin indirect costs	17,896	0	0	17,896	0	0.0
Annualize prior year legislation	(35,168)	(6,065)	0	(29,103)	0	0.0
TOTAL	\$3,542,065	\$250,001	\$0	\$3,292,064	\$0	0.0
INCREASE/(DECREASE)	\$878,162	\$51,208	\$0	\$826,954	\$0	0.0
Percentage Change	33.0%	25.8%	0.0%	33.5%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,542,065	\$250,001	\$0	\$3,292,064	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

LEGAL SERVICES

This line item is used to pay the Department of Law for the provision of legal services to all divisions.

STATUTORY AUTHORITY: Sections 25-31-101 (1) (a), C.R.S. as defined in Section 24-75-112 (1) (i), C.R.S.

REQUEST: The Department requests an appropriation of \$6,036,680 total funds, including \$2,107,204 General Fund.

RECOMMENDATION: Staff recommends an appropriation of \$6,036,680 total funds, including \$1,724,380 General Fund.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, LEGAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$4,878,252	\$983,276	\$225,441	\$3,669,535	\$0	0.0
SB 23-128 (CDPHE Supplemental)	\$190,332	\$0	\$190,332	\$0	\$0	0.0
Other legislation	\$94,431	\$94,431	\$0	\$0	\$0	0.0
TOTAL	\$5,163,015	\$1,077,707	\$415,773	\$3,669,535	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$5,163,015	\$1,077,707	\$415,773	\$3,669,535	\$0	0.0
Non-prioritized decision items	459,969	459,969	0	0	0	0.0
Annualize prior year legislation	163,441	(63,551)	226,992	0	0	0.0
R1 Protective water quality control	160,611	160,611	0	0	0	0.0
Centrally appropriated line items	89,644	89,644	0	0	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
TOTAL	\$6,036,680	\$1,724,380	\$642,765	\$3,669,535	\$0	0.0
INCREASE/(DECREASE)	\$873,665	\$646,673	\$226,992	\$0	\$0	0.0
Percentage Change	16.9%	60.0%	54.6%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$6,036,680	\$2,107,204	\$259,941	\$3,669,535	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$382,824	(\$382,824)	\$0	\$0	0.0

STATEWIDE TRAINING [NEW LINE ITEM]

This line item provides funding for payments to the Center for Organizational Effectiveness, which provides professional development and training services for state employees.

STATUTORY AUTHORITY: Section 24-50-122, C.R.S.

REQUEST: The Department requests \$27,745 General Fund for creation of a new line item to accommodate a new common policy to provide annual funding for employee training.

RECOMMENDATION: The staff recommendation is **pending** the Committee common policy decision for this line item. JBC staff requests permission to reflect Committee action for this line item. The amount reflected in the table below represents the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, STATEWIDE TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
Non-prioritized decision items	\$27,745	\$27,745	\$0	\$0	\$0	0.0
TOTAL	\$27,745	\$27,745	\$0	\$0	\$0	0.0
INCREASE/(DECREASE)	\$27,745	\$27,745	\$0	\$0	\$0	0.0
Percentage Change	n/a	n/a	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below)	\$0	\$0	\$0	\$0	\$0	0.0
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ADMINISTRATIVE LAW JUDGE SERVICES

This line item funds the cost of purchasing administrative law judge services from PER.

STATUTORY AUTHORITY: Section 24-30-1003 (1), C.R.S.

REQUEST: The Department requests an appropriation of \$63,075 total funds, including \$6,272 General.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, ADMINISTRATIVE LAW JUDGE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$45,002	\$4,472	\$0	\$40,530	\$0	0.0
TOTAL	\$45,002	\$4,472	\$0	\$40,530	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						

ADMINISTRATION AND SUPPORT, ADMINISTRATION, ADMINISTRATIVE LAW JUDGE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation	\$45,002	\$4,472	\$0	\$40,530	\$0	0.0
Centrally appropriated line items	18,073	1,800	0	16,273	0	0.0
TOTAL	\$63,075	\$6,272	\$0	\$56,803	\$0	0.0
INCREASE/(DECREASE)	\$18,073	\$1,800	\$0	\$16,273	\$0	0.0
Percentage Change	40.2%	40.3%	0.0%	40.2%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$63,075	\$6,272	\$0	\$56,803	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS

This line item is used to reimburse PER for the Department's share of the state's liability and property insurance.

STATUTORY AUTHORITY: Sections 24-30-1510 and 24-30-1510.5, C.R.S.

REQUEST: The Department has requested an appropriation of \$1,152,085 total funds, including \$148,733 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,147,367	\$148,237	\$0	\$999,130	\$0	0.0
TOTAL	\$1,147,367	\$148,237	\$0	\$999,130	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,147,367	\$148,237	\$0	\$999,130	\$0	0.0
Centrally appropriated line items	4,718	496	0	4,222	0	0.0
TOTAL	\$1,152,085	\$148,733	\$0	\$1,003,352	\$0	0.0
INCREASE/(DECREASE)	\$4,718	\$496	\$0	\$4,222	\$0	0.0
Percentage Change	0.4%	0.3%	0.0%	0.4%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$1,152,085	\$148,733	\$0	\$1,003,352	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

VEHICLE LEASE PAYMENTS

This line item provides funding for annual payments to PER for the cost of administration, loan repayment, and lease-purchase payments for new and replacement motor vehicles used by the Department.

STATUTORY AUTHORITY: Section 24-30-1104 (2), C.R.S.

REQUEST: The Department requests an appropriation of \$494,700 total funds, including \$44,685 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, VEHICLE LEASE PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$331,447	\$0	\$301,452	\$29,995	\$0	0.0
SB 23-128 (CDPHE Supplemental)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$331,447	\$0	\$301,452	\$29,995	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$331,447	\$0	\$301,452	\$29,995	\$0	0.0
Non-prioritized decision items	118,568	0	113,568	5,000	0	0.0
BA3 Preventing outbreaks	44,685	44,685	0	0	0	0.0
TOTAL	\$494,700	\$44,685	\$415,020	\$34,995	\$0	0.0
INCREASE/(DECREASE)	\$163,253	\$44,685	\$113,568	\$5,000	\$0	0.0
Percentage Change	49.3%	n/a	37.7%	16.7%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$494,700	\$44,685	\$415,020	\$34,995	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

LEASED SPACE

The Department has eight leased spaces throughout the state. The "main campus" is located near the intersection of Colorado Boulevard and Cherry Creek Drive in Denver and houses the majority of the Department's programs and staff. There are additional spaces leased throughout the state primarily for the Air Pollution Control Division and Water Quality Control Division.

STATUTORY AUTHORITY: Section 25-7-104 through 110.5, C.R.S.

REQUEST: The Department requests an appropriation of \$9,329,526 total funds, including \$641,222 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$8,758,396	\$1,074,842	\$243,000	\$7,427,054	\$13,500	0.0
TOTAL	\$8,758,396	\$1,074,842	\$243,000	\$7,427,054	\$13,500	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$8,758,396	\$1,074,842	\$243,000	\$7,427,054	\$13,500	0.0
Centrally appropriated line items	590,419	0	8,500	581,919	0	0.0
Annualize prior year budget actions	265,980	(433,620)	699,600	0	0	0.0
R15 Denver emissions technical center	22,192	0	22,192	0	0	0.0

ADMINISTRATION AND SUPPORT, ADMINISTRATION, LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Non-prioritized decision items	(307,461)	0	0	(307,461)	0	0.0
TOTAL	\$9,329,526	\$641,222	\$973,292	\$7,701,512	\$13,500	0.0
INCREASE/(DECREASE)	\$571,130	(\$433,620)	\$730,292	\$274,458	\$0	0.0
Percentage Change	6.5%	(40.3%)	300.5%	3.7%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$9,329,526	\$641,222	\$973,292	\$7,701,512	\$13,500	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

CAPITOL COMPLEX LEASED SPACE

The Department leases 3,996 square feet of space in the State Services Building in Grand Junction for staff working in the Water Quality Control, Hazardous Materials and Waste Management, Disease Control, and Health Facilities divisions.

STATUTORY AUTHORITY: Section 24-30-1104 (4) and Part 1 of Article 82 of Title 24, C.R.S.

REQUEST: The Department requests an appropriation of \$38,059 total funds, including \$2,847 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, CAPITOL COMPLEX LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$38,952	\$2,936	\$0	\$36,016	\$0	0.0
TOTAL	\$38,952	\$2,936	\$0	\$36,016	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$38,952	\$2,936	\$0	\$36,016	\$0	0.0
Centrally appropriated line items	(893)	(89)	0	(804)	0	0.0
TOTAL	\$38,059	\$2,847	\$0	\$35,212	\$0	0.0
INCREASE/(DECREASE)	(\$893)	(\$89)	\$0	(\$804)	\$0	0.0
Percentage Change	(2.3%)	(3.0%)	0.0%	(2.2%)	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$38,059	\$2,847	\$0	\$35,212	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

PAYMENTS TO OIT

This line item funds all the information technology services provided by the Governor's Office of Information Technology (OIT).

STATUTORY AUTHORITY: Section 24-37.5-104, C.R.S.

REQUEST: The Department requests an appropriation of \$16,090,544 total funds, including \$7,391,380 General Fund.

RECOMMENDATION: Staff recommends an appropriation of \$16,090,544 total funds, including \$7,330,155 General Fund.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, PAYMENTS TO OIT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$14,217,267	\$5,967,006	\$1,869,457	\$4,581,508	\$1,799,296	0.0
Other legislation	\$1,256,676	\$1,256,676	\$0	\$0	\$0	0.0
SB 23-128 (CDPHE Supplemental)	(1,212,705)	0	0	(1,212,705)	0	0.0
TOTAL	\$14,261,238	\$7,223,682	\$1,869,457	\$3,368,803	\$1,799,296	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$14,261,238	\$7,223,682	\$1,869,457	\$3,368,803	\$1,799,296	0.0
Centrally appropriated line items	2,589,397	1,196,008	449,721	943,668	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
Non-prioritized decision items	(592,559)	149,223	62,905	(826,595)	21,908	0.0
Annualize prior year legislation	(167,532)	(1,238,758)	(141,479)	1,212,705	0	0.0
TOTAL	\$16,090,544	\$7,330,155	\$2,240,604	\$4,698,581	\$1,821,204	0.0
INCREASE/(DECREASE)	\$1,829,306	\$106,473	\$371,147	\$1,329,778	\$21,908	0.0
Percentage Change	12.8%	1.5%	19.9%	39.5%	1.2%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$16,090,544	\$7,391,380	\$2,179,379	\$4,698,581	\$1,821,204	0.0
Request Above/(Below) Recommendation	\$0	\$61,225	(\$61,225)	\$0	\$0	0.0

DIGITAL TRUNK RADIO PAYMENTS [NEW LINE ITEM]

This line item provides funding for payments to the Office of Public Safety Communications in the Department of Public Safety related to digital trunk radio user charges. This is a new line item that reflects the transfer of digital trunk radio administration from the Office of Information Technology to the Office of Public Safety Communications as created by H.B. 22-1353 (Public Safety Communications Transfer).

STATUTORY AUTHORITY: Section 24-33.5-2508, C.R.S.

REQUEST: The Department requests \$102,629 General Fund.

RECOMMENDATION: Staff recommendation is pending Committee action on common policy for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established. The table below reflects the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, STATEWIDE TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0

ADMINISTRATION AND SUPPORT, ADMINISTRATION, STATEWIDE TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Non-prioritized decision items	\$102,629	\$102,629	\$0	\$0	\$0	0.0
TOTAL	\$102,629	\$102,629	\$0	\$0	\$0	0.0
INCREASE/(DECREASE)	\$102,629	\$102,629	\$0	\$0	\$0	0.0
Percentage Change	n/a	n/a	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$102,629	\$102,629	\$0	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

IT ACCESSIBILITY [NEW LINE ITEM]

This line item was requested for FY 2023-24 to comply with the requirements of H.B. 21-1110.

STATUTORY AUTHORITY: Section 24-85-104, C.R.S.

REQUEST: The Department requests \$8,365,460 total funds including \$3,510,984 General Fund.

RECOMMENDATION: Staff recommendation is pending Committee action on common policy for this line item. Staff requests permission to update pending line items and apply necessary fund split adjustments once Committee policy is established. The table below reflects the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, STATEWIDE TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
Non-prioritized decision items	\$8,365,460	\$3,510,984	\$1,100,058	\$2,695,351	\$1,059,067	1.8
TOTAL	\$8,365,460	\$3,510,984	\$1,100,058	\$2,695,351	\$1,059,067	1.8
INCREASE/(DECREASE)	\$8,365,460	\$3,510,984	\$1,100,058	\$2,695,351	\$1,059,067	1.8
Percentage Change	n/a	n/a	n/a	n/a	n/a	n/a
FY 2023-24 EXECUTIVE REQUEST	\$8,365,460	\$3,510,984	\$1,100,058	\$2,695,351	\$1,059,067	1.8
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

CORE OPERATIONS

This line item was created in FY 2012-13 to fund the five-phase project to replace the statewide accounting system (COFRS) used by the Office of the State Controller to record all state revenues and expenditures. Prior to the FY 2015-16 Long Bill this line item was titled COFRS Modernization.

STATUTORY AUTHORITY: Section 24-30-209, C.R.S.

REQUEST: The Department requests an appropriation of \$940,605 total funds, including \$101,515 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, CORE OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,081,804	\$115,308	\$0	\$966,496	\$0	0.0
TOTAL	\$1,081,804	\$115,308	\$0	\$966,496	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,081,804	\$115,308	\$0	\$966,496	\$0	0.0
Non-prioritized decision items	11,207	1,207	0	10,000	0	0.0
Centrally appropriated line items	(152,406)	(15,000)	0	(137,406)	0	0.0
TOTAL	\$940,605	\$101,515	\$0	\$839,090	\$0	0.0
INCREASE/(DECREASE)	(\$141,199)	(\$13,793)	\$0	(\$127,406)	\$0	0.0
Percentage Change	(13.1%)	(12.0%)	0.0%	(13.2%)	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$940,605	\$101,515	\$0	\$839,090	\$0	0.0
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

UTILITIES

The primary use of funds in this line item is for utility expenses incurred by the State Laboratory. Additionally, the utility expenses incurred by remote monitoring stations used by the Air Pollution Division are funded from this line item. Utility expenses for leased spaces are included in the cost of the lease and appropriated in the leased space line item.

STATUTORY AUTHORITY: Sections 25-1.5-101 (1) (e) and 25-7-130, C.R.S.

REQUEST: The Department requests an appropriation of \$563,651 total funds, including \$29,909 General Fund.

RECOMMENDATION: Staff recommends approval of the Department request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, UTILITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$563,651	\$29,909	\$161,324	\$360,818	\$11,600	0.0
TOTAL	\$563,651	\$29,909	\$161,324	\$360,818	\$11,600	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$563,651	\$29,909	\$161,324	\$360,818	\$11,600	0.0
TOTAL	\$563,651	\$29,909	\$161,324	\$360,818	\$11,600	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$563,651	\$29,909	\$161,324	\$360,818	\$11,600	0.0
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

BUILDING MAINTENANCE AND REPAIR

This appropriation funds maintenance and repair at the Department's main campus and at the state-owned laboratory building at Lowery.

STATUTORY AUTHORITY: Section 25-1-102, 25-1-106, 25-1-109, and 25-1.5-101 (1) (e), C.R.S.

REQUEST: The Department requests an appropriation of \$447,181 total funds, including \$23,252 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, BUILDING MAINTENANCE AND REPAIR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$447,181	\$23,252	\$0	\$423,929	\$0	0.0
TOTAL	\$447,181	\$23,252	\$0	\$423,929	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$447,181	\$23,252	\$0	\$423,929	\$0	0.0
TOTAL	\$447,181	\$23,252	\$0	\$423,929	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$447,181	\$23,252	\$0	\$423,929	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

REIMBURSEMENT FOR MEMBERS OF THE STATE BOARD OF HEALTH

This line time funds the \$50 daily per diem for State Board of Health Members when they attend board meetings pursuant to Section 25-1-104, C.R.S. All other approved travel expenses are paid through the operating expenses line item in this subdivision.

STATUTORY AUTHORITY: Section 25-1-104, C.R.S.

REQUEST: The Department requests an appropriation of \$5,100 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, REIMBURSEMENT FOR MEMBERS OF THE STATE BOARD OF HEALTH						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$4,500	\$4,500	\$0	\$0	\$0	0.0
Other legislation	\$600	\$600	\$0	\$0	\$0	0.0
TOTAL	\$5,100	\$5,100	\$0	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$5,100	\$5,100	\$0	\$0	\$0	0.0
TOTAL	\$5,100	\$5,100	\$0	\$0	\$0	0.0

ADMINISTRATION AND SUPPORT, ADMINISTRATION, REIMBURSEMENT FOR MEMBERS OF THE STATE BOARD OF HEALTH						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$5,100	\$5,100	\$0	\$0	\$0	0.0
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ENVIRONMENTAL JUSTICE OMBUDSPERSON

This line time was added in FY 2021-22 by HB 21-1266 (Environmental Justice Disproportionate Impacted Community).

STATUTORY AUTHORITY: Section 24-4-109, C.R.S.

REQUEST: The Department requests an appropriation of \$884,062 General Fund and 7.7 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$884,062 total funds including \$884,062 cash funds..

ADMINISTRATION AND SUPPORT, ADMINISTRATION, ENVIRONMENTAL JUSTICE OMBUDSPERSON						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$884,062	\$534,746	\$349,316	\$0	\$0	4.0
TOTAL	\$884,062	\$534,746	\$349,316	\$0	\$0	4.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$884,062	\$534,746	\$349,316	\$0	\$0	4.0
Annualize prior year legislation	0	(534,746)	534,746	0	0	3.7
R5 Sustaining environmental justice	0	0	0	0	0	0.0
TOTAL	\$884,062	\$0	\$884,062	\$0	\$0	7.7
INCREASE/(DECREASE)	\$0	(\$534,746)	\$534,746	\$0	\$0	3.7
Percentage Change	0.0%	(100.0%)	153.1%	0.0%	0.0%	92.5%
FY 2023-24 EXECUTIVE REQUEST	\$884,062	\$884,062	\$0	\$0	\$0	7.7
Request Above/(Below)						
Recommendation	\$0	\$884,062	(\$884,062)	\$0	\$0	0.0

ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENTS

Senate Bill 15-211 (“Automatic Funding for Capital Assets”) requires departments to set aside funding in the operating budget for depreciation-equivalent payments on capital assets. Departments are required to add new line items in the operating budget for depreciation-equivalent payments for the request year following the completion of a capital project when capital assets are eligible for depreciation. The amount included in the line item is for three years' worth of depreciation for one project completed in FY 2015-16.

STATUTORY AUTHORITY: Section 24-30-1310 (2)(b), C.R.S.

REQUEST: The Department requests an appropriation of \$483,626 total funds, including \$380,068 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$498,795	\$395,237	\$103,558	\$0	\$0	0.0
TOTAL	\$498,795	\$395,237	\$103,558	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$498,795	\$395,237	\$103,558	\$0	\$0	0.0
Centrally appropriated line items	(15,169)	(15,169)	0	0	0	0.0
TOTAL	\$483,626	\$380,068	\$103,558	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$15,169)	(\$15,169)	\$0	\$0	\$0	0.0
Percentage Change	(3.0%)	(3.8%)	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$483,626	\$380,068	\$103,558	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

INDIRECT COST ASSESSMENT

This line item funds the indirect cost assessments paid to cover the costs of the department-wide services (like budgeting, human resources, information technology services, and risk management costs). *Note this description of indirect cost assessments applies to each indirect cost assessment line item in the Department's section of the Long Bill.*

STATUTORY AUTHORITY: Section 24-75-1401, C.R.S.

REQUEST: The Department requests an appropriation of \$767,129 total funds.

RECOMMENDATION: Staff recommends an appropriation of \$648,697 total funds in accordance with Committee action on common policies.

ADMINISTRATION AND SUPPORT, ADMINISTRATION, INDIRECT COSTS ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$648,697	\$0	\$339,422	\$88,603	\$220,672	0.0
TOTAL	\$648,697	\$0	\$339,422	\$88,603	\$220,672	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$648,697	\$0	\$339,422	\$88,603	\$220,672	0.0
TOTAL	\$648,697	\$0	\$339,422	\$88,603	\$220,672	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

ADMINISTRATION AND SUPPORT, ADMINISTRATION, INDIRECT COSTS ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 EXECUTIVE REQUEST	\$648,697	\$0	\$339,422	\$88,603	\$220,672	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(4) AIR POLLUTION CONTROL DIVISION

This division is comprised of four subdivisions: Administration, Technical Services, Mobile Sources, and Stationary Sources.

(A) ADMINISTRATION

This subdivision provides administrative support to the Air Quality Control Commission and manages the implementation of air programs by the other subdivisions. This subdivision provides administrative support to the Air Quality Control Commission, and manages the implementation of air programs by the other subdivisions. This division is funded by cash funds including the Stationary Sources Control Fund and federal funds.

(B) TECHNICAL SERVICES

This subdivision houses the Air Quality Monitoring, Modeling and Analysis, and Visibility and Risk Assessment Programs. Technical Services is responsible for measuring Colorado's air quality, compliance with the National Ambient Air Quality Standards, and the issuance of air quality forecasts and advisories. This subdivision houses three distinct programs: Air Quality Monitoring; Modeling and Analysis; and Visibility and Risk Assessment. Funding for this subdivision is from cash funds including the Department's subaccount of the Highway Users Tax Cash Fund, the Stationary Sources Control Fund, and federal funds.

- The Air Quality Monitoring Program measures the Front Range air quality, and ensures that the Division is satisfying federal monitoring regulations and requirements. Ensuring compliance with federal monitoring regulations enables the Division to use the gathered data in State Implementation Plans (SIPs) of air pollution regulations, area re-designations, and permit compliance, Colorado must meet federal monitoring regulations.
- The Modeling and Analysis Program provides technical support to other division programs for the State Implementation Plan (SIP) and the stationary source permitting program. The Program is responsible for emission inventory development and air quality modeling that serves as the basis for evaluating the effectiveness of various control strategies and demonstrating that strategies adopted by Colorado will be sufficient to attain the National Ambient Air Quality Standards. The Program also performs ozone modeling related to the Front Range area's designation as an ozone non-attainment area.
- The Visibility and Risk Assessment Program houses three distinct programs: the Class I Area Program (national parks and wilderness areas), the urban visibility program, and the smoke management program, including issuing permits for prescribed burns.

(C) MOBILE SOURCES

This subdivision is comprised of the Research and Support Program which contains four subprograms: (1) the High Altitude Testing Program, (2) the Oxygenated Fuel Program, (3) the Clean

Fuel Fleet Program, and (4) the Inspection and Maintenance Program. The Inspection and Maintenance Program works to reduce motor vehicle-related pollution through the inspection and emissions-related repair of motor vehicles. Emissions testing of gas and diesel powered vehicles are required when registering, renewing, or selling vehicles within the program areas along Colorado's Front Range. This subdivision is comprised of two sections: (1) Research and Support, and (2) Inspection and Maintenance. Funding for this subdivision is primarily from the Department's subaccount of the Highway Users Tax Fund and a small amount from federal funds.

The Research and Support section is responsible for three different programs:

- The High Altitude Testing Program provides data to develop vehicle emissions factors that accurately represent Denver's vehicle population and emissions.
- The Oxygenated Fuel Program is required under the federal 1990 Clean Air Act Amendments; its purpose is to reduce wintertime carbon monoxide emissions from automobiles through the use of cleaner burning gasoline.
- The Clean Fuel Fleet Program is designed to reduce motor vehicle emissions through the introduction of cleaner burning engines and fuels into the marketplace.

The Inspection and Maintenance section works to reduce motor vehicle-related pollution through the inspection and emissions-related repair of motor vehicles. Emissions testing of gas and diesel powered vehicles is required when registering, renewing registrations, or selling vehicles within the program areas along Colorado's Front Range.

(D) STATIONARY SOURCES

This subdivision is responsible for controlling and reducing air pollutants from stationary sources (i.e., factories, power plants, wood stoves, etc.) through permits, monitoring, and inspections of stationary sources that emit air pollutants. The subdivision houses the following three programs: the Inventory and Support Services Program, the Permits and Compliance Assurance Program, and the Hazardous and Toxic Control Program. This subdivision is responsible for controlling and reducing air pollutants from stationary sources (i.e., factories, power plants, wood stoves, etc.). Division staff permit, monitor, and inspect stationary source air pollution emitters. The subdivision houses the following three programs. The majority of funding for this subdivision is the Stationary Sources Control Cash Fund and a small amount of federal funds.

- Inventory and Support Services Program is responsible for developing an inventory of pollution emissions from stationary sources, and is responsible for regulation development and maintenance, small business assistance, and permit fee invoicing.
- Permits and Compliance Assurance Program is responsible for informing industry, through the permitting process, of which regulations apply to them; helping small businesses understand complex rules; encouraging compliance with air quality regulations by conducting periodic inspections of air pollutant sources; and pursuing enforcement actions, as necessary.
- Hazardous and Toxic Control Program implements the federal Clean Air Act Amendments of 1990, which created a new and expanded program to control hazardous air pollutants, and required the control of ozone depleting compounds. This Program develops standards for hazardous air pollutants, trains and certifies asbestos technicians, and controls chlorofluorocarbons (CFCs).

AIR POLLUTION CONTROL DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
Long Bill (H.B. 22-1329)	\$75,299,494	\$45,013,131	\$25,553,343	\$0	\$4,733,020	319.7
Other legislation	8,702,066	8,702,066	0	0	0	14.6
SB 23-128 (CDPHE Supplemental)	0	0	0	0	0	0.0
TOTAL	\$84,001,560	\$53,715,197	\$25,553,343	\$0	\$4,733,020	334.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$84,001,560	\$53,715,197	\$25,553,343	\$0	\$4,733,020	334.3
R5 Sustaining environmental justice	0	0	0	0	0	0.0
Centrally appropriated line items	527,719	96,960	430,759	0	0	0.0
Annualize prior year budget actions	(28,626,412)	(41,496,084)	12,869,672	0	0	40.3
Annualize prior year legislation	15,595,235	(8,622,459)	24,217,694	0	0	15.3
TOTAL	\$71,498,102	\$3,693,614	\$63,071,468	\$0	\$4,733,020	389.9
INCREASE/(DECREASE)	(\$12,503,458)	(\$50,021,583)	\$37,518,125	\$0	\$0	55.6
Percentage Change	(14.9%)	(93.1%)	146.8%	0.0%	0.0%	16.6%
FY 2023-24 EXECUTIVE REQUEST	\$71,498,102	\$6,052,044	\$60,713,038	\$0	\$4,733,020	389.9
Request Above/(Below) Recommendation	\$0	\$2,358,430	(\$2,358,430)	\$0	\$0	(0.0)

DECISION ITEMS – AIR POLLUTION CONTROL DIVISION

The executive branch did not submit any decision items for this division.

LINE ITEM DETAIL – AIR POLLUTION CONTROL DIVISION

(A) ADMINISTRATION

PROGRAM COSTS

This line item funds the personnel and operating expenses of the Division's administrative office.

STATUTORY AUTHORITY: Sections 25-7-104 and 25-7-111, C.R.S.

REQUEST: The Department requests an appropriation of \$5,365,907 total funds, including \$1,570,059 General Fund, and 52.5 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$5,365,907 total funds, including \$1,296,409 General Fund, and 52.5 FTE.

AIR POLLUTION CONTROL DIVISION, ADMINISTRATION, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Other legislation	\$8,702,066	\$8,702,066	\$0	\$0	\$0	14.6
Long Bill (H.B. 22-1329)	\$3,952,921	\$2,193,581	\$1,575,839	\$0	\$183,501	39.9
SB 23-128 (CDPHE Supplemental)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$12,654,987	\$10,895,647	\$1,575,839	\$0	\$183,501	54.5

AIR POLLUTION CONTROL DIVISION, ADMINISTRATION, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$12,654,987	\$10,895,647	\$1,575,839	\$0	\$183,501	54.5
Annualize prior year budget actions	110,022	(1,565,788)	1,675,810	0	0	(0.5)
Centrally appropriated line items	43,892	21,225	22,667	0	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
Annualize prior year legislation	(7,442,994)	(8,054,675)	611,681	0	0	(1.5)
TOTAL	\$5,365,907	\$1,296,409	\$3,885,997	\$0	\$183,501	52.5
INCREASE/(DECREASE)						
	(\$7,289,080)	(\$9,599,238)	\$2,310,158	\$0	\$0	(2.0)
Percentage Change	(57.6%)	(88.1%)	146.6%	0.0%	0.0%	(3.7%)
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$273,650	(\$273,650)	\$0	\$0	(0.0)

INDIRECT COST ASSESSMENT

REQUEST: The Department requests an appropriation of \$4,140,190 total funds.

RECOMMENDATION: Staff recommends the Committee approve the Department’s request.

AIR POLLUTION CONTROL DIVISION, ADMINISTRATION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$4,140,190	\$0	\$3,468,205	\$0	\$671,985	0.0
TOTAL	\$4,140,190	\$0	\$3,468,205	\$0	\$671,985	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$4,140,190	\$0	\$3,468,205	\$0	\$671,985	0.0
TOTAL	\$4,140,190	\$0	\$3,468,205	\$0	\$671,985	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(B) TECHNICAL SERVICES

PERSONAL SERVICES

This line item funds the personnel expenses of the Technical Services subdivision.

STATUTORY AUTHORITY: Sections 25-7-201, and 25-7-211 through 212, C.R.S.

REQUEST: The Department requests an appropriation of \$4,751,796 total funds and 44.7 FTE.

RECOMMENDATION: Staff recommends the Committee approve the Department’s request.

AIR POLLUTION CONTROL DIVISION, TECHNICAL SERVICES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,742,447	\$0	\$2,519,217	\$0	\$1,223,230	33.7
TOTAL	\$3,742,447	\$0	\$2,519,217	\$0	\$1,223,230	33.7
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,742,447	\$0	\$2,519,217	\$0	\$1,223,230	33.7
Annualize prior year legislation	545,772	367,806	177,966	0	0	6.0
Annualize prior year budget actions	390,027	0	390,027	0	0	5.0
Centrally appropriated line items	73,550	0	73,550	0	0	0.0
TOTAL	\$4,751,796	\$367,806	\$3,160,760	\$0	\$1,223,230	44.7
INCREASE/(DECREASE)	\$1,009,349	\$367,806	\$641,543	\$0	\$0	11.0
Percentage Change	27.0%	n/a	25.5%	0.0%	0.0%	32.6%
FY 2023-24 EXECUTIVE REQUEST	\$4,751,796	\$367,806	\$3,160,760	\$0	\$1,223,230	44.7
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item funds the operating expenses of the Technical Services subdivision.

STATUTORY AUTHORITY: Sections 25-7-201, and 25-7-211 through 212, C.R.S.

REQUEST: The Department requests an appropriation of \$3,266,050 total funds, including \$241,837 General Fund.

RECOMMENDATION: Staff recommends the Committee approve the Department’s request.

AIR POLLUTION CONTROL DIVISION, TECHNICAL SERVICES, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$4,841,997	\$4,277,333	\$313,941	\$0	\$250,723	0.0
TOTAL	\$4,841,997	\$4,277,333	\$313,941	\$0	\$250,723	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$4,841,997	\$4,277,333	\$313,941	\$0	\$250,723	0.0
Annualize prior year legislation	395,477	241,837	153,640	0	0	0.0
Annualize prior year budget actions	(1,971,424)	(4,277,333)	2,305,909	0	0	0.0
TOTAL	\$3,266,050	\$241,837	\$2,773,490	\$0	\$250,723	0.0
INCREASE/(DECREASE)	(\$1,575,947)	(\$4,035,496)	\$2,459,549	\$0	\$0	0.0
Percentage Change	(32.5%)	(94.3%)	783.4%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,266,050	\$241,837	\$2,773,490	\$0	\$250,723	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

LOCAL CONTRACTS

This line item funds contracts with local governments and other entities to conduct air quality monitoring activities on behalf of the Technical Services Section, including operation and maintenance of air quality monitors for a variety of gaseous and particulate pollutants.

STATUTORY AUTHORITY: Sections 25-7-201, and 25-7-211 through 212, C.R.S.

REQUEST: The Department requests an appropriation of \$912,938 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, TECHNICAL SERVICES, LOCAL CONTRACTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$912,938	\$0	\$567,638	\$0	\$345,300	0.0
TOTAL	\$912,938	\$0	\$567,638	\$0	\$345,300	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$912,938	\$0	\$567,638	\$0	\$345,300	0.0
TOTAL	\$912,938	\$0	\$567,638	\$0	\$345,300	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$912,938	\$0	\$567,638	\$0	\$345,300	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(C) MOBILE SOURCES

PERSONAL SERVICES

This line item funds the Mobile Sources personnel expenses.

STATUTORY AUTHORITY: Sections 25-7-111, 25-7-130, and 42-4-301 through 316, C.R.S.

REQUEST: The Department requests an appropriation of \$4,633,790 total funds, including \$118,484 General Fund and 39.9 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, MOBILE SOURCES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,771,435	\$75,405	\$3,284,630	\$0	\$411,400	27.4
TOTAL	\$3,771,435	\$75,405	\$3,284,630	\$0	\$411,400	27.4
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,771,435	\$75,405	\$3,284,630	\$0	\$411,400	27.4
Annualize prior year legislation	760,019	102,677	657,342	0	0	12.5
Centrally appropriated line items	102,336	15,807	86,529	0	0	0.0

AIR POLLUTION CONTROL DIVISION, MOBILE SOURCES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year budget actions	0	(75,405)	75,405	0	0	0.0
TOTAL	\$4,633,790	\$118,484	\$4,103,906	\$0	\$411,400	39.9
INCREASE/(DECREASE)	\$862,355	\$43,079	\$819,276	\$0	\$0	12.5
Percentage Change	22.9%	57.1%	24.9%	0.0%	0.0%	45.6%
FY 2023-24 EXECUTIVE REQUEST	\$4,633,790	\$118,484	\$4,103,906	\$0	\$411,400	39.9
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

OPERATING EXPENSES

This line item funds the Mobile Sources subdivision operating expenses.

STATUTORY AUTHORITY: Sections 25-7-111, 25-7-130, and 42-4-301, C.R.S.

REQUEST: The Department requests an appropriation of \$22,369,984 total funds, including \$47,276 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, MOBILE SOURCES, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,700,851	\$7,950	\$1,615,645	\$0	\$77,256	8.3
TOTAL	\$1,700,851	\$7,950	\$1,615,645	\$0	\$77,256	8.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,700,851	\$7,950	\$1,615,645	\$0	\$77,256	8.3
Annualize prior year legislation	20,676,133	47,276	20,628,857	0	0	(8.3)
Annualize prior year budget actions	(7,000)	(7,950)	950	0	0	0.0
TOTAL	\$22,369,984	\$47,276	\$22,245,452	\$0	\$77,256	0.0
INCREASE/(DECREASE)	\$20,669,133	\$39,326	\$20,629,807	\$0	\$0	(8.3)
Percentage Change	1,215.2%	494.7%	1,276.9%	0.0%	0.0%	(100.0%)
FY 2023-24 EXECUTIVE REQUEST	\$22,369,984	\$47,276	\$22,245,452	\$0	\$77,256	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DIESEL INSPECTION / MAINTENANCE PROGRAM

The Diesel Program requires commercial operations with diesel fleets of at least nine vehicles, to self-inspect and certify that the vehicles are in compliance with state emission standards. This line item funds the activities of the Diesel Program including inspector certification and training, data collection, fleet self-certification, and technical assistance.

STATUTORY AUTHORITY: Sections 25-7-130 and 42-4-301 through 316, C.R.S.

REQUEST: The Department requests an appropriation of \$720,187 cash funds and 6.3 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, MOBILE SOURCES, DIESEL INSPECTION/MAINTENANCE PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$698,252	\$0	\$698,252	\$0	\$0	6.3
TOTAL	\$698,252	\$0	\$698,252	\$0	\$0	6.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$698,252	\$0	\$698,252	\$0	\$0	6.3
Centrally appropriated line items	21,935	0	21,935	0	0	0.0
TOTAL	\$720,187	\$0	\$720,187	\$0	\$0	6.3
INCREASE/(DECREASE)	\$21,935	\$0	\$21,935	\$0	\$0	0.0
Percentage Change	3.1%	0.0%	3.1%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$720,187	\$0	\$720,187	\$0	\$0	6.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

MECHANIC CERTIFICATION PROGRAM

This line item funds the Mechanic Certification Program which certifies independent emission inspectors who can test the emissions from 1981 and older vehicles, and fleet mechanics that have statutory authority to conduct emissions inspections on their fleet vehicles. The funding supports the development of course curricula, training materials, and the training and certification of emission inspectors.

STATUTORY AUTHORITY: Section 25-7-131, C.R.S.

REQUEST: The Department requests an appropriation of \$7,000 cash funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, MOBILE SOURCES, MECHANIC CERTIFICATION PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$7,000	\$0	\$7,000	\$0	\$0	0.0
TOTAL	\$7,000	\$0	\$7,000	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$7,000	\$0	\$7,000	\$0	\$0	0.0
TOTAL	\$7,000	\$0	\$7,000	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$7,000	\$0	\$7,000	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

LOCAL GRANTS

This line supports the development and implementation of the inspection and maintenance program in the form of grants to local governments to conduct research on issues pertaining to air quality attainment strategies.

STATUTORY AUTHORITY: Section 25-7-130, C.R.S.

REQUEST: The Department requests an appropriation of \$77,597 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, MOBILE SOURCES, LOCAL GRANTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,494,242	\$1,416,645	\$77,597	\$0	\$0	0.0
TOTAL	\$1,494,242	\$1,416,645	\$77,597	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,494,242	\$1,416,645	\$77,597	\$0	\$0	0.0
Annualize prior year budget actions	(1,416,645)	(1,416,645)	0	0	0	0.0
TOTAL	\$77,597	\$0	\$77,597	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$1,416,645)	(\$1,416,645)	\$0	\$0	\$0	0.0
Percentage Change	(94.8%)	(100.0%)	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(D) STATIONARY SOURCES

PERSONAL SERVICES

This line item funds the personnel expenses personnel responsible for the inventory and support services, permits and compliance assurance, and hazardous and toxic emissions control.

STATUTORY AUTHORITY: Sections 25-7-109, 25-7-112, and Sections 25-7-114, C.R.S.

REQUEST: The Department requests an appropriation of \$20,579,431 total funds, including \$2,736,370 General Fund, and 230.5 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$20,579,431 total funds, including \$1,616,165 General Fund, and 230.5 FTE.

AIR POLLUTION CONTROL DIVISION, STATIONARY SOURCES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						

AIR POLLUTION CONTROL DIVISION, STATIONARY SOURCES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Long Bill (H.B. 22-1329)	\$21,898,473	\$10,398,331	\$10,077,931	\$0	\$1,422,211	202.1
TOTAL	\$21,898,473	\$10,398,331	\$10,077,931	\$0	\$1,422,211	202.1
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$21,898,473	\$10,398,331	\$10,077,931	\$0	\$1,422,211	202.1
Annualize prior year legislation	561,752	(316,868)	878,620	0	0	0.6
Centrally appropriated line items	281,864	59,928	221,936	0	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
Annualize prior year budget actions	(2,162,658)	(8,525,226)	6,362,568	0	0	27.8
TOTAL	\$20,579,431	\$1,616,165	\$17,541,055	\$0	\$1,422,211	230.5
INCREASE/(DECREASE)	(\$1,319,042)	(\$8,782,166)	\$7,463,124	\$0	\$0	28.4
Percentage Change	(6.0%)	(84.5%)	74.1%	0.0%	0.0%	14.1%
FY 2023-24 EXECUTIVE REQUEST	\$20,579,431	\$2,736,370	\$16,420,850	\$0	\$1,422,211	230.5
Request Above/(Below) Recommendation	\$0	\$1,120,205	(\$1,120,205)	\$0	\$0	0.0

OPERATING EXPENSES

This line item funds all operating expenses associated with the inventory and support services, permits and compliance assurance, and hazardous and toxic emissions control efforts of the Stationary Sources Program.

STATUTORY AUTHORITY: Sections 25-7-109, 25-7-112, and 25-7-114, C.R.S.

REQUEST: The Department requests an appropriation of \$2,041,858 total funds, including \$25,887 Genera Fund.

RECOMMENDATION: Staff recommends an appropriation of \$2,041,858 total funds, including \$5,637 Genera Fund.

AIR POLLUTION CONTROL DIVISION, STATIONARY SOURCES, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,630,269	\$1,143,886	\$437,469	\$0	\$48,914	0.0
TOTAL	\$1,630,269	\$1,143,886	\$437,469	\$0	\$48,914	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,630,269	\$1,143,886	\$437,469	\$0	\$48,914	0.0
Annualize prior year budget actions	1,256,838	(127,737)	1,384,575	0	0	0.0
R5 Sustaining environmental justice	0	0	0	0	0	0.0
Annualize prior year legislation	(845,249)	(1,010,512)	165,263	0	0	0.0
TOTAL	\$2,041,858	\$5,637	\$1,987,307	\$0	\$48,914	0.0
INCREASE/(DECREASE)	\$411,589	(\$1,138,249)	\$1,549,838	\$0	\$0	0.0
Percentage Change	25.2%	(99.5%)	354.3%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$2,041,858	\$25,887	\$1,967,057	\$0	\$48,914	0.0
Request Above/(Below) Recommendation	\$0	\$20,250	(\$20,250)	\$0	\$0	0.0

LOCAL CONTRACTS

This line item funds contract costs with local governments who, on behalf of the Stationary Sources Section, conduct stationary source, asbestos and chlorofluorocarbon inspections, respond to complaints in their jurisdiction, and issue opening burning permits.

STATUTORY AUTHORITY: Section 25-7-114, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$798,500 total funds, of which \$700,000 is cash funds and \$98,500 is federal funds.

RECOMMENDATION: Staff recommends approval of the request.

AIR POLLUTION CONTROL DIVISION, STATIONARY SOURCES, LOCAL CONTRACTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$798,500	\$0	\$700,000	\$0	\$98,500	0.0
TOTAL	\$798,500	\$0	\$700,000	\$0	\$98,500	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$798,500	\$0	\$700,000	\$0	\$98,500	0.0
TOTAL	\$798,500	\$0	\$700,000	\$0	\$98,500	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$798,500	\$0	\$700,000	\$0	\$98,500	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

PRESERVATION OF THE OZONE LAYER

This line item funds the Preservation of the Ozone Layer Program which works to reduce emissions of ozone depleting compounds, chlorofluorocarbons, and hydro-fluorocarbons by regulating the practices and procedures employed by the air conditioning and refrigeration service facilities in both automotive and stationary source industries.

STATUTORY AUTHORITY: Section 25-7-112, C.R.S.

REQUEST: The Department requests an appropriation of \$214,121 cash funds and 2.0 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

AIR POLLUTION CONTROL DIVISION, STATIONARY SOURCES, PRESERVATION OF THE OZONE LAYER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$209,979	\$0	\$209,979	\$0	\$0	2.0
TOTAL	\$209,979	\$0	\$209,979	\$0	\$0	2.0

AIR POLLUTION CONTROL DIVISION, STATIONARY SOURCES, PRESERVATION OF THE OZONE LAYER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$209,979	\$0	\$209,979	\$0	\$0	2.0
Centrally appropriated line items	4,142	0	4,142	0	0	0.0
TOTAL	\$214,121	\$0	\$214,121	\$0	\$0	2.0
INCREASE/(DECREASE)						
	\$4,142	\$0	\$4,142	\$0	\$0	0.0
Percentage Change	2.0%	0.0%	2.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(5) WATER QUALITY CONTROL DIVISION

This division is comprised of four subdivisions: Administration, Clean Water Sectors, Clean Water Program, and Drinking Water Program.

(A) ADMINISTRATION

This subdivision provides management and support staff for the Water Quality Control Commission, clerical support for other subdivisions, and maintains a centralized records system for the Division. This subdivision is responsible for training and certifying the operators of all water and wastewater treatment facilities in the state. Funding for this subdivision is from General Fund, various division cash funds including the Water Quality Control Fund and the Drinking Water Fund, and federal funds.

(B) CLEAN WATER SECTORS

This subdivision is responsible for issuing discharge permits, monitoring compliance with permits, conducting inspections, providing technical assistance, and as necessary, pursuing enforcement actions permitting and compliance assurance program for the five industry sectors. The sectors are construction, commerce and industry, municipal separate storm sewer systems, pesticides, public and private utilities, water quality certification. Funding for the Sectors is from General Fund, cash funds from the Water Quality Control Fund, and federal funds.

(C) CLEAN WATER PROGRAM

This subdivision funds grants and contracts primarily to local governments for the Non-Point Source Program and the Water Quality Improvement Program. Funding for this subdivision is from General Fund, the Water Quality Improvement Fund, reappropriated funds from the Department of Agriculture, and federal funds.

(D) DRINKING WATER PROGRAM

This subdivision is established under the federal Safe Drinking Water Act and implements measures to ensure that public water systems throughout Colorado provide safe drinking water for Colorado citizens. Funding for this subdivision is from General Fund, the Drinking Water Cash Fund, and federal funds.

WATER QUALITY CONTROL DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
Long Bill (H.B. 22-1329)	\$29,213,434	\$5,338,414	\$9,080,002	\$96,665	\$14,698,353	181.4
Other legislation	44,142,521	23,142,521	0	21,000,000	0	8.4
SB 23-128 (CDPHE Supplemental)	0	0	0	0	0	0.0
TOTAL	\$73,355,955	\$28,480,935	\$9,080,002	\$21,096,665	\$14,698,353	189.8
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$73,355,955	\$28,480,935	\$9,080,002	\$21,096,665	\$14,698,353	189.8
R1 Protective water quality control	2,235,030	2,235,030	0	0	0	23.7
R2 Water infrastructure state fund match	66,126,060	0	6,011,460	0	60,114,600	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
Centrally appropriated line items	408,448	251,038	154,575	2,835	0	0.0
Non-prioritized decision items	72,214	12,069	2,233	0	57,912	0.0
Annualize prior year budget actions	0	0	0	0	0	6.0
Annualize prior year legislation	(42,869,407)	(21,869,407)	0	(21,000,000)	0	4.4
TOTAL	\$99,328,300	\$9,109,665	\$15,248,270	\$99,500	\$74,870,865	223.9
INCREASE/(DECREASE)	\$25,972,345	(\$19,371,270)	\$6,168,268	(\$20,997,165)	\$60,172,512	34.1
Percentage Change	35.4%	(68.0%)	67.9%	(99.5%)	409.4%	18.0%
FY 2023-24 EXECUTIVE REQUEST	\$100,830,899	\$10,612,264	\$15,248,270	\$99,500	\$74,870,865	235.4
Request Above/(Below) Recommendation	\$1,502,599	\$1,502,599	\$0	\$0	\$0	11.5

DECISION ITEMS – WATER QUALITY CONTROL DIVISION

→ R-02: WATER INFRASTRUCTURE FUND MATCH

REQUEST: The Department requests that the Committee sponsor a bill to revise the statutory language of the Small Communities Water and Wastewater Grant Fund created in 25-1.5-208 C.R.S., which is continuously appropriated, to expand eligible uses of the fund to include state matching requirements for the federal Infrastructure Investment and Jobs Act (IIJA).

RECOMMENDATION: **Staff recommends the Committee approve the Department’s request.**

ANALYSIS

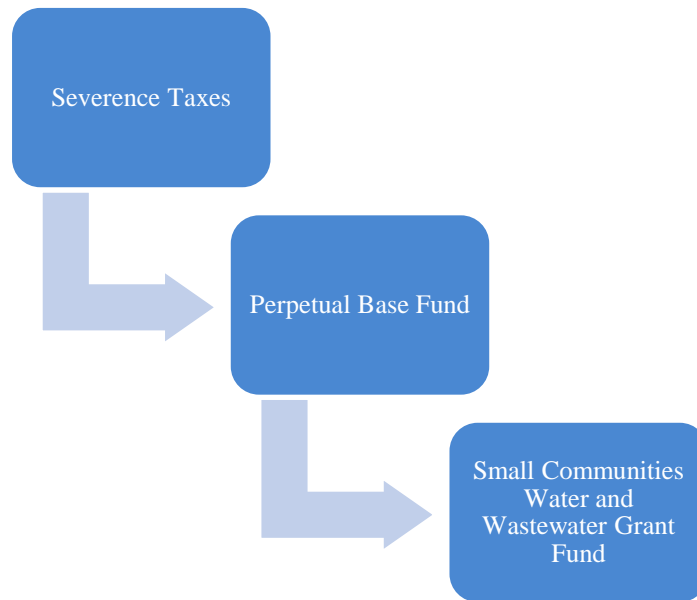
The Department operates two state revolving fund (SRF) base programs: the Drinking Water State Revolving Fund (DWSRF) and the Clean Water State Revolving Fund (CWSRF). The Department manages an average of 25 to 30 new SRF projects per year. The Department also manages and provides money for water, wastewater, and stormwater projects, and provides additional technical assistance to entities seeking funds. Both SRF programs are administered collectively by the Colorado Water Resources and Power Development Authority, the Department of Local Affairs, and Department of Public Health and Environment.

The DWSRF is a federal program administered by the EPA designed to help public water systems finance infrastructure projects, including projects to replace transmission and distribution pipes, install or upgrade water storage tanks, construct new water systems, and upgrade facilities to improve drinking water quality.

The CWSRF provides grants to states to fund water-related projects, including construction of wastewater facilities and wastewater treatment systems, pollution management, and measures to manage stormwater or subsurface drainage water. Using grant funds, the state provides loans and other types of financial support to local entities.

Over the next four years, the IIJA will allocate water infrastructure dollars through the Drinking Water State Revolving Fund (DWSRF) and the Clean Water State Revolving Fund (CWSRF) to provide financing for local water projects. The state match required to receive the federal grants is 10 percent for FY 2022-23 and 2023-24 and jumps up to 20 percent for FY 2024-25 through FY 2026-27. The state match will draw down \$60.1 Million in FY 2023-24, \$65.6 Million in FY 2024-25, and \$71.1 Million in each of FY 2025-26 and FY 2026-27 in federal IIJA dollars.

The Small Communities Water and Wastewater Grant Fund receives dollars through a rather convoluted process of severance tax allocations. Essentially 50 percent of severance taxes are allocated to the Department of Natural Resources, which is then split between the Operational Fund and the Perpetual Base Fund. Dollars are allocated to the Perpetual Base Fund up to a cap of \$50.0 million, and excess dollars are then allocated to the Small Communities Water and Wastewater Grant Fund up to a cap of \$10.0 million. The fund currently holds a balance of \$18.6 million.



The Small Communities Water and Wastewater Grant Fund is used to provide grants to local entities and non-profits serving small populations (under 5,000) for the planning, design, and construction of public water systems or domestic wastewater treatment works. Staff believes that the intent of the federal match falls within the intended use of the fund. Staff does have concerns that IIJA dollars are intended for more broad water infrastructure activities that exceed the “small communities” definition outlined in the fund, but believes that language can be added to the bill to ensure that there are protections built in so that small communities do not lose out on this funding opportunity.

LINE ITEM DETAIL - WATER QUALITY CONTROL DIVISION

(A) ADMINISTRATION

ADMINISTRATION PROGRAM

This line item was created in FY 2015-16 as a result of the implementation of a divisional indirect cost plan and will fund the personnel and operating expenses for administration of the Clean Water and Drinking Water Programs.

STATUTORY AUTHORITY: Section 25-8-301, C.R.S.

REQUEST: The Department requests an appropriation of \$69,259,822 total funds, including \$1,593,370 General Fund and 28.2 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$68,404,640 total funds, including \$738,188 General Fund and 20.0 FTE.

WATER QUALITY CONTROL DIVISION, ADMINISTRATION, ADMINISTRATION PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,069,125	\$540,172	\$480,781	\$0	\$1,048,172	19.4
TOTAL	\$2,069,125	\$540,172	\$480,781	\$0	\$1,048,172	19.4
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,069,125	\$540,172	\$480,781	\$0	\$1,048,172	19.4
R2 Water infrastructure state fund match	66,126,060	0	6,011,460	0	60,114,600	0.0
Annualize prior year legislation	168,383	168,383	0	0	0	0.6
Centrally appropriated line items	41,072	29,633	11,439	0	0	0.0
R1 Protective water quality control	0	0	0	0	0	0.0
R12 Water quality environmental justice	0	0	0	0	0	0.0
TOTAL	\$68,404,640	\$738,188	\$6,503,680	\$0	\$61,162,772	20.0
INCREASE/(DECREASE)	\$66,335,515	\$198,016	\$6,022,899	\$0	\$60,114,600	0.6
Percentage Change	3,206.0%	36.7%	1,252.7%	0.0%	5,735.2%	3.1%
FY 2023-24 EXECUTIVE REQUEST	\$69,259,822	\$1,593,370	\$6,503,680	\$0	\$61,162,772	28.2
Request Above/(Below)						
Recommendation	\$855,182	\$855,182	\$0	\$0	\$0	8.2

(B) CLEAN WATER SECTORS

COMMERCE AND INDUSTRY SECTOR

This line item was added in FY 2015-16 and funds the Division's work for regulatory compliance obligations associated with commercial and industrial operations resulting in a permitted discharge to waters of the state. The Commerce and Industry Sector includes primarily private business enterprises with operations in areas such as mining, oil and gas extraction, electrical power generation, food processing, automobile salvage and timber harvesting. A small portion of entities are public and have a permitted discharge from services such as airports or fish rearing operations.

STATUTORY AUTHORITY: Section 25-8-502 (1.1)(b), C.R.S.

REQUEST: The Department requests an appropriation of \$2,349,801 total funds, including \$1,028,455 General Fund and 25.4 FTE.

RECOMMENDATION: Staff recommends approving the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, COMMERCE AND INDUSTRY SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,271,035	\$976,289	\$987,414	\$0	\$307,332	25.4
TOTAL	\$2,271,035	\$976,289	\$987,414	\$0	\$307,332	25.4
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,271,035	\$976,289	\$987,414	\$0	\$307,332	25.4
Centrally appropriated line items	78,766	52,166	26,600	0	0	0.0
TOTAL	\$2,349,801	\$1,028,455	\$1,014,014	\$0	\$307,332	25.4
INCREASE/(DECREASE)						
	\$78,766	\$52,166	\$26,600	\$0	\$0	0.0
Percentage Change	3.5%	5.3%	2.7%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

CONSTRUCTION SECTOR

This line item was added in FY 2015-16 and funds the Division's work for regulatory compliance obligations associated with construction project owners and operators whose activities are subject to Colorado Water Quality Control Act. The Construction Sector includes include home builders, transportation and utility project owners and contractors, and industries such as oil and gas operators who need to construct access roads and utilities as part of their business enterprise.

STATUTORY AUTHORITY: Section 25-8-502 (1.1)(c), C.R.S.

REQUEST: The Department requests an appropriation of \$2,085,536 total funds, including \$306,260 General Fund and 23.3 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, CONSTRUCTION SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,028,829	\$292,929	\$1,511,935	\$0	\$223,965	20.3
TOTAL	\$2,028,829	\$292,929	\$1,511,935	\$0	\$223,965	20.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,028,829	\$292,929	\$1,511,935	\$0	\$223,965	20.3
Centrally appropriated line items	56,707	13,331	43,376	0	0	0.0

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, CONSTRUCTION SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year budget actions	0	0	0	0	0	3.0
TOTAL	\$2,085,536	\$306,260	\$1,555,311	\$0	\$223,965	23.3
INCREASE/(DECREASE)	\$56,707	\$13,331	\$43,376	\$0	\$0	3.0
Percentage Change	2.8%	4.6%	2.9%	0.0%	0.0%	14.8%
FY 2023-24 EXECUTIVE REQUEST	\$2,085,536	\$306,260	\$1,555,311	\$0	\$223,965	23.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

MUNICIPAL SEPARATE STORM SEWER SYSTEMS SECTOR

This line item was added in FY 2015-16 and funds the Division's work for regulatory compliance associated with municipal separate storm sewer systems (MS4s) resulting in a permitted discharge to waters of the state. The MS4s Sector includes a conveyance or system of conveyances that is owned by a city, town, village, or other public entity that discharges to water of the State, and is designed to collect or convey storm water (including storm drains, pipes, ditches, etc.). An MS4s is not a combined sewer or part of a Public Owned Treatment Works (sewage treatment plant).

STATUTORY AUTHORITY: Section 25-8-502 (1.1)(f), C.R.S.

REQUEST: The Department requests an appropriation of \$279,258 total funds, including \$121,551 General Fund and 3.1 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, MUNICIPAL SEPARATE STORM SEWER SYSTEM SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$269,495	\$116,049	\$117,793	\$0	\$35,653	3.1
TOTAL	\$269,495	\$116,049	\$117,793	\$0	\$35,653	3.1
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$269,495	\$116,049	\$117,793	\$0	\$35,653	3.1
Centrally appropriated line items	9,763	5,502	4,261	0	0	0.0
TOTAL	\$279,258	\$121,551	\$122,054	\$0	\$35,653	3.1
INCREASE/(DECREASE)	\$9,763	\$5,502	\$4,261	\$0	\$0	0.0
Percentage Change	3.6%	4.7%	3.6%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$279,258	\$121,551	\$122,054	\$0	\$35,653	3.1
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

PESTICIDES SECTOR

This line item was added in FY 2015-16 and funds the Division's work for regulatory compliance associated with pesticide applications, including those with control over a decision to perform a pesticide application, and those who perform the applications. The Pesticides Sector includes state

agencies, municipalities, special districts and private enterprises such as irrigation companies and commercial pesticide applicators.

STATUTORY AUTHORITY: Section 25-8-502 (1.1)(d), C.R.S.

REQUEST: The Department requests an appropriation of \$303,539 total funds, including \$197,461 General Fund and 1.0 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, PESTICIDES SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$298,694	\$192,631	\$6,063	\$0	\$100,000	1.0
TOTAL	\$298,694	\$192,631	\$6,063	\$0	\$100,000	1.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$298,694	\$192,631	\$6,063	\$0	\$100,000	1.0
Centrally appropriated line items	4,845	4,830	15	0	0	0.0
TOTAL	\$303,539	\$197,461	\$6,078	\$0	\$100,000	1.0
INCREASE/(DECREASE)	\$4,845	\$4,830	\$15	\$0	\$0	0.0
Percentage Change	1.6%	2.5%	0.2%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

PUBLIC AND PRIVATE UTILITIES SECTOR

This line item was added in FY 2015-16 and funds the Division's work for permit and compliance obligations associated with operation of domestic waste water treatment works, water treatment facilities, reclaimed water systems and industrial operations that discharge to a domestic waste water treatment works. The Public and Private Utilities Sector includes municipalities and special districts as well as public and private entities providing waste water services to support public or commercial operations such as highway rest areas, private housing (mobile home parks) and recreation (lodges, hotels and campgrounds).

STATUTORY AUTHORITY: Section 25-8-502 (1.1)(e), C.R.S.

REQUEST: The Department requests an appropriation of \$4,086,471 total funds, including \$1,671,504 General Fund and 47.3 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, PUBLIC AND PRIVATE UTILITIES SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,959,613	\$1,596,366	\$1,875,000	\$0	\$488,247	44.3

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, PUBLIC AND PRIVATE UTILITIES SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	\$3,959,613	\$1,596,366	\$1,875,000	\$0	\$488,247	44.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,959,613	\$1,596,366	\$1,875,000	\$0	\$488,247	44.3
Centrally appropriated line items	126,858	75,138	51,720	0	0	0.0
Annualize prior year budget actions	0	0	0	0	0	3.0
TOTAL	\$4,086,471	\$1,671,504	\$1,926,720	\$0	\$488,247	47.3
INCREASE/(DECREASE)	\$126,858	\$75,138	\$51,720	\$0	\$0	3.0
Percentage Change	3.2%	4.7%	2.8%	0.0%	0.0%	6.8%
FY 2023-24 EXECUTIVE REQUEST	\$4,086,471	\$1,671,504	\$1,926,720	\$0	\$488,247	47.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

WATER QUALITY CERTIFICATION SECTOR

This line item was added in FY 2015-16 and funds the certifications which assess impacts to water quality from various types of federally permitted actions related to water supply, distribution and other construction projects that may require mitigation and post-construction monitoring. There are four known large water development projects the Moffat Collection System Project, the Windy Gap Firming Project, the Northern Integrated Supply Project, and the Halligan Seaman Water Management Project. Other smaller federally permitted projects including water development and habitat restoration projects will need to be certified in the near future.

STATUTORY AUTHORITY: Section 25-8-502 (1.2)(a), C.R.S.

REQUEST: The Department requests an appropriation of \$252,857 total funds, including \$10,280 General Fund and 1.5 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER SECTORS, WATER QUALITY CERTIFICATION SECTOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$252,271	\$9,888	\$200,627	\$0	\$41,756	1.5
TOTAL	\$252,271	\$9,888	\$200,627	\$0	\$41,756	1.5
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$252,271	\$9,888	\$200,627	\$0	\$41,756	1.5
Centrally appropriated line items	586	392	194	0	0	0.0
TOTAL	\$252,857	\$10,280	\$200,821	\$0	\$41,756	1.5
INCREASE/(DECREASE)	\$586	\$392	\$194	\$0	\$0	0.0
Percentage Change	0.2%	4.0%	0.1%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$252,857	\$10,280	\$200,821	\$0	\$41,756	1.5
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(C) CLEAN WATER PROGRAMS

CLEAN WATER PROGRAM COSTS

This line item funds the cost of laboratory testing and analysis of water samples, information services, and the Biosolids program. The Biosolids Program provides compliance assistance to entities in all the clean water sectors to assist with the prevention of pollutant discharge.

STATUTORY AUTHORITY: Sections 25-8-301, 25-8-502, and 30-20-110.5, C.R.S.

REQUEST: The Department requests an appropriation of \$3,663,296 total funds, including \$3,083,877 General Fund and 26.2 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$3,057,793 total funds, including \$2,478,374 General Fund and 23.3 FTE.

WATER QUALITY CONTROL DIVISION, CLEAN WATER PROGRAM, CLEAN WATER PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,072,901	\$499,696	\$176,540	\$96,665	\$300,000	2.0
TOTAL	\$1,072,901	\$499,696	\$176,540	\$96,665	\$300,000	2.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,072,901	\$499,696	\$176,540	\$96,665	\$300,000	2.0
R1 Protective water quality control	1,857,803	1,857,803	0	0	0	20.1
Annualize prior year legislation	103,415	103,415	0	0	0	1.2
Centrally appropriated line items	23,674	17,460	3,379	2,835	0	0.0
TOTAL	\$3,057,793	\$2,478,374	\$179,919	\$99,500	\$300,000	23.3
INCREASE/(DECREASE)	\$1,984,892	\$1,978,678	\$3,379	\$2,835	\$0	21.3
Percentage Change	185.0%	396.0%	1.9%	2.9%	0.0%	1,065.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,663,296	\$3,083,877	\$179,919	\$99,500	\$300,000	26.2
Request Above/(Below) Recommendation	\$605,503	\$605,503	\$0	\$0	\$0	2.9

LOCAL GRANTS AND CONTRACTS

This line item funds grants and contracts for the Non-point Source Program. Funding is from the Environmental Protection Agency and is used for projects to restore impaired water quality, protect water quality, and for watershed based plans designed to improve and protect water quality, analysis of the impact on construction permits and water facility capacity; sampling, lab analysis, and triennial review of water basins in the state.

STATUTORY AUTHORITY: Sections 25-8-202 (1) (g) and 25-8-301, C.R.S.

REQUEST: The Department requests \$3,313,978 total funds, including \$1 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER PROGRAM, LOCAL GRANTS AND CONTRACTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,313,978	\$1	\$0	\$0	\$3,313,977	0.0
TOTAL	\$3,313,978	\$1	\$0	\$0	\$3,313,977	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,313,978	\$1	\$0	\$0	\$3,313,977	0.0
TOTAL	\$3,313,978	\$1	\$0	\$0	\$3,313,977	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,313,978	\$1	\$0	\$0	\$3,313,977	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

WATER QUALITY IMPROVEMENT

The Water Quality Improvement Program began in FY 2006-07 as a result of the passage of H.B. 06-1337, Water Quality Improvement Fund Penalties. Statute specifies the factors used to base penalties for violations of water quality control provisions. The Program is required to spend the collected civil penalties on improving the water quality in impacted communities by awarding grants for water quality improvement projects, storm water management training and best practices training to prevent or reduce the pollution of state waters and is allowed to use up to 5.0 percent of penalties for administrative costs.

STATUTORY AUTHORITY: Section 25-8-608, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$1,852,677 cash funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, CLEAN WATER PROGRAM, WATER QUALITY IMPROVEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,852,677	\$0	\$1,852,677	\$0	\$0	0.0
TOTAL	\$1,852,677	\$0	\$1,852,677	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,852,677	\$0	\$1,852,677	\$0	\$0	0.0
Centrally appropriated line items	224	0	224	0	0	0.0
TOTAL	\$1,852,901	\$0	\$1,852,901	\$0	\$0	0.0
INCREASE/(DECREASE)	\$224	\$0	\$224	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$1,852,901	\$0	\$1,852,901	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(D) DRINKING WATER PROGRAM

PERSONAL SERVICES

This line item funds the personnel costs of the Drinking Water Program.

STATUTORY AUTHORITY: Section 25-1.5-201 through 209, C.R.S.

REQUEST: The Department requests an appropriation of \$8,897,701 total funds, including \$2,349,736 General Fund and 79.4 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$8,855,787 total funds, including \$2,307,822 General Fund and 79.0 FTE.

WATER QUALITY CONTROL DIVISION, DRINKING WATER PROGRAM, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$7,514,891	\$980,293	\$418,467	\$0	\$6,116,131	64.4
Other legislation	\$673,286	\$673,286	\$0	\$0	\$0	8.4
TOTAL	\$8,188,177	\$1,653,579	\$418,467	\$0	\$6,116,131	72.8
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$8,188,177	\$1,653,579	\$418,467	\$0	\$6,116,131	72.8
R1 Protective water quality control	377,227	377,227	0	0	0	3.6
Annualize prior year legislation	224,430	224,430	0	0	0	2.6
Centrally appropriated line items	65,953	52,586	13,367	0	0	0.0
TOTAL	\$8,855,787	\$2,307,822	\$431,834	\$0	\$6,116,131	79.0
INCREASE/(DECREASE)	\$667,610	\$654,243	\$13,367	\$0	\$0	6.2
Percentage Change	8.2%	39.6%	3.2%	0.0%	0.0%	8.5%
FY 2023-24 EXECUTIVE REQUEST	\$8,897,701	\$2,349,736	\$431,834	\$0	\$6,116,131	79.4
Request Above/(Below) Recommendation	\$41,914	\$41,914	\$0	\$0	\$0	0.4

OPERATING EXPENSES

This line item funds the operating expenses of the Drinking Water Program.

STATUTORY AUTHORITY: Section 25-1.5-201 through 209, C.R.S.

REQUEST: The Department requests an appropriation of \$978,199 total funds, including \$249,769 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, DRINKING WATER PROGRAM, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						

WATER QUALITY CONTROL DIVISION, DRINKING WATER PROGRAM, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Other legislation	\$22,469,235	\$1,469,235	\$0	\$21,000,000	\$0	0.0
Long Bill (H.B. 22-1329)	\$802,385	\$134,100	\$24,815	\$0	\$643,470	0.0
SB 23-128 (CDPHE Supplemental)	\$0	\$0	\$0	\$0	\$0	0.0
TOTAL	\$23,271,620	\$1,603,335	\$24,815	\$21,000,000	\$643,470	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$23,271,620	\$1,603,335	\$24,815	\$21,000,000	\$643,470	0.0
Non-prioritized decision items	72,214	12,069	2,233	0	57,912	0.0
Annualize prior year legislation	(22,365,635)	(1,365,635)	0	(21,000,000)	0	0.0
TOTAL	\$978,199	\$249,769	\$27,048	\$0	\$701,382	0.0
INCREASE/(DECREASE)	(\$22,293,421)	(\$1,353,566)	\$2,233	(\$21,000,000)	\$57,912	0.0
Percentage Change	(95.8%)	(84.4%)	9.0%	(100.0%)	9.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$978,199	\$249,769	\$27,048	\$0	\$701,382	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(E) INDIRECT COST ASSESSMENT

INDIRECT COST ASSESSMENT

REQUEST: The Department requests an appropriation of \$3,507,540 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

WATER QUALITY CONTROL DIVISION, INDIRECT COST ASSESSMENTS, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,507,540	\$0	\$1,427,890	\$0	\$2,079,650	0.0
TOTAL	\$3,507,540	\$0	\$1,427,890	\$0	\$2,079,650	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,507,540	\$0	\$1,427,890	\$0	\$2,079,650	0.0
TOTAL	\$3,507,540	\$0	\$1,427,890	\$0	\$2,079,650	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,507,540	\$0	\$1,427,890	\$0	\$2,079,650	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(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 the Waste Tire Program.

(A) ADMINISTRATION

This subdivision provides division-wide administrative and management support services. Funding for this subdivision is from divisional cash funds including the Hazardous Substance Response Fund, reappropriated funds from the Department of Local Affairs, and federal funds.

(B) HAZARDOUS WASTE CONTROL PROGRAM

This subdivision has four primary responsibilities: permitting, compliance assurance, corrective action, and compliance assistance. This program monitors compliance and enforces hazardous waste regulations over 500 large-quantity hazardous waste generators, 3,000 small generators, hazardous waste transporters, and 50 hazardous waste treatment, storage and disposal facilities. Funding for this subdivision is from the Hazardous Waste Service Fee and Illegal Drug Laboratory Funds, and federal funds.

(C) SOLID WASTE CONTROL PROGRAM

This subdivision is responsible for the regulation of all solid waste management facilities in Colorado, including landfills, composting facilities, recycling facilities, transfer facilities, certain types of waste surface impoundments, asbestos waste facilities, solid waste incinerators, and medical waste facilities. Funding for this subdivision is from cash funds, including the Solid Waste Management Fund and the Radiation Control Fund.

(D) CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS

This subdivision is comprised of the following programs and is funded primarily from the Hazardous Substance Response Fund and federal funds.

- The Superfund Program works with the Environmental Protection Agency as either the lead agency or support agency in the review and implementation of cleanup plans and oversight of the cleanup work at superfund sites. Funding for cleanup of the Rocky Mountain Arsenal superfund site is included in this program.
- The Contaminated Site Cleanups Program works to facilitate the cleanup of contaminated sites that have not been designated as superfund sites.
- The subdivision provides the Department of Law with technical support relating to the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- The Uranium Mill Tailings Remedial Action Program assists local governments in managing mill tailings that were not removed during the cleanup and are disturbed during road work or other renewal or building activities.
- The Rocky Flats Program is responsible for monitoring long-term operations and maintenance of continuing remedy components (i.e., ground water cleanups, and landfill caps), and closing out the administrative aspects of the regulatory process for site remediation.

(E) RADIATION MANAGEMENT

This subdivision provides regulatory services for radioactive materials through the review of license applications and inspections of facilities; administration of contract services with local public health agencies for indoor radon testing, prevention, and education; and monitoring low-level radioactive waste producers by ensuring proper and economically sound disposal. Funding for this subdivision is primarily from the Radiation Control Fund and federal funds.

(F) WASTE TIRE PROGRAM

This subdivision is responsible for regulating the reuse and disposal of waste tires including: regulation of waste tire haulers and facilities that generate, collect, store, process and/or use waste tires; awarding grants to local agencies for equipment, training and other activities related to prevention and response to waste tire fires; developing initiatives designed to encourage the disposal, recycling or reuse of illegally dumped tires and the recycling or reuse of waste tires; and payment of rebates to waste tire end users. Funding for this subdivision is from the three cash funds credited with revenue from the fee on waste tires.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
Long Bill (H.B. 22-1329)	\$43,437,623	\$0	\$24,143,000	\$312,622	\$18,982,001	112.5
Other legislation	186,407	98,627	87,780	0	0	0.8
TOTAL	\$43,624,030	\$98,627	\$24,230,780	\$312,622	\$18,982,001	113.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$43,624,030	\$98,627	\$24,230,780	\$312,622	\$18,982,001	113.3
R8 Low income radon mitigation	1,151,412	1,151,412	0	0	0	0.0
BA1 Transfer to satisfy HSRF obligations	0	0	0	0	0	0.0
Centrally appropriated line items	281,013	0	276,572	4,441	0	0.0
Non-prioritized decision items	61,210	0	19,673	0	41,537	0.0
Annualize prior year legislation	86,012	90,062	(4,050)	0	0	1.1
TOTAL	\$45,203,677	\$1,340,101	\$24,522,975	\$317,063	\$19,023,538	114.4
INCREASE/(DECREASE)	\$1,579,647	\$1,241,474	\$292,195	\$4,441	\$41,537	1.1
Percentage Change	3.6%	1,258.8%	1.2%	1.4%	0.2%	1.0%
FY 2023-24 EXECUTIVE REQUEST	\$44,452,265	\$588,689	\$24,522,975	\$317,063	\$19,023,538	114.4
Request Above/(Below) Recommendation	(\$751,412)	(\$751,412)	\$0	\$0	\$0	(0.0)

DECISION ITEMS – HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

→ R-08: LOW INCOME RADON MITIGATION

REQUEST: The Department requests an increase of \$400,000 General Fund for FY 2023-24 and beyond to expand the Low Income Radon Mitigation Program.

RECOMMENDATION: Staff recommends the Committee approve an increased appropriation of \$1,151,412 General Fund for FY 2023-24 and ongoing.

EVIDENCE LEVEL: The Department indicated that this request item is evidence informed, and staff agrees with this designation.

ANALYSIS

During the 2016 legislative session, the General Assembly passed H.B.16-1141 (Radon Exposure in Buildings), which established the Low-Income Radon Mitigation Assistance (LIRMA) program and providing cash fund spending authority from the Hazardous Substance Response Fund (HSRF). These funds, supplemented by funding from the EPA, support a statewide radon education and awareness program and provide free radon test kits and financial assistance to low-income individuals for radon testing and mitigation in their homes.

Radon is a colorless, odorless, radioactive gas that comes from the natural decay of uranium, which is found in soil. Radon typically moves up through the soil into homes through cracks and other holes in the foundation. Breathing air that contains radon significantly increases the risk of lung cancer. Each year, about 21,000 deaths in the United States, including 500 deaths in Colorado, are attributable to radon-induced lung cancer.

The Department coordinates public awareness campaigns through the use of traditional and social media, and educational seminars for the public, the real estate industry, and other public health professionals. Using EPA funds, the Department also provides grants to Local Public Health Agencies to increase radon awareness through more localized outreach and awareness campaigns.

The Department also provides free radon test kits to Colorado homeowners. Over the life of the program, the Department has distributed over 23,000 test kits. LIRMA program information is distributed with the free test kits, directing individuals with results in excess of the EPA action level to the Department’s Radiation Control Program.

NUMBER OF RADON TEST KITS DISTRIBUTED AND RESULTS				
CALENDAR YEAR	NUMBER OF KITS DISTRIBUTED	NUMBER OF KITS RETURNED & ANALYZED	TESTS RESULTS ABOVE EPA ACTION LEVEL	% OF TEST RESULTS ABOVE EPA ACTION LEVEL
2018	540	11	4	36%
2019	6,534	2,992	1,486	50%
2020	4,471	2,693	1,327	49%
2021	9,031	3,944	1,787	45%
2022*	2,801	1,858	934	50%
Total	23,377	11,498	5,538	48%

*Through September 2022

Since the LIRMA program began, applications for mitigation assistance have increased from 31 in FY 2017-18 to 284 in FY 2021-22. As a result, the Department projects it will receive approximately 521 applications for mitigations in FY 2023-24, but will only have funding available for approximately 63 of those applications. With the requested \$400,000 the Department estimates that it can mitigate 75 additional homes each year. In addition, the Department expects it will be able to provide grant

funding to 12 additional LPHAs for local radon awareness campaigns, and purchase over 6,200 additional radon test kits for distribution each year.

LIRMA PROGRAM RADON MITIGATION APPLICATIONS AND EXPENDITURE DATA					
FISCAL YEAR	NUMBER OF APPLICATIONS	NUMBER OF MITIGATIONS	EXPENDITURES	AVERAGE COST PER HOME	
2017-18	31	19	\$27,329	\$1,438	
2018-19	115	53	74,214	1,400	
2019-20	158	67	106,031	1,583	
2020-21	197	72	115,286	1,601	
2021-22	284	97	192,327	1,983	
2022-23 Projected	385	71	160,000	2,233	
2023-24 Projected	521	63	160,000	2,514	

Historically, this program has been funded with HSRF funds. Due to insolvency issues of the HSRF (see BA1 issue brief below) staff believes that General Fund is an appropriate funding source for the expansion of this program. To fully fund the expected 521 applications in FY 23-24 the Department would need an additional \$1,151,412.

➔ BA-01: TRANSFER TO SATISFY HSRF OBLIGATIONS

REQUEST: The Department requests that the Committee transfer \$1.8 million cash funds from the Hazardous Substance Site Response Fund to the Hazardous Substance Response Fund (HSRF) to meet the expenditure obligations of the HRSF. The Department did not request that the Committee sponsor legislation for this but staff believes in order to complete this transfer legislation would be required.

RECOMMENDATION: Staff recommends the Committee sponsor a bill to transfer \$1.8 million cash funds from the Hazardous Substance Site Response Fund to the Hazardous Substance Response Fund.

ANALYSIS

The Hazardous Substance Response Fund (HSRF) and the Hazardous Substance Site Response Fund were created to pay for activities related to Colorado’s responsibilities for implementing the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly referred to as Superfund. This includes the state’s share of site remediation costs for Superfund sites when there is no financially viable responsible party. Revenue into the HSRF is generated from solid waste fees (also known as tipping fees), which are capped at 50 cents per cubic yard into a solid waste disposal site, such as a landfill, and reimbursed settlement dollars if there is a responsible party determined at a later time.

For many Superfund sites, after remediation is complete, long-term operation and maintenance activities must be performed to ensure that the previous remedies are properly maintained and performing as intended. Generally, long-term activities are the responsibility of either the responsible parties or the state. These efforts vary, based on the specific site, but often include: personnel and

equipment costs; operation and maintenance of water treatment plants and groundwater treatment systems; landfill cap monitoring and maintenance; maintenance of surface water diversions and groundwater containment systems; institutional control inspections and administration; and other similar activities. The HSRF pays for these activities at sites where long-term activities are the state’s responsibility (currently 12).

During the 2014 Legislative session, the General Assembly passed H.B. 14-1339 (Create Hazardous Substance Site Response Fund), which created the Hazardous Substance Site Response Fund and appropriated \$10.0 million to the fund from the General Fund (partial payback of a cash transfer to the General fund in 2009). The creation of this fund was necessary because Section 25-16-104.6, C.R.S. requires the Department to evaluate fee reductions if the Hazardous Substance Response Fund exceeds \$10.0 million. If the \$10.0 million had been transferred to the HSRF, the fund balance would have exceeded \$10.0 million.

The HSRF is projected to have just over a \$1.0 million balance at the beginning of FY 2023-24. This balance, when combined with the estimated revenue of \$5.1 million in the Fund during FY 2023-24 may not be sufficient to keep the fund solvent in the face of an anticipated \$6.1 million in expenditures. The balance of the Hazardous Substance Site Response Fund as of October, 2022 is approximately \$10,559,019 and the only activity in this fund is interest earned. There are no other revenue earnings or expenditures planned for this fund.

LINE ITEM DETAIL - HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

(A) ADMINISTRATION

PROGRAM COSTS

This program line item funds this subdivisions personal services and operating expenses.

STATUTORY AUTHORITY: Articles 11, 15, and 16 of Title 25, C.R.S.

REQUEST: The Department requests an appropriation of \$2,290,906 total funds and 13.2 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, ADMINISTRATION, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,253,591	\$0	\$1,479,890	\$0	\$773,701	13.2
Other legislation	\$10,000	\$0	\$10,000	\$0	\$0	0.0
TOTAL	\$2,263,591	\$0	\$1,489,890	\$0	\$773,701	13.2
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,263,591	\$0	\$1,489,890	\$0	\$773,701	13.2
Centrally appropriated line items	17,315	0	17,315	0	0	0.0
Annualize prior year legislation	10,000	0	10,000	0	0	0.0
TOTAL	\$2,290,906	\$0	\$1,517,205	\$0	\$773,701	13.2

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, ADMINISTRATION, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
INCREASE/(DECREASE)	\$27,315	\$0	\$27,315	\$0	\$0	0.0
Percentage Change	1.2%	0.0%	1.8%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$2,290,906	\$0	\$1,517,205	\$0	\$773,701	13.2
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

INDIRECT COST ASSESSMENT

REQUEST: The Department requests an appropriation of \$3,025,522 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, ADMINISTRATION, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,025,522	\$0	\$2,105,126	\$9,554	\$910,842	0.0
TOTAL	\$3,025,522	\$0	\$2,105,126	\$9,554	\$910,842	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,025,522	\$0	\$2,105,126	\$9,554	\$910,842	0.0
TOTAL	\$3,025,522	\$0	\$2,105,126	\$9,554	\$910,842	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,025,522	\$0	\$2,105,126	\$9,554	\$910,842	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(B) HAZARDOUS WASTE CONTROL PROGRAM

PERSONAL SERVICES

This line item funds personnel-related costs for the Hazardous Waste Control Program.

STATUTORY AUTHORITY: Section 25-15-301 through 328, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$4,092,696 total funds, and 25.9 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, HAZARDOUS WASTE CONTROL PROGRAM, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$4,046,747	\$0	\$1,685,247	\$0	\$2,361,500	25.9
TOTAL	\$4,046,747	\$0	\$1,685,247	\$0	\$2,361,500	25.9

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, HAZARDOUS WASTE CONTROL PROGRAM, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$4,046,747	\$0	\$1,685,247	\$0	\$2,361,500	25.9
Centrally appropriated line items	45,949	0	45,949	0	0	0.0
TOTAL	\$4,092,696	\$0	\$1,731,196	\$0	\$2,361,500	25.9
INCREASE/(DECREASE)	\$45,949	\$0	\$45,949	\$0	\$0	0.0
Percentage Change	1.1%	0.0%	2.7%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

OPERATING EXPENSES

This line item funds the operating expenses of the Hazardous Waste Control Program.

STATUTORY AUTHORITY: Section 25-15-301 through 328, C.R.S.

REQUEST: The Department requests an appropriation of \$142,080 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, HAZARDOUS WASTE CONTROL PROGRAM, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$130,349	\$0	\$74,380	\$0	\$55,969	0.0
TOTAL	\$130,349	\$0	\$74,380	\$0	\$55,969	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$130,349	\$0	\$74,380	\$0	\$55,969	0.0
Non-prioritized decision items	11,731	0	6,694	0	5,037	0.0
TOTAL	\$142,080	\$0	\$81,074	\$0	\$61,006	0.0
INCREASE/(DECREASE)	\$11,731	\$0	\$6,694	\$0	\$5,037	0.0
Percentage Change	9.0%	0.0%	9.0%	0.0%	9.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

EMERGING CONTAMINANTS [NEW LINE ITEM]

This line item funds was created in H.B. 22-10345 to ensure facilities adhere to the safe storage and notification of releases of PFAS chemicals.

STATUTORY AUTHORITY: Section 25-15-604, C.R.S.

REQUEST: The Department requests an appropriation of \$77,040 General Fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, HAZARDOUS WASTE CONTROL PROGRAM, EMERGING CONTAMINANTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year legislation	\$77,040	\$77,040	\$0	\$0	\$0	0.9
TOTAL	\$77,040	\$77,040	\$0	\$0	\$0	0.9
INCREASE/(DECREASE)	\$77,040	\$77,040	\$0	\$0	\$0	0.9
Percentage Change	n/a	n/a	0.0%	0.0%	0.0%	n/a
FY 2023-24 EXECUTIVE REQUEST	\$77,040	\$77,040	\$0	\$0	\$0	0.9
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(C) SOLID WASTE CONTROL PROGRAM

PROGRAM COSTS

This line item funds personal services and operating expenses for the Solid Waste Control Program.

STATUTORY AUTHORITY: Sections 30-20-101 through 30-20-123, C.R.S.

REQUEST: The Department requests an appropriation of \$3,232,977 cash funds and 22.5 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, SOLID WASTE CONTROL PROGRAM, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,031,705	\$0	\$3,031,705	\$0	\$0	21.5
Other legislation	\$98,627	\$98,627	\$0	\$0	\$0	0.8
TOTAL	\$3,130,332	\$98,627	\$3,031,705	\$0	\$0	22.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,130,332	\$98,627	\$3,031,705	\$0	\$0	22.3
Centrally appropriated line items	89,623	0	89,623	0	0	0.0
Annualize prior year legislation	13,022	13,022	0	0	0	0.2
TOTAL	\$3,232,977	\$111,649	\$3,121,328	\$0	\$0	22.5
INCREASE/(DECREASE)	\$102,645	\$13,022	\$89,623	\$0	\$0	0.2
Percentage Change	3.3%	13.2%	3.0%	0.0%	0.0%	0.9%
FY 2023-24 EXECUTIVE REQUEST	\$3,232,977	\$111,649	\$3,121,328	\$0	\$0	22.5
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(D) CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS

PERSONAL SERVICES

This line item funds personnel-related costs for Contaminated Sites Operations and Maintenance Program

STATUTORY AUTHORITY: Articles 11, 15, and 16 of Title 25, C.R.S.

REQUEST: The Department requests an appropriation of \$4,676,773 total funds, and 18.8 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$4,661,836	\$0	\$1,013,022	\$0	\$3,648,814	18.8
TOTAL	\$4,661,836	\$0	\$1,013,022	\$0	\$3,648,814	18.8
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$4,661,836	\$0	\$1,013,022	\$0	\$3,648,814	18.8
Centrally appropriated line items	14,937	0	14,937	0	0	0.0
TOTAL	\$4,676,773	\$0	\$1,027,959	\$0	\$3,648,814	18.8
INCREASE/(DECREASE)	\$14,937	\$0	\$14,937	\$0	\$0	0.0
Percentage Change	0.3%	0.0%	1.5%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$4,676,773	\$0	\$1,027,959	\$0	\$3,648,814	18.8
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

OPERATING EXPENSES

This line item funds the operating expenses of the Contaminated Site Operations and Maintenance Program.

STATUTORY AUTHORITY: Articles 11, 15, and 16 of Title 25, C.R.S.

REQUEST: The Department requests an appropriation of \$274,204 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$251,563	\$0	\$10,663	\$0	\$240,900	0.0
TOTAL	\$251,563	\$0	\$10,663	\$0	\$240,900	0.0

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$251,563	\$0	\$10,663	\$0	\$240,900	0.0
Non-prioritized decision items	22,641	0	960	0	21,681	0.0
TOTAL	\$274,204	\$0	\$11,623	\$0	\$262,581	0.0
INCREASE/(DECREASE)	\$22,641	\$0	\$960	\$0	\$21,681	0.0
Percentage Change	9.0%	0.0%	9.0%	0.0%	9.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$274,204	\$0	\$11,623	\$0	\$262,581	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

CONTAMINATED SITES OPERATION AND MAINTENANCE CONTRACT COSTS

This line item funds the cost of long-term contracts with private parties for the operation and maintenance of Superfund sites upon completion of the immediate cleanup plan when there is no responsible party to assume the costs.

STATUTORY AUTHORITY: Sections 25-15-215 and 25-16-104.6, C.R.S.

REQUEST: The Department requests an appropriation of \$13,307,700 total funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, CONTAMINATED SITES OPERATION AND MAINTENANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$13,307,685	\$0	\$2,810,200	\$0	\$10,497,485	0.0
TOTAL	\$13,307,685	\$0	\$2,810,200	\$0	\$10,497,485	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$13,307,685	\$0	\$2,810,200	\$0	\$10,497,485	0.0
Centrally appropriated line items	15	0	15	0	0	0.0
TOTAL	\$13,307,700	\$0	\$2,810,215	\$0	\$10,497,485	0.0
INCREASE/(DECREASE)	\$15	\$0	\$15	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$13,307,700	\$0	\$2,810,215	\$0	\$10,497,485	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

BROWNFIELDS CLEANUP PROGRAM

This line item was added in FY 2015-16 and funds the Brownfields Cleanup Program. The Brownfields Cleanup Program was created by H.B. 00-1306 (Brownfields Redevelopment Incentives) identifies and remediates contaminated sites which pose a public health or environmental risk to the

area. Identified sites are sites which would not otherwise be remediated. Funds are primarily granted to local governments for the site contamination elimination and redevelopment to a point where the site can produce public amenities or income. Prior projects have cleaned polluted streams, prevented mine waste from contaminating streams, and enabled the development of public parks and expansion of public facilities on previously contaminated land.

STATUTORY AUTHORITY: Sections 25-16-301 through 310, C.R.S.

REQUEST: The Department requests a continuation-level appropriation of \$250,000 cash funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, BROWNSFIELD CLEANUP PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$250,000	\$0	\$250,000	\$0	\$0	0.0
TOTAL	\$250,000	\$0	\$250,000	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$250,000	\$0	\$250,000	\$0	\$0	0.0
TOTAL	\$250,000	\$0	\$250,000	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$250,000	\$0	\$250,000	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

TRANSFER TO THE DEPARTMENT OF LAW FOR CERCLA-RELATED COSTS

This line item provides funding to the Department of Law (Law) for Law's oversight of contaminated site cleanup contracts under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Pursuant to CERCLA, Law has specific authority over ten sites around the state as a result of litigation.

STATUTORY AUTHORITY: Section 25-16-104.6 (1)(a), C.R.S.

REQUEST: The Department requests an appropriation of \$755,843 cash funds.

RECOMMENDATION: Staff recommends an approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, TRANSFER TO THE DEPARTMENT OF LAW FOR CERCLA RELATED COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$772,225	\$0	\$772,225	\$0	\$0	0.0
TOTAL	\$772,225	\$0	\$772,225	\$0	\$0	0.0

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, TRANSFER TO THE DEPARTMENT OF LAW FOR CERCLA RELATED COSTS

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$772,225	\$0	\$772,225	\$0	\$0	0.0
Non-prioritized decision items	(16,382)	0	(16,382)	0	0	0.0
TOTAL	\$755,843	\$0	\$755,843	\$0	\$0	0.0
INCREASE/(DECREASE)						
	(\$16,382)	\$0	(\$16,382)	\$0	\$0	0.0
Percentage Change	(2.1%)	0.0%	(2.1%)	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

URANIUM MILL TAILINGS REMEDIAL ACTION PROGRAM

This line item funds personal services and operating expenses for the Uranium Mill Tailings Remedial Action Program. From 1991 to 1998, the Program provided for radioactive waste cleanup of nine uranium mill sites. Since 1998 the Program assists local governments in managing mill tailings that were not removed but which are disturbed during road work or other renewal or building activities. Reappropriated funds are from the Local Government Severance Tax Fund in the Department of Local Affairs.

STATUTORY AUTHORITY: Section 25-11-101 et seq. and 25-11-301 et seq., C.R.S.

REQUEST: The Department requests an appropriation of \$326,866 total funds and 2.5 FTE.

RECOMMENDATION: Staff recommends an approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, URANIUM MILL TAILINGS REMEDIAL ACTION PROGRAM

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$322,425	\$0	\$0	\$303,068	\$19,357	2.5
TOTAL	\$322,425	\$0	\$0	\$303,068	\$19,357	2.5
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$322,425	\$0	\$0	\$303,068	\$19,357	2.5
Centrally appropriated line items	4,441	0	0	4,441	0	0.0
TOTAL	\$326,866	\$0	\$0	\$307,509	\$19,357	2.5
INCREASE/(DECREASE)						
	\$4,441	\$0	\$0	\$4,441	\$0	0.0
Percentage Change	1.4%	0.0%	0.0%	1.5%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ROCKY FLATS PROGRAM COSTS

Prior to 2006, these funds were used to pay for oversight of the cleanup at the Rocky Flats Environmental Technology Site (formerly the Rocky Flats Plant). All physical remedial activities at Rocky Flats were completed in October of 2005, and the Comprehensive Risk Assessment and Remediation Feasibility Study was completed and approved on July 5, 2006. All hazardous waste units (tanks, storage pads, etc.) were closed and the Hazardous Waste Permit was terminated on July 26, 2006. The Record of Decision (ROD) was signed by EPA, Department of Energy, and CDPHE on September 29, 2006, and required no further remedial action. The post-closure agreement implementing the requirements of the ROD is the Rocky Flats Legacy Management Agreement (RFLMA).

The ROD identified two main areas on the site: one is completely clean and will be managed by U.S. Fish and Wildlife Service as a Wildlife Refuge; the other will be retained by the Department of Energy and managed by its Office of Legacy Management. The Division continues to have a regulatory oversight role in the implementation of the RFLMA and in coordination with local communities and the EPA. The Division is responsible for monitoring long-term operations and maintenance of continuing remedy components (i.e., ground water cleanups, landfill caps), and closing out the administrative aspects of the regulatory process for site remediation. This line item funds personal services and operating expenses for the RFLMA.

STATUTORY AUTHORITY: Articles 7, 15, and 16 of Title 25, C.R.S.

REQUEST: The Department requests an appropriation of \$119,803 federal funds and 2.1 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS, ROCKY FLATS PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$119,803	\$0	\$0	\$0	\$119,803	2.1
TOTAL	\$119,803	\$0	\$0	\$0	\$119,803	2.1
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$119,803	\$0	\$0	\$0	\$119,803	2.1
TOTAL	\$119,803	\$0	\$0	\$0	\$119,803	2.1
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$119,803	\$0	\$0	\$0	\$119,803	2.1
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(E) RADIATION MANAGEMENT

PERSONAL SERVICES

This line item funds personnel-related costs for the Radiation Management Program.

STATUTORY AUTHORITY: Section 25-11-101 through 305, C.R.S.

REQUEST: The Department requests an appropriation of \$2,637,906 total funds and 20.7 FTE.

RECOMMENDATION: Staff recommends an appropriation of \$2,205,906 total funds and 20.7 FTE.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, RADIATION MANAGEMENT, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,130,621	\$0	\$1,941,644	\$0	\$188,977	20.7
TOTAL	\$2,130,621	\$0	\$1,941,644	\$0	\$188,977	20.7
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,130,621	\$0	\$1,941,644	\$0	\$188,977	20.7
Centrally appropriated line items	75,285	0	75,285	0	0	0.0
BA1 Transfer to satisfy HSRF obligations	0	0	0	0	0	0.0
TOTAL	\$2,205,906	\$0	\$2,016,929	\$0	\$188,977	20.7
INCREASE/(DECREASE)	\$75,285	\$0	\$75,285	\$0	\$0	0.0
Percentage Change	3.5%	0.0%	3.9%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$2,637,906	\$0	\$2,448,929	\$0	\$188,977	20.7
Request Above/(Below) Recommendation	\$432,000	\$0	\$432,000	\$0	\$0	0.0

OPERATING EXPENSES

This line item funds the operating expenses of the Radiation Management Program.

STATUTORY AUTHORITY: Section 25-11-101 through 305, C.R.S.

REQUEST: The Department requests an appropriation of \$491,438 total funds.

RECOMMENDATION: Staff recommends an appropriation of \$1,194,632 total funds.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, RADIATION MANAGEMENT, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$480,218	\$0	\$315,565	\$0	\$164,653	0.0
TOTAL	\$480,218	\$0	\$315,565	\$0	\$164,653	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$480,218	\$0	\$315,565	\$0	\$164,653	0.0
R8 Low income radon mitigation	1,151,412	1,151,412	0	0	0	0.0
Non-prioritized decision items	43,220	0	28,401	0	14,819	0.0
BA1 Transfer to satisfy HSRF obligations	0	0	0	0	0	0.0
TOTAL	\$1,674,850	\$1,151,412	\$343,966	\$0	\$179,472	0.0
INCREASE/(DECREASE)	\$1,194,632	\$1,151,412	\$28,401	\$0	\$14,819	0.0
Percentage Change	248.8%	n/a	9.0%	0.0%	9.0%	0.0%

FY 2023-24 EXECUTIVE REQUEST	\$491,438	\$400,000	(\$88,034)	\$0	\$179,472	0.0
Request Above/(Below)						
Recommendation	(\$1,183,412)	(\$751,412)	(\$432,000)	\$0	\$0	0.0

(F) WASTE TIRE PROGRAM

ADMINISTRATION, CLEANUP, AND ENFORCEMENT

This line item funds the administrative and enforcement costs of the Waste Tire Program. This line item also funds the Waste Tire Cleanup Program which provides grants to local governments and counties for the cleanup illegally dumped waste tires and to provide incentives for activities which reuse waste tires (example would be ground tires at playgrounds). Until January 1, 2018 the Waste Tire Administration, Clean-up and Enforcement Fund receives 5.0 percent of waste tire fee revenues. After January 1, 2018 this fund receives all of the waste tire fee revenue.

STATUTORY AUTHORITY: Section 30-20-1404 (1), C.R.S.

REQUEST: The Department requests an appropriation of \$2,225,511 cash funds and 7.8 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, WASTE TIRE PROGRAM, WASTE TIRE PROGRAM ADMINISTRATION AND CLEANUP PROGRAM ENFORCEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$2,128,333	\$0	\$2,128,333	\$0	\$0	7.8
Other legislation	\$77,780	\$0	\$77,780	\$0	\$0	0.0
TOTAL	\$2,206,113	\$0	\$2,206,113	\$0	\$0	7.8
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,206,113	\$0	\$2,206,113	\$0	\$0	7.8
Centrally appropriated line items	33,448	0	33,448	0	0	0.0
Annualize prior year legislation	(14,050)	0	(14,050)	0	0	0.0
TOTAL	\$2,225,511	\$0	\$2,225,511	\$0	\$0	7.8
INCREASE/(DECREASE)	\$19,398	\$0	\$19,398	\$0	\$0	0.0
Percentage Change	0.9%	0.0%	0.9%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$2,225,511	\$0	\$2,225,511	\$0	\$0	7.8
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

WASTE TIRE REBATES

This line item funds monthly rebates to in-state end users, retailers who sell tire-derived products, and processor of Colorado waste tires who sell their tire-derived products to out-of-state end users. The End Users Fund receives a portion of the annual waste tire revenue. The End User Fund is repealed on July 1, 2026.

STATUTORY AUTHORITY: Section 30-20-1405, C.R.S.

REQUEST: The Department requests an appropriation of \$6,525,000 cash funds.

RECOMMENDATION: Staff recommends approval of the Department’s request.

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, WASTE TIRE PROGRAM, WASTE TIRE REBATES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$6,525,000	\$0	\$6,525,000	\$0	\$0	0.0
TOTAL	\$6,525,000	\$0	\$6,525,000	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$6,525,000	\$0	\$6,525,000	\$0	\$0	0.0
TOTAL	\$6,525,000	\$0	\$6,525,000	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$6,525,000	\$0	\$6,525,000	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(8) DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY

This division is responsible for providing services that assure safe restaurants, schools, and child care facilities; assures the safety of food from production to consumption; maintains acceptable conditions in state correctional and tanning facilities; protects land, water and air quality resources affected by the agricultural animal feeding industry; and protects and improves Colorado’s environment through programs that conserve and reuse resources, prevent pollution, and advance the principles of sustainable development.

This division is funded by General Fund, cash funds, reappropriated funds, and federal funds. The major sources of cash funds are from license fees for businesses. Reappropriated funds are from the Departments of Corrections and Human Services for the inspection of institutions and child care facilities.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
Long Bill (H.B. 22-1329)	\$14,203,822	\$2,753,605	\$9,093,244	\$114,203	\$2,242,770	55.3
Other legislation	671,906	671,906	0	0	0	4.0
TOTAL	\$14,875,728	\$3,425,511	\$9,093,244	\$114,203	\$2,242,770	59.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$14,875,728	\$3,425,511	\$9,093,244	\$114,203	\$2,242,770	59.3
R4 Dairy protection fee relief	412,000	412,000	0	0	0	0.0
R14 LPHA caseload adjustment	120,000	120,000	0	0	0	0.0
Centrally appropriated line items	138,628	67,962	67,794	2,872	0	0.0

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year budget actions	(371,475)	(671,475)	300,000	0	0	0.0
Annualize prior year legislation	13,854	13,854	0	0	0	0.0
TOTAL	\$15,188,735	\$3,367,852	\$9,461,038	\$117,075	\$2,242,770	59.3
INCREASE/(DECREASE)	\$313,007	(\$57,659)	\$367,794	\$2,872	\$0	0.0
Percentage Change	2.1%	(1.7%)	4.0%	2.5%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$15,188,735	\$3,367,852	\$9,461,038	\$117,075	\$2,242,770	59.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	(0.0)

DECISION ITEMS - DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY

→ R-04: DAIRY PROTECTION RELIEF

REQUEST: The Department requests a one-time General Fund increase of \$412,000 to the Dairy Protection Program to subsidize fee revenue from the Dairy Protection Cash Fund. Cash Fund revenue is not currently sufficient to cover the costs of the request.

RECOMMENDATION: **Staff recommends the Committee approve the Department’s request. While long term funding issues will need to be addressed with a statutory change, the Department is not requesting the Committee sponsor a bill to make those changes.**

ANALYSIS:

Last year the Department requested a \$400,000 General Fund appropriation for FY 2022-23 and FY 2023-24 for this same purpose. The Joint Budget Committee approved a one-year increase of \$371,475, and included an RFI for the Department to submit a long term funding plan for the Dairy Protection Program.

Colorado has a \$4.6 billion milk and dairy industry. The dairy protection program ensures milk and dairy products are in conformance with the national food safety requirements established by the Food and Drug Administration (FDA). Conformance with these requirements permits Colorado milk and dairy products to move freely in interstate commerce. The current milk program was established at The Department of Public Health and Environment in the mid 1980’s, at a time when the Colorado milk industry produced approximately 1.1 billion pounds of milk per year. The industry in Colorado now processes over 5.5 billion pounds annually, and has seen a 70 percent increase in production in the last 10 years.

Dairy industry production growth has been concentrated through the expansion of very large processing plants which require significant program resources. For example, the Leprino Foods plant in Greeley processes almost three billion pounds of milk per year. To sustain this volume requires over a dozen pasteurization units and processing equipment which must be continuously tested, repaired and recertified to meet food safety requirements. The milk program is on-call to address problems at the Greeley plant twenty-four hours per day, seven days per week, at a cost of approximately \$120,000 per year. The Greeley plant is a very large example, but Colorado currently

has seven other large plants that each process over 100 million pounds of milk per year at similar proportional costs to the program.

Fees to the Dairy Protection Cash Fund are set in statute (Section 25-5.5-107 C.R.S.) are made up of registration fees from dairy transportation fees (\$50 annually) and annual operating permit fees on dairy plants (\$300-\$1,600 annually). The fees as they currently stand bring in about \$60,000 in annual revenue. Fees were increased in 2003 and 2009, but the split between general fund and cash funds remains disproportionate as General Fund still makes up roughly 90 percent of program expenses.

The Milk Program currently consists of 5.1 FTE with an annual appropriation of approximately \$225,000 General Fund within the Environmental Programs line. As the State’s dairy industry expands Dairy Protection staff have been required to travel approximately 50,000 miles per year to perform over 1,250 inspections, 220 water samples, and over 1,700 milk samples annually across the entirety of the industry. Total costs to sustain the programs FTE annually equate to \$656,475, including salary, travel, and indirect costs.

DEPARTMENT REQUEST FOR INFORMATION AND FUNDING PLAN

The Department’s current and proposed fee structures are included below. The new proposed fees represent a 30 percent increase over what is currently outlined in statute, while keeping production categories the same. Assuming a \$56,000 annual revenue stream (currently forecasted for FY 22-23) from the current structure, the proposed increase would increase revenue to \$72,800.

DAIRY PROTECTION LICENSE FEE STRUCTURE		
ANNUAL AVERAGE DAILY AMOUNT OF MILK	CURRENT FEE	PROPOSED FEE
Under 1,000 pounds	\$300	\$390
1,000 to 19,999 pounds	600	780
20,000 to 449,999 pounds	1,000	1,300
450,000 or more pounds	1,600	2,080

In addition to the increase in current fees the Department proposes adding a new volume of production fee assessed as \$0.01 for every 100lbs processed at any given facility, with some ceilings and floors built into the model. For example, the most any facility would be charged using this combined model (license fee plus volume fee) would be \$150,000, of which only one facility in the state would be expected to hit this cap. On the other end all facilities processing under 20,000lbs (24 expected facilities) a day would be exempt from the volume fee and only charged for a licensing fee.

In total, the new licensing and volume fee structure would be expected to generate a total of \$450,059 annually for the Dairy Protection Program, which would allow the program to operate without increasing its reliance on General Fund. A potential plant by plant revenue structure is included below.

DAIRY PROTECTION PLANT BY PLANT COMBINED FEE STRUCTURE						
PLANT	CURRENT LICENSE FEE	DAILY PRODUCTION (LBS/DAY)	YEARLY PRODUCTION (LBS)	PROPOSED LICENSE FEE	1 CENT/100 LBS	TOTAL @ \$150K CAP
Plant 1	1,600	7,754,833	2,830,514,045	2,080	283,051	150,000
Plant 2	1,600	2,050,000	748,250,000	2,080	74,825	76,905
Plant 3	1,600	1,831,400	668,461,000	2,080	66,846	68,926
Plant 4	1,600	808,075	294,947,375	2,080	29,495	31,575

DAIRY PROTECTION PLANT BY PLANT COMBINED FEE STRUCTURE						
PLANT	CURRENT LICENSE FEE	DAILY PRODUCTION (LBS/DAY)	YEARLY PRODUCTION (LBS)	PROPOSED LICENSE FEE	1 CENT/100 LBS	TOTAL @ \$150K CAP
Plant 5	1,600	830,800	303,242,000	2,080	30,324	32,404
Plant 6	1,600	773,333	282,266,545	2,080	28,227	30,307
Plant 7	1,000	374,600	136,729,000	1,300	13,673	14,973
Plant 8	1,000	272,148	99,334,020	1,300	9,933	11,233
Plant 9	1,000	154,672	56,455,280	1,300	5,646	6,946
Plant 10	1,000	156,388	57,081,620	1,300	5,708	7,008
Plant 11	1,000	103,023	37,603,395	1,300	3,760	5,060
Plant 12	1,000	36,500	13,322,500	1,300	1,332	2,632
Plant 13	600	19,000	6,935,000	780	0	780
Plant 14	600	16,000	5,840,000	780	0	780
Plant 15	600	11,600	4,234,000	780	0	780
Plant 16	600	7,000	2,555,000	780	0	780
Plant 17	600	3,700	1,350,500	780	0	780
Plant 18	600	2,700	985,500	780	0	780
Plant 19	600	1,150	419,750	780	0	780
Plant 20	300	900	328,500	390	0	390
Plant 21	300	865	315,725	390	0	390
Plant 22	300	700	255,500	390	0	390
Plant 23	300	430	156,950	390	0	390
Plant 24	300	300	109,500	390	0	390
Plant 25	300	300	109,500	390	0	390
Plant 26	300	155	56,575	390	0	390
Plant 27	300	130	47,450	390	0	390
Plant 28	300	100	36,500	390	0	390
Plant 29	300	100	36,500	390	0	390
Plant 30	300	96	35,040	390	0	390
Plant 31	300	86	31,390	390	0	390
Plant 32	300	80	29,200	390	0	390
Plant 33	300	60	21,900	390	0	390
Plant 34	300	30	10,950	390	0	390
Plant 35	300	30	10,950	390	0	390
Plant 36	300	15	5,475	390	0	390

➔ R-14: LICENSING AND INSPECTION CASELOAD ADJUSTMENT

REQUEST: The Department requests an increase of \$120,000 General Fund for FY 2023-24 and beyond. The request is to address the splitting of the Tri County Health Department splitting into three separate health Departments.

RECOMMENDATION: **Staff recommends the Committee approve the Department’s request.**

ANALYSIS

The Department is responsible for the licensing, inspection, and enforcement of retail food establishments, childcare centers, and schools. The Department may choose to delegate this authority to Local Public Health Agencies (LPHAs) should they choose to support their counties at a local level. The 37 LPHAs that currently manage their own programs under this authority are eligible to receive funding to defray some of the costs. The amount of funding an LPHA may receive is based on the number of establishments under its jurisdiction.

LPHA CASELOAD FUNDING TIERS	
NUMBER OF FACILITIES	FUNDING PROVIDED
0-150	\$10,000
151-250	15,000
251-350	20,000
351-450	25,000
451-750	30,000
751-1,250	35,000
1,251-2,000	40,000
2,001-10,000	45,000

The breakup of the Tri-County Health Department will produce three new LPHAs (Adams, Arapahoe, and Douglas Counties). This represents a net increase of two LPHAs. All three of the new health departments will receive the maximum allocation available under this tiered funding model (\$45,000). With the Tri County Health Department already accounting for the maximum allocation this will result in an additional \$90,000 per year.

In addition, San Juan Basin Health Department will assume delegated authority on behalf of San Juan County, increasing the number of establishments under their jurisdiction such that they move up two tiers under this funding model. This increases their annual allocation by \$10,000. Finally, Broomfield, Delta, Kit Carson, and Montrose Counties all moved up one tier in the funding model, increasing their annual allocation by \$5,000 each for a total of \$20,000.

LINE ITEM DETAIL - DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY

ADMINISTRATION AND SUPPORT

This line item was added in FY 2015-16 and funds the administrative costs for the Division.

STATUTORY AUTHORITY: Sections 25-4-1301 et seq., 25-7-138, and 25-16.5-106.7, C.R.S.

REQUEST: The Department requests an appropriation of \$975,812 total funds, including \$562,031 General Fund, and 7.5 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, ADMINISTRATION AND SUPPORT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$943,955	\$536,425	\$305,816	\$0	\$101,714	7.5
TOTAL	\$943,955	\$536,425	\$305,816	\$0	\$101,714	7.5
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$943,955	\$536,425	\$305,816	\$0	\$101,714	7.5
Centrally appropriated line items	31,857	25,606	6,251	0	0	0.0
TOTAL	\$975,812	\$562,031	\$312,067	\$0	\$101,714	7.5
INCREASE/(DECREASE)	\$31,857	\$25,606	\$6,251	\$0	\$0	0.0

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, ADMINISTRATION AND SUPPORT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Percentage Change	3.4%	4.8%	2.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$975,812	\$562,031	\$312,067	\$0	\$101,714	7.5
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ENVIRONMENTAL HEALTH PROGRAMS

This line item supports the following environmental health programs: the Dairy Inspection Program inspects dairy farms; milk haulers, tankers and receivers; milk cooperatives; milk processing plants; and manufactured dairy product plants; the Retail Food Service Inspection Program inspects restaurants, grocery stores, school cafeterias, and food programs for the elderly; the Environmental Institutions Program inspects child care centers, summer camps, public and private schools, and private correctional facilities.

The Manufactured food program registers manufacturers, warehouses, re-packers, shellfish dealers, salvage operations, grain storage facilities, and industrial hemp operations; the Hemp Program regulates and inspects all hemp manufacturing operations in Colorado

STATUTORY AUTHORITY: Section 25-4-1301 et seq., C.R.S.

REQUEST: The Department requests an appropriation of \$3,433,757 total funds, including \$1,287,496 General Fund, and 22.3 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, ENVIRONMENTAL HEALTH PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$3,207,789	\$1,097,983	\$1,541,885	\$114,203	\$453,718	22.3
TOTAL	\$3,207,789	\$1,097,983	\$1,541,885	\$114,203	\$453,718	22.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$3,207,789	\$1,097,983	\$1,541,885	\$114,203	\$453,718	22.3
R4 Dairy protection fee relief	412,000	412,000	0	0	0	0.0
R14 LPHA caseload adjustment	120,000	120,000	0	0	0	0.0
Centrally appropriated line items	65,443	28,988	33,583	2,872	0	0.0
Annualize prior year budget actions	(371,475)	(371,475)	0	0	0	0.0
TOTAL	\$3,433,757	\$1,287,496	\$1,575,468	\$117,075	\$453,718	22.3
INCREASE/(DECREASE)	\$225,968	\$189,513	\$33,583	\$2,872	\$0	0.0
Percentage Change	7.0%	17.3%	2.2%	2.5%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$3,433,757	\$1,287,496	\$1,575,468	\$117,075	\$453,718	22.3
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

SUSTAINABILITY PROGRAMS

This line item supports programs aimed at reducing environmental waste and pollution by conserving natural resources in State Government operations and recognizing businesses that go above and beyond environmental requirements. Specific programs funded in by this line include:

- Environmental Leadership Program which provides financial incentives for companies that demonstrate a commitment to the use of pollution prevention strategies and compliance with environmental regulations.
- Pollution Prevention Program issues grants to entities attempting to reduce pollution created by hazardous substances, operates a technical library, provides consumer education on pollution prevention for schools and industry, and offers a variety of training programs for both state and local inspectors.

STATUTORY AUTHORITY: Article 16.5 of Title 25, C.R.S.

REQUEST: The Department requests an appropriation of \$793,433 total funds and 6.1 FTE.

RECOMMENDATION: Staff recommends the Committee approve the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, SUSTAINABILITY PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$790,906	\$0	\$198,687	\$0	\$592,219	6.1
TOTAL	\$790,906	\$0	\$198,687	\$0	\$592,219	6.1
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$790,906	\$0	\$198,687	\$0	\$592,219	6.1
Centrally appropriated line items	2,527	0	2,527	0	0	0.0
TOTAL	\$793,433	\$0	\$201,214	\$0	\$592,219	6.1
INCREASE/(DECREASE)	\$2,527	\$0	\$2,527	\$0	\$0	0.0
Percentage Change	0.3%	0.0%	1.3%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$793,433	\$0	\$201,214	\$0	\$592,219	6.1
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ANIMAL FEEDING OPERATIONS PROGRAM

This line item supports the Department's regulatory programs affecting animal feeding operations including the Housed Commercial Swine Feeding Operations Program (HCSFO), which was created by the passage of S.B. 06-117. Senate Bill 06-117 allowed wastewater vessels and impoundments used in a housed commercial swine operation to be operated with technologies or practices to minimize the emission of odorous gases so long as those technologies are at least as effective as covers. In FY 2010-11, the General Assembly combined the HCSFO and Animal Feeding Operations programs within this line item to consolidate swine feeding operations monitoring and confined feeding operations permits and assistance work into a single program.

STATUTORY AUTHORITY: Section 25-7-138, C.R.S.

REQUEST: The Department requests an appropriation of \$551,735 total funds, including \$108,496 General Fund and 3.4 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, ANIMAL FEEDING OPERATIONS PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$537,730	\$104,404	\$433,326	\$0	\$0	3.4
TOTAL	\$537,730	\$104,404	\$433,326	\$0	\$0	3.4
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$537,730	\$104,404	\$433,326	\$0	\$0	3.4
Centrally appropriated line items	14,005	4,092	9,913	0	0	0.0
TOTAL	\$551,735	\$108,496	\$443,239	\$0	\$0	3.4
INCREASE/(DECREASE)	\$14,005	\$4,092	\$9,913	\$0	\$0	0.0
Percentage Change	2.6%	3.9%	2.3%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$551,735	\$108,496	\$443,239	\$0	\$0	3.4
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

RECYCLING RESOURCES ECONOMIC OPPORTUNITY PROGRAM

The Pollution Prevention Advisory Board administers this Program which is aimed at enhancing pollution prevention efforts involving multiple Department divisions and across a variety of media (air, water, and waste). Initially created by H.B. 07-1288 (Sustain Resource Economic Opportunity), the Program was funded by an increase on existing solid waste disposal and waste tire fees. The waste tire fee funding for this Program was eliminated by H.B. 10-1018 beginning in FY 2011-12.

STATUTORY AUTHORITY: Section 25-16.5-106.7, C.R.S.

REQUEST: The Department requests an appropriation of \$5,296,899 cash funds and 2.6 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, RECYCLING RESOURCES ECONOMIC OPPORTUNITY PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$5,290,111	\$0	\$5,290,111	\$0	\$0	2.6
TOTAL	\$5,290,111	\$0	\$5,290,111	\$0	\$0	2.6
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$5,290,111	\$0	\$5,290,111	\$0	\$0	2.6
Centrally appropriated line items	6,788	0	6,788	0	0	0.0
TOTAL	\$5,296,899	\$0	\$5,296,899	\$0	\$0	2.6
INCREASE/(DECREASE)	\$6,788	\$0	\$6,788	\$0	\$0	0.0
Percentage Change	0.1%	0.0%	0.1%	0.0%	0.0%	0.0%

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, RECYCLING RESOURCES ECONOMIC OPPORTUNITY PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 EXECUTIVE REQUEST	\$5,296,899	\$0	\$5,296,899	\$0	\$0	2.6
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OIL AND GAS CONSULTATION PROGRAM COSTS

This line item funds the personal services and operating expenses associated with the Department's consultation work with the Oil and Gas Conservation Commission (OGCC) within the Department of Natural Resources.

STATUTORY AUTHORITY: Section 34-60-106 (17)(e), C.R.S.

REQUEST: The Department requests an appropriation of \$120,346 cash funds and 0.9 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, OIL AND GAS CONSULTATION PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$117,610	\$0	\$117,610	\$0	\$0	0.9
TOTAL	\$117,610	\$0	\$117,610	\$0	\$0	0.9
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$117,610	\$0	\$117,610	\$0	\$0	0.9
Centrally appropriated line items	2,736	0	2,736	0	0	0.0
TOTAL	\$120,346	\$0	\$120,346	\$0	\$0	0.9
INCREASE/(DECREASE)	\$2,736	\$0	\$2,736	\$0	\$0	0.0
Percentage Change	2.3%	0.0%	2.3%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$120,346	\$0	\$120,346	\$0	\$0	0.9
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

HOUSEHOLD TAKE-BACK MEDICATION PROGRAM

This line item funds the Household Take-back Medication Program which allows individuals to dispose of unused household medications at approved collection sites, and allows for the transportation of disposed medications from approved collection sites to disposal locations.

STATUTORY AUTHORITY: Section 25-15-328, C.R.S.

REQUEST: The Department requests an appropriation of \$547,908 General Fund and 0.3 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, HOUSEHOLD TAKE-BACK MEDICATION PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$543,125	\$543,125	\$0	\$0	\$0	0.3
TOTAL	\$543,125	\$543,125	\$0	\$0	\$0	0.3
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$543,125	\$543,125	\$0	\$0	\$0	0.3
Centrally appropriated line items	4,783	4,783	0	0	0	0.0
TOTAL	\$547,908	\$547,908	\$0	\$0	\$0	0.3
INCREASE/(DECREASE)	\$4,783	\$4,783	\$0	\$0	\$0	0.0
Percentage Change	0.9%	0.9%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

COTTAGE FOODS PROGRAM

House Bill 15-1102 (Colorado Cottage Foods Act Expansion) divided the foods that may be produced under the Cottage Foods Act into two tiers. Tier 1 foods include all the foods on the list of non-potentially hazardous foods that can be sold when produced in a home kitchen under existing law plus fruit empanadas and tortillas. Tier 2 foods are limited to pickled vegetables that have an equilibrium pH value of 4.6 or lower. Producers are required to conspicuously display a sign at the point of sale with specific wording to notify customers that the food was produced in a home kitchen not subject to state licensure or inspection, that the kitchen may also process common food allergens, and that the product is not intended for resale.

STATUTORY CITE: Section 25-4-1614, C.R.S.

REQUEST: The Department requests an appropriation of \$97,714 General Fund and 1.2 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, COTTAGE FOODS PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$93,884	\$93,884	\$0	\$0	\$0	1.2
TOTAL	\$93,884	\$93,884	\$0	\$0	\$0	1.2
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$93,884	\$93,884	\$0	\$0	\$0	1.2
Centrally appropriated line items	3,830	3,830	0	0	0	0.0
TOTAL	\$97,714	\$97,714	\$0	\$0	\$0	1.2
INCREASE/(DECREASE)	\$3,830	\$3,830	\$0	\$0	\$0	0.0
Percentage Change	4.1%	4.1%	0.0%	0.0%	0.0%	0.0%

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, COTTAGE FOODS PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2023-24 EXECUTIVE REQUEST	\$97,714	\$97,714	\$0	\$0	\$0	1.2
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

TOXICOLOGY AND ENVIRONMENTAL EPIDEMIOLOGY UNIT

Funding for Oil and Gas Health Activities and Environmental Epidemiology Federal Grants will reside within the newly created Toxicology and Environmental Epidemiology Unit line item under the proposed Long Bill Reorganization. The unit includes toxicology as the Oil and Gas Health Activities included in the line are largely toxicology services rather than environmental epidemiology.

STATUTORY CITE: Section 25-1-122, C.R.S.

REQUEST: The Department requests an appropriation of \$2,248,848 including \$764,207 General Fund and 15.0 FTE.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, TOXICOLOGY AND ENVIRONMENTAL EPIDEMIOLOGY UNIT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,556,429	\$377,784	\$425,542	\$0	\$753,103	11.0
Other legislation	\$671,906	\$671,906	\$0	\$0	\$0	4.0
TOTAL	\$2,228,335	\$1,049,690	\$425,542	\$0	\$753,103	15.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$2,228,335	\$1,049,690	\$425,542	\$0	\$753,103	15.0
Annualize prior year legislation	13,854	13,854	0	0	0	0.0
Centrally appropriated line items	6,659	663	5,996	0	0	0.0
Annualize prior year budget actions	0	(300,000)	300,000	0	0	0.0
TOTAL	\$2,248,848	\$764,207	\$731,538	\$0	\$753,103	15.0
INCREASE/(DECREASE)	\$20,513	(\$285,483)	\$305,996	\$0	\$0	0.0
Percentage Change	0.9%	(27.2%)	71.9%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$2,248,848	\$764,207	\$731,538	\$0	\$753,103	15.0
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

INDIRECT COST ASSESSMENT

REQUEST: The Department requests an appropriation of \$1,122,283 total fund.

RECOMMENDATION: Staff recommends approval of the Department’s request.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY, INDIRECT COSTS ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Long Bill (H.B. 22-1329)	\$1,122,283	\$0	\$780,267	\$0	\$342,016	0.0
TOTAL	\$1,122,283	\$0	\$780,267	\$0	\$342,016	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,122,283	\$0	\$780,267	\$0	\$342,016	0.0
TOTAL	\$1,122,283	\$0	\$780,267	\$0	\$342,016	0.0
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

LONG BILL FOOTNOTES

Staff recommends **DISCONTINUING** the following footnotes:

~~N 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, and was intended to accompany a one-time appropriation in FY 2022-23.

Staff recommends **CONTINUING AND MODIFYING** the following footnotes:

N 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 ~~FY 2024-25~~ FY 2025-26, whichever comes first.

COMMENT: Staff recommends continuing a roll forward footnote on the Water Quality Improvement line item to ensure the funds granted for water quality improvement projects pursuant to Section 25-8-608 (1.7), C.R.S. are fully expended over a three year period. Senate Joint Resolution 14-039 included the following addition to Joint Legislative Rule 45 (c) "a budget request regardless of the source of funds or total request amount to make local grant awards for construction projects is classified as an operating budget request and is reviewed by the Joint Budget Committee." As a result of language added by SJR 14-039 the funding for Water Quality Improvement Grants is now included in the operating section of the Long Bill.

N 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 FY ~~2024-25~~, 2025-26 whichever comes first.

COMMENT: This footnote was added for the 2021-22 fiscal year and reflects a historical capital construction project that was moved into the operating budget due to its perpetual nature. This footnote provides the Department with the authority to expend the funds in this line item through June 30, 2026.

N 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 FY ~~2024-25~~ 2025-26, whichever comes first.

COMMENT: Staff recommends the footnote because the capital construction budget provides for three years of spending authority and the operating budget does not. In order to ensure the department is able to complete cleanup projects and not lose funding due to accounting adjustments that a single year appropriation would impose. Staff recommends the footnote be continued.

Staff recommends **CONTINUING** the following footnotes:

- N Department of Public Health and Environment, Administration and Support, Administration, Leave Payouts -- The Department may use this line item for leave payouts for cash funded and federal funded employees only.

COMMENT: This footnote was added to the FY 2016-17 Long Bill to state that funds appropriated from cash and federal indirect cost recoveries for leave payouts was to be used only for leave payouts of cash and federally-funded employees. The leave payouts line item does not include a General Fund appropriation; hence the prohibition of using the line item to pay leave payouts of employees working in General Fund supported positions. The Department is in compliance with this footnote

REQUESTS FOR INFORMATION

Staff recommends **DISCONTINUING** the following request for information:

- ~~1 Department of Public Health and Environment, Division of Environmental Health and Sustainability -- The Department is requested to provide the following information to the Joint Budget Committee by November 5, 2022: A sustainability plan and proposed fee restructure for the Dairy Protection Cash Fund in order to decrease the Dairy Program's reliance on General Fund.~~

COMMENT: The Department has submitted the report as requested.

Staff recommends **CONTINUING** the following request for information:

- 2 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 until November of 2023 to submit this report.

APPENDIX A: NUMBERS PAGES

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Numbers Pages

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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<p>DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT Jill Ryan, Executive Director</p>

(1) ADMINISTRATION AND SUPPORT

This division is comprised of three subdivisions: Administration, Office of Health Disparities, and Local Public Health Planning and Support.

(A) Administration

Personal Services	<u>9,238,591</u>	<u>8,731,035</u>	<u>10,006,875</u>	<u>10,588,127</u>	<u>10,587,827</u> *
FTE	81.2	81.2	86.3	90.3	90.3
General Fund	1,590,424	1,688,649	1,831,973	1,914,584	1,914,284
Cash Funds	9,947	9,947	10,889	11,369	11,369
Reappropriated Funds	7,366,710	6,997,059	7,984,776	8,482,937	8,482,937
Federal Funds	271,510	35,380	179,237	179,237	179,237
Leave Payouts	<u>808,842</u>	<u>1,182,443</u>	<u>1,293,323</u>	<u>1,293,323</u>	<u>1,293,323</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	808,842	1,182,443	1,293,323	1,293,323	1,293,323
Federal Funds	0	0	0	0	0
Health, Life, and Dental	<u>8,426,485</u>	<u>10,110,119</u>	<u>22,192,328</u>	<u>31,925,200</u>	<u>31,756,606</u> *
General Fund	1,609,742	2,238,276	5,861,286	7,426,375	6,756,940
Cash Funds	5,265,982	6,265,528	6,701,833	9,252,383	9,753,224
Reappropriated Funds	1,550,761	1,606,315	1,651,664	2,307,578	2,307,578
Federal Funds	0	0	7,977,545	12,938,864	12,938,864

* This line is affected by a decision item.

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Short-term Disability	<u>112,578</u>	<u>109,586</u>	<u>227,671</u>	<u>283,718</u>	<u>282,211</u> *
General Fund	30,426	25,702	38,496	69,616	68,109
Cash Funds	62,640	65,921	68,742	78,089	78,089
Reappropriated Funds	19,512	17,963	18,887	22,852	22,852
Federal Funds	0	0	101,546	113,161	113,161
S.B. 04-257 Amortization Equalization Disbursement	<u>3,383,873</u>	<u>3,607,026</u>	<u>7,443,813</u>	<u>9,553,401</u>	<u>9,506,322</u> *
General Fund	914,440	846,067	1,262,434	2,499,027	2,301,948
Cash Funds	1,883,051	2,169,711	2,246,655	2,473,339	2,623,339
Reappropriated Funds	586,382	591,248	616,995	763,821	763,821
Federal Funds	0	0	3,317,729	3,817,214	3,817,214
S.B. 06-235 Supplemental Amortization Equalization					
Disbursement	<u>3,383,873</u>	<u>3,607,026</u>	<u>7,443,813</u>	<u>9,553,401</u>	<u>9,506,322</u> *
General Fund	914,440	846,067	1,262,434	2,499,027	2,301,948
Cash Funds	1,883,051	2,169,711	2,246,655	2,473,339	2,623,339
Reappropriated Funds	586,382	591,248	616,995	763,821	763,821
Federal Funds	0	0	3,317,729	3,817,214	3,817,214
PERA Direct Distribution	<u>0</u>	<u>2,834,045</u>	<u>2,572,609</u>	<u>514,049</u>	<u>514,049</u>
General Fund	0	1,587,286	0	118,427	118,427
Cash Funds	0	950,706	934,266	143,755	143,755
Reappropriated Funds	0	296,053	256,905	40,561	251,867
Federal Funds	0	0	1,381,438	211,306	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Salary Survey	0	<u>2,362,890</u>	<u>6,603,978</u>	<u>11,138,551</u>	<u>11,138,551</u>
General Fund	0	554,393	934,199	2,887,047	2,887,047
Cash Funds	0	1,421,559	1,495,223	2,872,369	2,872,369
Reappropriated Funds	0	386,938	405,599	881,385	881,385
Federal Funds	0	0	3,768,957	4,497,750	4,497,750
Shift Differential	<u>12,417</u>	7	<u>12,621</u>	<u>12,621</u>	0
General Fund	865	0	224	224	0
Cash Funds	11,552	7	3,049	3,049	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	9,348	9,348	0
Temporary Employees Related to Authorized Leave	0	0	<u>268,051</u>	<u>268,051</u>	<u>268,051</u>
General Fund	0	0	39,372	39,372	39,372
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	228,679	228,679	228,679
Workers' Compensation	<u>427,529</u>	<u>375,663</u>	<u>380,557</u>	<u>358,900</u>	<u>358,900</u>
General Fund	35,239	2,640	2,674	574	574
Cash Funds	0	0	0	0	0
Reappropriated Funds	392,290	373,023	377,883	358,326	358,326
Federal Funds	0	0	0	0	0
Operating Expenses	<u>2,254,258</u>	<u>2,812,420</u>	<u>2,663,903</u>	<u>3,542,065</u>	<u>3,542,065</u> *
General Fund	191,918	191,918	198,793	250,001	250,001
Cash Funds	0	0	0	0	0
Reappropriated Funds	2,062,340	2,620,502	2,465,110	3,292,064	3,292,064
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Legal Services	<u>3,167,551</u>	<u>3,530,643</u>	<u>5,163,015</u>	<u>6,036,680</u>	<u>6,036,680</u> *
General Fund	340,105	744,053	1,077,707	2,107,204	1,724,380
Cash Funds	0	12,761	415,773	259,941	642,765
Reappropriated Funds	2,827,446	2,773,829	3,669,535	3,669,535	3,669,535
Federal Funds	0	0	0	0	0
Statewide training	<u>0</u>	<u>0</u>	<u>0</u>	<u>27,745</u>	<u>27,745</u> *
General Fund	0	0	0	27,745	27,745
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Administrative Law Judge Services	<u>52,436</u>	<u>12,780</u>	<u>45,002</u>	<u>63,075</u>	<u>63,075</u>
General Fund	5,228	1,304	4,472	6,272	6,272
Cash Funds	0	0	0	0	0
Reappropriated Funds	47,208	11,476	40,530	56,803	56,803
Federal Funds	0	0	0	0	0
Payment to Risk Management and Property Funds	<u>390,977</u>	<u>839,252</u>	<u>1,147,367</u>	<u>1,152,085</u>	<u>1,152,085</u>
General Fund	39,452	108,208	148,237	148,733	148,733
Cash Funds	0	0	0	0	0
Reappropriated Funds	351,525	731,044	999,130	1,003,352	1,003,352
Federal Funds	0	0	0	0	0
Vehicle Lease Payments	<u>318,827</u>	<u>285,430</u>	<u>331,447</u>	<u>494,700</u>	<u>494,700</u> *
General Fund	6,842	0	0	44,685	44,685
Cash Funds	283,366	261,359	301,452	415,020	415,020
Reappropriated Funds	28,619	24,071	29,995	34,995	34,995
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Leased Space	<u>8,055,104</u>	<u>7,943,374</u>	<u>8,758,396</u>	<u>9,329,526</u>	<u>9,329,526</u> *
General Fund	513,413	513,413	1,074,842	641,222	641,222
Cash Funds	221,701	224,186	243,000	973,292	973,292
Reappropriated Funds	7,304,721	7,190,101	7,427,054	7,701,512	7,701,512
Federal Funds	15,269	15,674	13,500	13,500	13,500
Capitol Complex Leased Space	<u>36,176</u>	<u>40,967</u>	<u>38,952</u>	<u>38,059</u>	<u>38,059</u>
General Fund	2,526	3,088	2,936	2,847	2,847
Cash Funds	0	0	0	0	0
Reappropriated Funds	33,650	37,879	36,016	35,212	35,212
Federal Funds	0	0	0	0	0
Payments to OIT	<u>9,037,471</u>	<u>7,754,095</u>	<u>14,261,238</u>	<u>16,090,544</u>	<u>16,090,544</u> *
General Fund	1,118,586	1,310,718	7,223,682	7,391,380	7,330,155
Cash Funds	991,418	1,051,643	1,869,457	2,179,379	(1,432,695)
Reappropriated Funds	6,177,804	4,388,211	3,368,803	4,698,581	8,371,880
Federal Funds	749,663	1,003,523	1,799,296	1,821,204	1,821,204
Digital Trunk Payments	<u>0</u>	<u>0</u>	<u>0</u>	<u>102,629</u>	<u>102,629</u>
General Fund	0	0	0	102,629	102,629
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
IT Accessibility	<u>0</u>	<u>0</u>	<u>0</u>	<u>8,365,460 1.8</u>	<u>8,365,460 1.8</u>
General Fund	0	0	0	3,510,984	3,510,984
Cash Funds	0	0	0	1,100,058	1,100,058
Reappropriated Funds	0	0	0	2,695,351	2,695,351
Federal Funds	0	0	0	1,059,067	1,059,067

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
CORE Operations	<u>846,297</u>	<u>858,876</u>	<u>1,081,804</u>	<u>940,605</u>	<u>940,605</u> *
General Fund	78,554	91,511	115,308	101,515	101,515
Cash Funds	0	0	0	0	0
Reappropriated Funds	767,743	767,365	966,496	839,090	839,090
Federal Funds	0	0	0	0	0
Utilities	<u>459,540</u>	<u>471,271</u>	<u>563,651</u>	<u>563,651</u>	<u>563,651</u>
General Fund	29,909	29,909	29,909	29,909	29,909
Cash Funds	66,004	69,386	161,324	161,324	161,324
Reappropriated Funds	356,137	364,002	360,818	360,818	360,818
Federal Funds	7,490	7,974	11,600	11,600	11,600
Annual Depreciation-lease Equivalent Payment	<u>0</u>	<u>44,673</u>	<u>498,795</u>	<u>483,626</u>	<u>483,626</u>
General Fund	0	44,673	395,237	380,068	380,068
Cash Funds	0	0	103,558	103,558	103,558
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Building Maintenance and Repair	<u>592,694</u>	<u>537,414</u>	<u>447,181</u>	<u>447,181</u>	<u>447,181</u>
General Fund	23,252	23,252	23,252	23,252	23,252
Cash Funds	0	0	0	0	0
Reappropriated Funds	569,442	514,162	423,929	423,929	423,929
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Reimbursement for Members of the State Board of Health	<u>4,115</u>	<u>4,251</u>	<u>5,100</u>	<u>5,100</u>	<u>5,100</u>
General Fund	4,115	4,251	5,100	5,100	5,100
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Environmental Justice Ombudsperson	<u>0</u>	<u>0</u>	<u>884,062</u>	<u>884,062</u>	<u>884,062</u> *
FTE	0.0	0.0	4.0	7.7	7.7
General Fund	0	0	534,746	884,062	0
Cash Funds	0	0	349,316	0	884,062
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Indirect Costs Assessment	<u>396,476</u>	<u>170,483</u>	<u>648,697</u>	<u>648,697</u>	<u>648,697</u>
General Fund	0	0	0	0	0
Cash Funds	82,532	80,983	339,422	339,422	339,422
Reappropriated Funds	132,407	65,755	88,603	88,603	88,603
Federal Funds	181,537	23,745	220,672	220,672	220,672
SUBTOTAL - (A) Administration	51,406,110	58,225,769	94,984,249	124,704,832	124,427,652
FTE	<u>81.2</u>	<u>81.2</u>	<u>90.3</u>	<u>99.8</u>	<u>99.8</u>
General Fund	7,449,476	10,855,378	22,067,313	33,111,881	30,718,146
Cash Funds	10,761,244	14,753,408	17,490,614	22,839,686	21,292,290
Reappropriated Funds	31,969,921	31,530,687	33,099,046	39,814,449	43,699,054
Federal Funds	1,225,469	1,086,296	22,327,276	28,938,816	28,718,162

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
(B) Office of Health Equity					
Personal Services	<u>638,627</u>	<u>1,282,651</u>	<u>2,736,571</u>	<u>1,871,234</u>	<u>1,871,234</u>
FTE	18.4	18.4	18.6	18.6	18.6
General Fund	133,910	1,288,887	2,184,318	1,315,903	1,315,903
Cash Funds	22,808	36	51,783	51,783	51,783
Reappropriated Funds	375,943	(6,272)	500,470	503,548	503,548
Federal Funds	105,966	0	0	0	0
Health Disparities Grants	<u>3,145,173</u>	<u>3,126,664</u>	<u>10,975,917</u>	<u>10,975,917</u>	<u>11,014,813</u>
General Fund	0	1,117,964	4,700,000	4,700,000	4,700,000
Cash Funds	858,257	0	3,616,743	3,616,743	3,655,639
Reappropriated Funds	2,286,916	2,008,700	2,659,174	2,659,174	2,659,174
Federal Funds	0	0	0	0	0
Necessary Document Assistance	<u>181,633</u>	<u>297,427</u>	<u>300,000</u>	<u>300,570</u>	<u>300,570</u>
FTE	0.1	0.1	0.1	0.1	0.1
General Fund	181,633	297,427	300,000	300,570	300,570
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (B) Office of Health Equity	<u>3,965,433</u>	<u>4,706,742</u>	<u>14,012,488</u>	<u>13,147,721</u>	<u>13,186,617</u>
FTE	<u>18.5</u>	<u>18.5</u>	<u>18.7</u>	<u>18.7</u>	<u>18.7</u>
General Fund	315,543	2,704,278	7,184,318	6,316,473	6,316,473
Cash Funds	881,065	36	3,668,526	3,668,526	3,707,422
Reappropriated Funds	2,662,859	2,002,428	3,159,644	3,162,722	3,162,722
Federal Funds	105,966	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
(C) Office of Public Health Practice, Planning and Local Partnerships					
Assessment, Planning, and Support Program	<u>886,859</u>	<u>361,980</u>	<u>892,202</u>	<u>904,692</u>	<u>904,692</u>
FTE	7.4	7.4	7.4	7.4	7.4
General Fund	346,433	268,653	277,166	289,656	289,656
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	540,426	93,327	615,036	615,036	615,036
Distributions to Local Public Health Agencies	<u>9,006,380</u>	<u>9,231,540</u>	<u>19,416,172</u>	<u>19,698,658</u>	<u>19,698,658</u> *
General Fund	6,832,223	7,376,182	17,523,706	7,749,418	7,749,418
Cash Funds	1,810,105	1,855,358	1,892,466	11,949,240	11,949,240
Reappropriated Funds	364,052	0	0	0	0
Federal Funds	0	0	0	0	0
Distribution to Local Public Health Agencies - CARES	<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Federal Funds	1,500,000	0	0	0	0
SUBTOTAL - (C) Office of Public Health Practice, Planning and Local Partnerships	11,393,239	9,593,520	20,308,374	20,603,350	20,603,350
FTE	<u>7.4</u>	<u>7.4</u>	<u>7.4</u>	<u>7.4</u>	<u>7.4</u>
General Fund	7,178,656	7,644,835	17,800,872	8,039,074	8,039,074
Cash Funds	1,810,105	1,855,358	1,892,466	11,949,240	11,949,240
Reappropriated Funds	364,052	0	0	0	0
Federal Funds	2,040,426	93,327	615,036	615,036	615,036

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
TOTAL - (1) Administration and Support	66,764,782	72,526,031	129,305,111	158,455,903	158,217,619
<i>FTE</i>	<u>107.1</u>	<u>107.1</u>	<u>116.4</u>	<u>125.9</u>	<u>125.9</u>
General Fund	14,943,675	21,204,491	47,052,503	47,467,428	45,073,693
Cash Funds	13,452,414	16,608,802	23,051,606	38,457,452	36,948,952
Reappropriated Funds	34,996,832	33,533,115	36,258,690	42,977,171	46,861,776
Federal Funds	3,371,861	1,179,623	22,942,312	29,553,852	29,333,198

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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(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	1,968,641	511,230	12,654,987	5,365,907	5,365,907 *
FTE	23.7	23.7	54.5	52.5	52.5
General Fund	493,460	493,460	10,895,647	1,570,059	1,296,409
Cash Funds	762,905	(342,795)	1,575,839	3,612,347	3,885,997
Reappropriated Funds	0	0	0	0	0
Federal Funds	712,276	360,565	183,501	183,501	183,501
Indirect Cost Assessment	<u>3,474,884</u>	<u>3,603,355</u>	<u>4,140,190</u>	<u>4,140,190</u>	<u>4,140,190</u>
General Fund	0	0	0	0	0
Cash Funds	2,797,638	2,967,880	3,468,205	3,468,205	3,468,205
Reappropriated Funds	0	0	0	0	0
Federal Funds	677,246	635,475	671,985	671,985	671,985
SUBTOTAL - (A) Administration	5,443,525	4,114,585	16,795,177	9,506,097	9,506,097
FTE	<u>23.7</u>	<u>23.7</u>	<u>54.5</u>	<u>52.5</u>	<u>52.5</u>
General Fund	493,460	493,460	10,895,647	1,570,059	1,296,409
Cash Funds	3,560,543	2,625,085	5,044,044	7,080,552	7,354,202
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,389,522	996,040	855,486	855,486	855,486

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
(B) Technical Services					
Personal Services	<u>2,654,432</u>	<u>2,936,116</u>	<u>3,742,447</u>	<u>4,751,796</u>	<u>4,751,796</u>
FTE	33.7	33.7	33.7	44.7	44.7
General Fund	0	0	0	367,806	367,806
Cash Funds	2,080,338	2,324,745	2,519,217	3,160,760	3,160,760
Reappropriated Funds	0	0	0	0	0
Federal Funds	574,094	611,371	1,223,230	1,223,230	1,223,230
Operating Expenses	<u>379,035</u>	<u>374,440</u>	<u>4,841,997</u>	<u>3,266,050</u>	<u>3,266,050</u>
General Fund	0	0	4,277,333	241,837	241,837
Cash Funds	264,377	282,410	313,941	2,773,490	2,773,490
Reappropriated Funds	0	0	0	0	0
Federal Funds	114,658	92,030	250,723	250,723	250,723
Local Contracts	<u>659,544</u>	<u>675,289</u>	<u>912,938</u>	<u>912,938</u>	<u>912,938</u>
General Fund	0	0	0	0	0
Cash Funds	532,326	552,474	567,638	567,638	567,638
Reappropriated Funds	0	0	0	0	0
Federal Funds	127,218	122,815	345,300	345,300	345,300
SUBTOTAL - (B) Technical Services	3,693,011	3,985,845	9,497,382	8,930,784	8,930,784
FTE	<u>33.7</u>	<u>33.7</u>	<u>33.7</u>	<u>44.7</u>	<u>44.7</u>
General Fund	0	0	4,277,333	609,643	609,643
Cash Funds	2,877,041	3,159,629	3,400,796	6,501,888	6,501,888
Reappropriated Funds	0	0	0	0	0
Federal Funds	815,970	826,216	1,819,253	1,819,253	1,819,253

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
(C) Mobile Sources					
Personal Services	<u>2,819,226</u>	<u>2,924,921</u>	<u>3,771,435</u>	<u>4,633,790</u>	<u>4,633,790</u>
FTE	26.7	26.7	27.4	39.9	39.9
General Fund	0	23,449	75,405	118,484	118,484
Cash Funds	2,471,700	2,492,832	3,284,630	4,103,906	4,103,906
Reappropriated Funds	0	0	0	0	0
Federal Funds	347,526	408,640	411,400	411,400	411,400
Operating Expenses	<u>196,340</u>	<u>200,976</u>	<u>1,700,851 8.3</u>	<u>22,369,984 0.0</u>	<u>22,369,984 0.0</u>
General Fund	0	9,405	7,950	47,276	47,276
Cash Funds	186,750	188,406	1,615,645	22,245,452	22,245,452
Reappropriated Funds	0	0	0	0	0
Federal Funds	9,590	3,165	77,256	77,256	77,256
Diesel Inspection/Maintenance Program	<u>564,821</u>	<u>632,587</u>	<u>698,252</u>	<u>720,187</u>	<u>720,187</u>
FTE	6.3	6.3	6.3	6.3	6.3
General Fund	0	0	0	0	0
Cash Funds	564,821	632,587	698,252	720,187	720,187
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Mechanic Certification Program	<u>7,000</u>	<u>5,657</u>	<u>7,000</u>	<u>7,000</u>	<u>7,000</u>
General Fund	0	0	0	0	0
Cash Funds	7,000	5,657	7,000	7,000	7,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Local Grants	<u>59,225</u>	<u>62,429</u>	<u>1,494,242</u>	<u>77,597</u>	<u>77,597</u>
General Fund	0	0	1,416,645	0	0
Cash Funds	59,225	62,429	77,597	77,597	77,597
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Transfer to Clean Fleet Enterprise	<u>0</u>	<u>445,877</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	445,877	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (C) Mobile Sources	3,646,612	4,272,447	7,671,780	27,808,558	27,808,558
FTE	<u>33.0</u>	<u>33.0</u>	<u>42.0</u>	<u>46.2</u>	<u>46.2</u>
General Fund	0	478,731	1,500,000	165,760	165,760
Cash Funds	3,289,496	3,381,911	5,683,124	27,154,142	27,154,142
Reappropriated Funds	0	0	0	0	0
Federal Funds	357,116	411,805	488,656	488,656	488,656

(D) Stationary Sources

Personal Services	<u>9,685,282</u>	<u>10,664,579</u>	<u>21,898,473</u>	<u>20,579,431</u>	<u>20,579,431</u> *
FTE	144.7	144.7	202.1	230.5	230.5
General Fund	166,379	1,362,699	10,398,331	2,736,370	1,616,165
Cash Funds	7,832,492	7,327,646	10,077,931	16,420,850	17,541,055
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,686,411	1,974,234	1,422,211	1,422,211	1,422,211

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Operating Expenses	<u>164,613</u>	<u>1,016,544</u>	<u>1,630,269</u> 0.0	<u>2,041,858</u>	<u>2,041,858</u> *
General Fund	1,900	773,119	1,143,886	25,887	5,637
Cash Funds	135,688	168,007	437,469	1,967,057	1,987,307
Reappropriated Funds	0	0	0	0	0
Federal Funds	27,025	75,418	48,914	48,914	48,914
Local Contracts	<u>685,727</u>	<u>944,518</u>	<u>798,500</u>	<u>798,500</u>	<u>798,500</u>
General Fund	0	0	0	0	0
Cash Funds	597,299	641,092	700,000	700,000	700,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	88,428	303,426	98,500	98,500	98,500
Appropriation to the Stationary Sources Cash Fund	<u>0</u>	<u>0</u>	<u>25,500,000</u>	<u>0</u>	<u>0</u>
General Fund	0	0	25,500,000	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Preservation of the Ozone Layer	<u>78,430</u>	<u>152,898</u>	<u>209,979</u>	<u>214,121</u>	<u>214,121</u>
FTE	2.0	2.0	2.0	2.0	2.0
General Fund	0	0	0	0	0
Cash Funds	78,430	152,898	209,979	214,121	214,121
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
SUBTOTAL - (D) Stationary Sources	10,614,052	12,778,539	50,037,221	23,633,910	23,633,910
<i>FTE</i>	<u>146.7</u>	<u>146.7</u>	<u>204.1</u>	<u>232.5</u>	<u>232.5</u>
General Fund	168,279	2,135,818	37,042,217	2,762,257	1,621,802
Cash Funds	8,643,909	8,289,643	11,425,379	19,302,028	20,442,483
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,801,864	2,353,078	1,569,625	1,569,625	1,569,625

(E) Climate Services

Program Costs	<u>0 0.0</u>	<u>1,618,753 14.0</u>	<u>1,618,753 14.0</u>	*
General Fund	0	944,325	0	
Cash Funds	0	674,428	1,618,753	
Reappropriated Funds	0	0	0	
Federal Funds	0	0	0	

SUBTOTAL - (E) Climate Services	0	1,618,753	1,618,753	
<i>FTE</i>	<u>0.0</u>	<u>14.0</u>	<u>14.0</u>	
General Fund	0	944,325	0	
Cash Funds	0	674,428	1,618,753	
Reappropriated Funds	0	0	0	
Federal Funds	0	0	0	

TOTAL - (4) Air Pollution Control Division	23,397,200	25,151,416	84,001,560	71,498,102	71,498,102
<i>FTE</i>	<u>237.1</u>	<u>237.1</u>	<u>334.3</u>	<u>389.9</u>	<u>389.9</u>
General Fund	661,739	3,108,009	53,715,197	6,052,044	3,693,614
Cash Funds	18,370,989	17,456,268	25,553,343	60,713,038	63,071,468
Reappropriated Funds	0	0	0	0	0
Federal Funds	4,364,472	4,587,139	4,733,020	4,733,020	4,733,020

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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(5) WATER QUALITY CONTROL DIVISION

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(A) Administration

Administration Program	1,864,090	2,167,100	2,069,125	69,259,822	68,404,640 *
FTE	19.4	19.4	19.4	28.2	20.0
General Fund	520,551	535,101	540,172	1,593,370	738,188
Cash Funds	414,953	363,721	480,781	6,503,680	6,503,680
Reappropriated Funds	0	0	0	0	0
Federal Funds	928,586	1,268,278	1,048,172	61,162,772	61,162,772

SUBTOTAL - (A) Administration	1,864,090	2,167,100	2,069,125	69,259,822	68,404,640
<i>FTE</i>	<u>19.4</u>	<u>19.4</u>	<u>19.4</u>	<u>28.2</u>	<u>20.0</u>
General Fund	520,551	535,101	540,172	1,593,370	738,188
Cash Funds	414,953	363,721	480,781	6,503,680	6,503,680
Reappropriated Funds	0	0	0	0	0
Federal Funds	928,586	1,268,278	1,048,172	61,162,772	61,162,772

(B) Clean Water Sectors

Commerce and Industry Sector	2,130,286	2,036,640	2,271,035	2,349,801	2,349,801
FTE	25.4	25.4	25.4	25.4	25.4
General Fund	938,724	938,101	976,289	1,028,455	1,028,455
Cash Funds	955,408	875,380	987,414	1,014,014	1,014,014
Reappropriated Funds	0	0	0	0	0
Federal Funds	236,154	223,159	307,332	307,332	307,332

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Construction Sector	<u>1,562,678</u>	<u>1,527,926</u>	<u>2,028,829</u>	<u>2,085,536</u>	<u>2,085,536</u>
FTE	20.3	20.3	20.3	23.3	23.3
General Fund	281,997	279,412	292,929	306,260	306,260
Cash Funds	1,106,463	1,134,667	1,511,935	1,555,311	1,555,311
Reappropriated Funds	0	0	0	0	0
Federal Funds	174,218	113,847	223,965	223,965	223,965
Municipal Separate Storm Sewer System Sector	<u>224,273</u>	<u>236,143</u>	<u>269,495</u>	<u>279,258</u>	<u>279,258</u>
FTE	3.1	3.1	3.1	3.1	3.1
General Fund	111,728	111,676	116,049	121,551	121,551
Cash Funds	99,219	112,470	117,793	122,054	122,054
Reappropriated Funds	0	0	0	0	0
Federal Funds	13,326	11,997	35,653	35,653	35,653
Pesticides Sector	<u>200,821</u>	<u>183,396</u>	<u>298,694</u>	<u>303,539</u>	<u>303,539</u>
FTE	1.0	1.0	1.0	1.0	1.0
General Fund	188,117	180,274	192,631	197,461	197,461
Cash Funds	548	1,227	6,063	6,078	6,078
Reappropriated Funds	0	0	0	0	0
Federal Funds	12,156	1,895	100,000	100,000	100,000
Public and Private Utilities Sector	<u>3,427,646</u>	<u>3,223,079</u>	<u>3,959,613</u>	<u>4,086,471</u>	<u>4,086,471</u>
FTE	44.3	44.3	44.3	47.3	47.3
General Fund	1,542,188	1,526,786	1,596,366	1,671,504	1,671,504
Cash Funds	1,551,246	1,494,612	1,875,000	1,926,720	1,926,720
Reappropriated Funds	0	0	0	0	0
Federal Funds	334,212	201,681	488,247	488,247	488,247

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Water Quality Certification Sector	<u>116,542</u>	<u>25,884</u>	<u>252,271</u>	<u>252,857</u>	<u>252,857</u>
FTE	1.5	1.5	1.5	1.5	1.5
General Fund	8,240	8,861	9,888	10,280	10,280
Cash Funds	94,476	4,491	200,627	200,821	200,821
Reappropriated Funds	0	0	0	0	0
Federal Funds	13,826	12,532	41,756	41,756	41,756
SUBTOTAL - (B) Clean Water Sectors	7,662,246	7,233,068	9,079,937	9,357,462	9,357,462
FTE	<u>95.6</u>	<u>95.6</u>	<u>95.6</u>	<u>101.6</u>	<u>101.6</u>
General Fund	3,070,994	3,045,110	3,184,152	3,335,511	3,335,511
Cash Funds	3,807,360	3,622,847	4,698,832	4,824,998	4,824,998
Reappropriated Funds	0	0	0	0	0
Federal Funds	783,892	565,111	1,196,953	1,196,953	1,196,953

(C) Clean Water Program

Clean Water Program Costs	<u>2,098,102</u>	<u>3,065,683</u>	<u>1,072,901</u>	<u>3,663,296</u>	<u>3,057,793</u> *
FTE	1.3	1.3	2.0	26.2	23.3
General Fund	438,546	425,222	499,696	3,083,877	2,478,374
Cash Funds	59,342	117,130	176,540	179,919	179,919
Reappropriated Funds	45,324	87,824	96,665	99,500	99,500
Federal Funds	1,554,890	2,435,507	300,000	300,000	300,000
Local Grants and Contracts	<u>5,100,122</u>	<u>4,397,648</u>	<u>3,313,978</u>	<u>3,313,978</u>	<u>3,313,978</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	1	1	1
Cash Funds	1,794,694	1,311,387	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	3,305,428	3,086,261	3,313,977	3,313,977	3,313,977

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Water Quality Improvement	<u>1,189,357</u>	<u>1,366,196</u>	<u>1,852,677</u> 0.0	<u>1,852,901</u> 0.0	<u>1,852,901</u> 0.0
General Fund	0	0	0	0	0
Cash Funds	1,189,357	1,366,196	1,852,677	1,852,901	1,852,901
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (C) Clean Water Program	8,387,581	8,829,527	6,239,556	8,830,175	8,224,672
FTE	<u>1.3</u>	<u>1.3</u>	<u>2.0</u>	<u>26.2</u>	<u>23.3</u>
General Fund	438,546	425,222	499,697	3,083,878	2,478,375
Cash Funds	3,043,393	2,794,713	2,029,217	2,032,820	2,032,820
Reappropriated Funds	45,324	87,824	96,665	99,500	99,500
Federal Funds	4,860,318	5,521,768	3,613,977	3,613,977	3,613,977

(D) Drinking Water Program

Personal Services	<u>7,895,319</u>	<u>8,449,059</u>	<u>8,188,177</u>	<u>8,897,701</u>	<u>8,855,787</u> *
FTE	64.4	64.4	72.8	79.4	79.0
General Fund	942,312	942,029	1,653,579	2,349,736	2,307,822
Cash Funds	342,916	443,684	418,467	431,834	431,834
Reappropriated Funds	0	0	0	0	0
Federal Funds	6,610,091	7,063,346	6,116,131	6,116,131	6,116,131
Operating Expenses	<u>345,785</u>	<u>1,016,544</u>	<u>23,271,620</u>	<u>978,199</u>	<u>978,199</u> *
General Fund	134,100	123,909	1,603,335	249,769	249,769
Cash Funds	4,650	458,790	24,815	27,048	27,048
Reappropriated Funds	0	0	21,000,000	0	0
Federal Funds	207,035	433,845	643,470	701,382	701,382

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Appropriation to the School and Child Care Clean					
Drinking Water Cash Fund	<u>0</u>	<u>0</u>	<u>21,000,000</u>	<u>0</u>	<u>0</u>
General Fund	0	0	21,000,000	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (D) Drinking Water Program	8,241,104	9,465,603	52,459,797	9,875,900	9,833,986
<i>FTE</i>	<u>64.4</u>	<u>64.4</u>	<u>72.8</u>	<u>79.4</u>	<u>79.0</u>
General Fund	1,076,412	1,065,938	24,256,914	2,599,505	2,557,591
Cash Funds	347,566	902,474	443,282	458,882	458,882
Reappropriated Funds	0	0	21,000,000	0	0
Federal Funds	6,817,126	7,497,191	6,759,601	6,817,513	6,817,513
(E) Indirect Cost Assessments					
Indirect Cost Assessment	<u>3,084,727</u>	<u>3,312,636</u>	<u>3,507,540</u>	<u>3,507,540</u>	<u>3,507,540</u>
General Fund	0	0	0	0	0
Cash Funds	1,038,157	1,217,601	1,427,890	1,427,890	1,427,890
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,046,570	2,095,035	2,079,650	2,079,650	2,079,650
SUBTOTAL - (E) Indirect Cost Assessments	3,084,727	3,312,636	3,507,540	3,507,540	3,507,540
<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
Cash Funds	1,038,157	1,217,601	1,427,890	1,427,890	1,427,890
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,046,570	2,095,035	2,079,650	2,079,650	2,079,650

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
TOTAL - (5) Water Quality Control Division	29,239,748	31,007,934	73,355,955	100,830,899	99,328,300
<i>FTE</i>	<u>180.7</u>	<u>180.7</u>	<u>189.8</u>	<u>235.4</u>	<u>223.9</u>
General Fund	5,106,503	5,071,371	28,480,935	10,612,264	9,109,665
Cash Funds	8,651,429	8,901,356	9,080,002	15,248,270	15,248,270
Reappropriated Funds	45,324	87,824	21,096,665	99,500	99,500
Federal Funds	15,436,492	16,947,383	14,698,353	74,870,865	74,870,865

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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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>623,777</u>	<u>653,661</u>	<u>2,263,591</u>	<u>2,290,906</u>	<u>2,290,906</u>
FTE	13.2	13.2	13.2	13.2	13.2
General Fund	0	0	0	0	0
Cash Funds	617,747	650,031	1,489,890	1,517,205	1,517,205
Reappropriated Funds	0	0	0	0	0
Federal Funds	6,030	3,630	773,701	773,701	773,701
 Indirect Cost Assessment	 <u>2,620,434</u>	 <u>3,000,195</u>	 <u>3,025,522</u>	 <u>3,025,522</u>	 <u>3,025,522</u>
General Fund	0	0	0	0	0
Cash Funds	1,679,797	2,076,296	2,105,126	2,105,126	2,105,126
Reappropriated Funds	10,880	9,475	9,554	9,554	9,554
Federal Funds	929,757	914,424	910,842	910,842	910,842

SUBTOTAL - (A) Administration	3,244,211	3,653,856	5,289,113	5,316,428	5,316,428
FTE	<u>13.2</u>	<u>13.2</u>	<u>13.2</u>	<u>13.2</u>	<u>13.2</u>
General Fund	0	0	0	0	0
Cash Funds	2,297,544	2,726,327	3,595,016	3,622,331	3,622,331
Reappropriated Funds	10,880	9,475	9,554	9,554	9,554
Federal Funds	935,787	918,054	1,684,543	1,684,543	1,684,543

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
(B) Hazardous Waste Control Program					
Personal Services	<u>3,528,147</u>	<u>3,697,004</u>	<u>4,046,747</u>	<u>4,092,696</u>	<u>4,092,696</u>
FTE	25.9	25.9	25.9	25.9	25.9
General Fund	0	0	0	0	0
Cash Funds	1,265,966	1,560,193	1,685,247	1,731,196	1,731,196
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,262,181	2,136,811	2,361,500	2,361,500	2,361,500
Operating Expenses	<u>82,131</u>	<u>43,744</u>	<u>130,349</u>	<u>142,080</u>	<u>142,080</u> *
General Fund	0	0	0	0	0
Cash Funds	56,605	10,611	74,380	81,074	81,074
Reappropriated Funds	0	0	0	0	0
Federal Funds	25,526	33,133	55,969	61,006	61,006
Emerging Contaminants	<u>0</u>	<u>0</u>	<u>0</u>	<u>77,040</u>	<u>77,040</u>
FTE	0.0	0.0	0.0	0.9	0.9
General Fund	0	0	0	77,040	77,040
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (B) Hazardous Waste Control Program	3,610,278	3,740,748	4,177,096	4,311,816	4,311,816
FTE	<u>25.9</u>	<u>25.9</u>	<u>25.9</u>	<u>26.8</u>	<u>26.8</u>
General Fund	0	0	0	77,040	77,040
Cash Funds	1,322,571	1,570,804	1,759,627	1,812,270	1,812,270
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,287,707	2,169,944	2,417,469	2,422,506	2,422,506

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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(C) Solid Waste Control Program

Program Costs	<u>2,688,004</u>	<u>2,739,308</u>	<u>3,130,332</u>	<u>3,232,977</u>	<u>3,232,977</u>
FTE	21.5	21.5	22.3	22.5	22.5
General Fund	0	0	98,627	111,649	111,649
Cash Funds	2,688,004	2,739,308	3,031,705	3,121,328	3,121,328
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (C) Solid Waste Control Program	2,688,004	2,739,308	3,130,332	3,232,977	3,232,977
FTE	<u>21.5</u>	<u>21.5</u>	<u>22.3</u>	<u>22.5</u>	<u>22.5</u>
General Fund	0	0	98,627	111,649	111,649
Cash Funds	2,688,004	2,739,308	3,031,705	3,121,328	3,121,328
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

(D) Contaminated Site Cleanups and Remediation Programs

Personal Services	<u>2,971,618</u>	<u>3,179,511</u>	<u>4,661,836</u>	<u>4,676,773</u>	<u>4,676,773</u>
FTE	18.8	18.8	18.8	18.8	18.8
General Fund	0	0	0	0	0
Cash Funds	612,331	688,325	1,013,022	1,027,959	1,027,959
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,359,287	2,491,186	3,648,814	3,648,814	3,648,814
Operating Expenses	<u>145,400</u>	<u>104,004</u>	<u>251,563</u>	<u>274,204</u>	<u>274,204</u> *
General Fund	0	0	0	0	0
Cash Funds	1,448	6,109	10,663	11,623	11,623
Reappropriated Funds	0	0	0	0	0
Federal Funds	143,952	97,895	240,900	262,581	262,581

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Contaminated Sites Operation and Maintenance	<u>2,738,101</u>	<u>2,708,555</u>	<u>13,307,685</u>	<u>13,307,700</u>	<u>13,307,700</u>
General Fund	0	0	0	0	0
Cash Funds	1,637,145	1,386,620	2,810,200	2,810,215	2,810,215
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,100,956	1,321,935	10,497,485	10,497,485	10,497,485
Brownsfield Cleanup Program	<u>500,948</u>	<u>621,315</u>	<u>250,000</u>	<u>250,000</u>	<u>250,000</u>
General Fund	0	0	0	0	0
Cash Funds	167,695	126,672	250,000	250,000	250,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	333,253	494,643	0	0	0
Transfer to the Department of Law for CERCLA					
Related Costs	<u>378,345</u>	<u>404,839</u>	<u>772,225</u>	<u>755,843</u>	<u>755,843</u>
General Fund	0	0	0	0	0
Cash Funds	378,345	404,839	772,225	755,843	755,843
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Uranium Mill Tailings Remedial Action Program	<u>216,229</u>	<u>214,188</u>	<u>322,425</u>	<u>326,866</u>	<u>326,866</u>
FTE	2.5	2.5	2.5	2.5	2.5
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	158,595	148,522	303,068	307,509	307,509
Federal Funds	57,634	65,666	19,357	19,357	19,357

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Rocky Flats Program Costs	<u>99,813</u>	<u>100,080</u>	<u>119,803</u>	<u>119,803</u>	<u>119,803</u>
FTE	2.1	2.1	2.1	2.1	2.1
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	99,813	100,080	119,803	119,803	119,803
SUBTOTAL - (D) Contaminated Site Cleanups and Remediation Programs	7,050,454	7,332,492	19,685,537	19,711,189	19,711,189
<i>FTE</i>	<u>23.4</u>	<u>23.4</u>	<u>23.4</u>	<u>23.4</u>	<u>23.4</u>
General Fund	0	0	0	0	0
Cash Funds	2,796,964	2,612,565	4,856,110	4,855,640	4,855,640
Reappropriated Funds	158,595	148,522	303,068	307,509	307,509
Federal Funds	4,094,895	4,571,405	14,526,359	14,548,040	14,548,040
(E) Radiation Management					
Personal Services	<u>2,057,243</u>	<u>2,008,974</u>	<u>2,130,621</u>	<u>2,637,906</u>	<u>2,205,906</u> *
FTE	20.7	20.7	20.7	20.7	20.7
General Fund	0	0	0	0	0
Cash Funds	1,770,778	1,853,393	1,941,644	2,448,929	2,016,929
Reappropriated Funds	0	0	0	0	0
Federal Funds	286,465	155,581	188,977	188,977	188,977
Operating Expenses	<u>298,787</u>	<u>275,011</u>	<u>480,218</u>	<u>491,438</u>	<u>1,674,850</u> *
General Fund	0	0	0	400,000	1,151,412
Cash Funds	217,551	275,011	315,565	(88,034)	343,966
Reappropriated Funds	0	0	0	0	0
Federal Funds	81,236	0	164,653	179,472	179,472

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
SUBTOTAL - (E) Radiation Management	2,356,030	2,283,985	2,610,839	3,129,344	3,880,756
<i>FTE</i>	<u>20.7</u>	<u>20.7</u>	<u>20.7</u>	<u>20.7</u>	<u>20.7</u>
General Fund	0	0	0	400,000	1,151,412
Cash Funds	1,988,329	2,128,404	2,257,209	2,360,895	2,360,895
Reappropriated Funds	0	0	0	0	0
Federal Funds	367,701	155,581	353,630	368,449	368,449

(F) Waste Tire Program

Waste Tire Program Administration and Cleanup

Program Enforcement	<u>1,841,502</u>	<u>1,758,752</u>	<u>2,206,113</u>	<u>2,225,511</u>	<u>2,225,511</u>
<i>FTE</i>	7.8	7.8	7.8	7.8	7.8
General Fund	0	0	0	0	0
Cash Funds	1,841,502	1,758,752	2,206,113	2,225,511	2,225,511
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Waste Tire Rebates	<u>527,190</u>	<u>1,922,069</u>	<u>6,525,000</u>	<u>6,525,000</u>	<u>6,525,000</u>
General Fund	0	0	0	0	0
Cash Funds	527,190	1,922,069	6,525,000	6,525,000	6,525,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

SUBTOTAL - (F) Waste Tire Program	2,368,692	3,680,821	8,731,113	8,750,511	8,750,511
<i>FTE</i>	<u>7.8</u>	<u>7.8</u>	<u>7.8</u>	<u>7.8</u>	<u>7.8</u>
General Fund	0	0	0	0	0
Cash Funds	2,368,692	3,680,821	8,731,113	8,750,511	8,750,511
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
TOTAL - (6) Hazardous Materials and Waste Management Division	21,317,669	23,431,210	43,624,030	44,452,265	45,203,677
<i>FTE</i>	<u>112.5</u>	<u>112.5</u>	<u>113.3</u>	<u>114.4</u>	<u>114.4</u>
General Fund	0	0	98,627	588,689	1,340,101
Cash Funds	13,462,104	15,458,229	24,230,780	24,522,975	24,522,975
Reappropriated Funds	169,475	157,997	312,622	317,063	317,063
Federal Funds	7,686,090	7,814,984	18,982,001	19,023,538	19,023,538

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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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>503,192</u>	<u>792,374</u>	<u>943,955</u>	<u>975,812</u>	<u>975,812</u>
FTE	7.5	7.5	7.5	7.5	7.5
General Fund	513,104	513,408	536,425	562,031	562,031
Cash Funds	(25,403)	181,748	305,816	312,067	312,067
Reappropriated Funds	0	0	0	0	0
Federal Funds	15,491	97,218	101,714	101,714	101,714
 Environmental Health Programs	 <u>13,180,763</u>	 <u>0</u>	 <u>3,207,789</u>	 <u>3,433,757</u>	 <u>3,433,757</u> *
FTE	22.3	0.0	22.3	22.3	22.3
General Fund	7,486,574	0	1,097,983	1,287,496	1,287,496
Cash Funds	1,340,692	0	1,541,885	1,575,468	1,575,468
Reappropriated Funds	3,596,313	0	114,203	117,075	117,075
Federal Funds	757,184	0	453,718	453,718	453,718
 Sustainability Programs	 <u>590,730</u>	 <u>509,271</u>	 <u>790,906</u>	 <u>793,433</u>	 <u>793,433</u>
FTE	6.1	6.1	6.1	6.1	6.1
General Fund	0	0	0	0	0
Cash Funds	125,784	167,738	198,687	201,214	201,214
Reappropriated Funds	0	0	0	0	0
Federal Funds	464,946	341,533	592,219	592,219	592,219

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Animal Feeding Operations Program	<u>475,666</u>	<u>429,407</u>	<u>537,730</u>	<u>551,735</u>	<u>551,735</u>
FTE	3.4	3.4	3.4	3.4	3.4
General Fund	95,730	101,507	104,404	108,496	108,496
Cash Funds	379,936	327,900	433,326	443,239	443,239
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Recycling Resources Economic Opportunity Program	<u>4,207,891</u>	<u>2,797,516</u>	<u>5,290,111</u>	<u>5,296,899</u>	<u>5,296,899</u>
FTE	2.6	2.6	2.6	2.6	2.6
General Fund	0	0	0	0	0
Cash Funds	4,207,891	2,797,516	5,290,111	5,296,899	5,296,899
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Oil and Gas Consultation Program	<u>103,951</u>	<u>86,422</u>	<u>117,610</u>	<u>120,346</u>	<u>120,346</u>
FTE	0.9	0.9	0.9	0.9	0.9
General Fund	0	0	0	0	0
Cash Funds	103,951	86,422	117,610	120,346	120,346
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Household Take-back Medication Program	<u>426,329</u>	<u>539,717</u>	<u>543,125</u>	<u>547,908</u>	<u>547,908</u>
FTE	0.3	0.3	0.3	0.3	0.3
General Fund	426,329	539,717	543,125	547,908	547,908
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
Cottage Foods Program	<u>71,925</u>	<u>91,195</u>	<u>93,884</u>	<u>97,714</u>	<u>97,714</u>
FTE	1.2	1.2	1.2	1.2	1.2
General Fund	71,925	91,195	93,884	97,714	97,714
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Toxicology and Environmental Epidemiology Unit	<u>0</u>	<u>435,454</u>	<u>2,228,335</u>	<u>2,248,848</u>	<u>2,248,848</u>
FTE	11.0	11.0	15.0	15.0	15.0
General Fund	0	77,784	1,049,690	764,207	764,207
Cash Funds	0	357,670	425,542	731,538	731,538
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	753,103	753,103	753,103
Indirect Costs Assessment	<u>804,114</u>	<u>1,091,514</u>	<u>1,122,283</u>	<u>1,122,283</u>	<u>1,122,283</u>
General Fund	0	679,702	0	0	0
Cash Funds	574,755	0	780,267	780,267	780,267
Reappropriated Funds	0	0	0	0	0
Federal Funds	229,359	411,812	342,016	342,016	342,016
TOTAL - (7) Division of Environmental Health and Sustainability	20,364,561	6,772,870	14,875,728	15,188,735	15,188,735
FTE	<u>55.3</u>	<u>33.0</u>	<u>59.3</u>	<u>59.3</u>	<u>59.3</u>
General Fund	8,593,662	2,003,313	3,425,511	3,367,852	3,367,852
Cash Funds	6,707,606	3,918,994	9,093,244	9,461,038	9,461,038
Reappropriated Funds	3,596,313	0	114,203	117,075	117,075
Federal Funds	1,466,980	850,563	2,242,770	2,242,770	2,242,770

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
TOTAL - Department of Public Health and Environment	161,083,960	158,889,461	345,162,384	390,425,904	389,436,433
<i>FTE</i>	<u>692.7</u>	<u>670.4</u>	<u>813.1</u>	<u>924.9</u>	<u>913.4</u>
General Fund	29,305,579	31,387,184	132,772,773	68,088,277	62,584,925
Cash Funds	60,644,542	62,343,649	91,008,975	148,402,773	149,252,703
Reappropriated Funds	38,807,944	33,778,936	57,782,180	43,510,809	47,395,414
Federal Funds	32,325,895	31,379,692	63,598,456	130,424,045	130,203,391