



Natural Resources & Environment

During the 2020 legislative session, the General Assembly considered several measures related to natural resources and the environment, including environmental protection; wildfire prevention and control; land and species conservation; and state parks.

Environmental Protection

The General Assembly considered several bills concerning environmental protections. *Senate Bill 20-204* creates the TABOR-exempt Air Quality Enterprise in the Colorado Department of Public Health and Environment (CDPHE) to conduct air quality modeling, monitoring, assessment, data analysis, and research, and to provide its data to fee payers and state regulators. *House Bill 20-1265* establishes the duties of facilities in the event of an incident where the emission of benzene, hydrogen cyanide, or hydrogen sulfide in excess of an allowable rate or quantity occurs.

House Bill 20-1143 increases the maximum per day civil fine for air and water quality violations, and increases criminal penalties for the pollution of state waters. The maximum per day penalty for air quality violations is increased from \$15,000 to \$47,357, and the maximum per day penalty for water quality violations is increased from \$10,000 to \$54,833. *Senate Bill 20-008* would have increased criminal penalties for the pollution of state waters and given jurisdiction to district attorneys and the Attorney General. The bill was postponed indefinitely.

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are synthetic chemicals that are used to coat products to make them heat, water, and oil resistant. They have become prevalent in nonstick cookware, clothing, and firefighting foams. *House Bill 20-1119* requires the Solid and Hazardous Waste Commission in CDPHE to establish a certificate of registration for any facility or fire department that possess (PFAS) substances.

Senate Bill 20-055 requires the development of a structure and governance recommendation for a recycling market development center; provides for property tax reimbursements for recyclers; and requires a literature review and a statewide recycling education campaign.

House Bill 20-1047, recommended by the Zero Waste and Recycling Interim Study Committee, would have required CDPHE to collaborate with the Colorado Department of Agriculture to develop an organics management plan to promote compost use on Colorado soils to advance carbon reduction through carbon storage. The bill was postponed indefinitely.

In 2015, the Solid and Hazardous Waste Commission in CDPHE changed its policy to no longer consider waste asphalt shingles to be recyclable material. *Senate Bill 20-058* would have prohibited asphalt singles from being excluded from the definition of recyclable materials and would have also allowed asphalt shingles to be transported and stored in railroad cars while pending recycling. The bill was postponed indefinitely.

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House Bill 20-1162 would have prohibited a retail food establishment from distributing an expanded polystyrene for use as a container for ready to eat food. *House Bill 20-1163* would have prohibited stores and retail food establishments from providing single-use plastic carryout bags, stirrers, and straws. Both bills were postponed indefinitely.

Wildfire Prevention and Control

In 2020, the General Assembly considered a number of bills concerning wildfire prevention and control. *House Bill 20-1057* modifies the Forest Restoration and Wildfire Risk Mitigation Grant Program by allowing more grant funding to projects located in areas with fewer economic resources, expanding the list of eligible recipients and extending the program.

House Bill 20-1004, recommended by the Wildfire Matters Review Committee, would have created the Wildfire Mitigation Resources and Best Practices Grant Program within the Colorado State Forest Service. The bill was postponed indefinitely.

House Bill 20-1171 would have directed the Department of Public Safety (DPS) to conduct a pilot program using remote cameras to detect wildfires in the wildland-urban-interface. *House Bill 20-1142* would have created the Hazard Mitigation Enterprise within DPS to administer a grant program, provide public education, and supply technical assistance to local governments concerning natural hazard mitigation through land use and building codes. Both bills were postponed indefinitely.

Land and Species Conservation

In 2020, the General Assembly considered four bills related to land and species conservation. *Senate Bill 20-201* authorizes expenditures in the Department of Natural Resources (DNR) for projects funded by the Species Conservation Trust Fund.

The gray wolf is currently designated as endangered under the federal Endangered Species Act in most places in the country, including Colorado. *Senate Bill 20-121* would have directed Colorado Parks and Wildlife

(CPW) to develop a plan to reintroduce gray wolves into Colorado and manage the wolves in order to promote a sustainable population and minimize livestock depredation. The bill was postponed indefinitely. A similar citizen-led initiative, Proposition 114, will be decided by voters at the November 2020 general election.

Senate Bill 20-135 would have made several changes to the Conservation Easement Tax Credit program, including modifying the value of future conservation easement tax credits, allowing taxpayers to reclaim disallowed credits from tax years 2000 through 2013, and creating a process to identify and manage abandoned easements. *House Bill 20-1146* would have modified the process for donating a conservation easement and required the creation of a publically accessible map and database of conservation easements. Both bills were postponed indefinitely.

State Parks

The General Assembly passed four bills regarding state parks in 2020. *Senate Bill 20-003* provides \$1.0 million to DNR for infrastructure projects at the new Fishers Peak State Park, located in southern Colorado. *House Bill 20-1087* modifies statues related to law enforcement by CPW.

Colorado's 41 state parks receive about 15 million visitors each year. *Senate Bill 20-041* grants active duty members of the National Guard the ability to obtain a free pass to state parks and recreation areas upon the General Assembly appropriating funds. Daily park passes range from \$8-10 per vehicle, and annual passes range from \$70 to \$120 per vehicle. There are currently about 5,600 active duty members of the National Guard in Colorado that would be eligible for free admission. Under current law, disabled veterans are allowed free entry to state parks if they have obtained a disabled veteran license plate from the Division of Motor Vehicles and are present in the vehicle when entering the park. *Senate Bill 20-069* allows disabled veterans residing in Colorado to receive free transferrable annual state park passes without obtaining a license plate.