



Natural Resources and Environment

During the 2019 legislative session, the General Assembly considered a variety of measures related to climate change, land conservation, wildfires, and other issues related to environmental protection.

Climate Change

The General Assembly passed three bills concerning climate change. [House Bill 19-1261](#) sets statewide greenhouse gas (GHG) pollution reduction goals and requires the Air Quality Control Commission (AQCC) within the Colorado Department of Public Health and Environment (CDPHE) to adopt rules and regulations for statewide GHG emissions. The bill sets the statewide goals to reduce GHG emissions by at least 26 percent by 2025, 50 percent by 2030, and 90 percent by 2050 of the 2005 statewide GHG emissions.

[Senate Bill 19-096](#) requires the AQCC to collect GHG data from emitting entities, report on the data, including the forecast of future emissions, and propose rules to address the GHG reduction goals by July 1, 2020.

Beginning in 2020, [House Bill 19-1188](#) requires Legislative Council Staff to prepare GHG emissions reports for up to 20 bills per legislative session.

Conservation Easements

Two bills were considered in 2019 relating to conservation easements. A conservation easement is an agreement in which a property owner agrees to limit the use of his or her land in perpetuity in order to protect one of more specified conservation purposes. The General Assembly established the Conservation Easement Oversight Commission and the certification program in the Division of Conservation within DORA to certify conservation easement holders, which was set to repeal on July 1, 2019. [House Bill 19-1264](#) extends the repeal dates for each to July 1, 2026. The bill also:

- eliminates education and experience requirements for conservation easement appraisers;
- relocates and modifies certain provisions governing the creation and valuation of conservation easements;
- allows the Division of Conservation to use an alternative method to value a conservation easement;
- modifies provisions governing a conservation easement working group;
- requires the property owner granting a conservation easement to execute a disclosure form;
- modifies provisions governing when a conservation easement may be extinguished;

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- prohibits a conservation easement for which a state income tax credit has been allowed from being released, terminated, extinguished, or abandoned; and
- directs Colorado State University to facilitate the provision of public access to the Colorado Ownership, Management, and Protection (COMaP) service.

House Bill 19-1091, which was postponed indefinitely, would have required property owners to sign a disclosure form before a conservation easement is created, required the state to track all conservation easements, and modified certain tax and real property laws related to conservation easements.

Wildfire Prevention and Control

In 2019, the General Assembly considered four bills concerning wildfires. *House Bill 19-1006* includes \$1.0 million in state funding for the State Forest Service Forest Restoration and Wildfire Grant Program at Colorado State University for FY 2019-20. The funds will be used for forest management fuels reduction projects to reduce impacts to life, property, and critical infrastructure caused by wildfire.

Senate Bill 19-020 requires the Center of Excellence for Advanced Technology Aerial Firefighting to study and implement a system to patrol the airspace above a wildland fire.

Senate Bill 19-037 would have permitted a board of county commissioners to remove wildfire fuel materials from state or federal land within or close to the county's territorial boundary. The bill was postponed indefinitely.

Senate Bill 19-040 creates the Colorado Fire Commission in the Department of Public Safety, Division of Fire Prevention and Control. The commission will enhance public safety

through an integrated statewide process focused on fire services.

Environmental Protection

In 2019, the General Assembly considered a number of bills addressing environmental protection. *Senate Bill 19-243* would have prohibited restaurants from using expanded polystyrene products as to-go containers. *House Bill 19-1143* would have prohibited restaurants from providing single-use plastic straws unless requested by a customer. *Senate Bill 19-034* would have allowed local governments to set restaurant standards for discarding food containers. All three of these bills were postponed indefinitely.

Under current law, a waste tire fee of \$0.55 is assessed on every new tire sold in Colorado and all revenue is deposited into the Waste Tire Administration, Enforcement, and Cleanup Fund within CDPHE. *Senate Bill 19-198* increases this tire fee to \$2.00 per tire from January 1, 2020 to January 1, 2024. The bill also recreates the End User Fund and rebate program, which was repealed on January 1, 2018.

Senate Bill 19-192 creates the Front Range Waste Diversion Enterprise in the Department of Public Health and Environment to promote waste diversion in certain counties.

Under current law, CDA manages the use of agricultural chemicals to protect groundwater, and adopts rules establishing agricultural management plans for this purpose. *Senate Bill 19-186* expands CDA's authority to include the protection of state waters, which includes surface and subsurface waters.

House Bill 19-1113 changes how water quality treatment is addressed in mine reclamation plans and how mining operators can provide proof of financial responsibility.