



# ENVIRONMENTAL JUSTICE ACTION TASK FORCE PROCESS & RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON OZONE AIR QUALITY

NOVEMBER 8, 2023

## PRESENTERS

***BEATRIZ SOTO*** – EJ ACTION TASK FORCE  
MEMBER ENVIRONMENTAL AND EQUITY  
CUMULATIVE IMPACT ANALYSIS CO-CHAIR,  
DIRECTOR OF PROTÉGETE

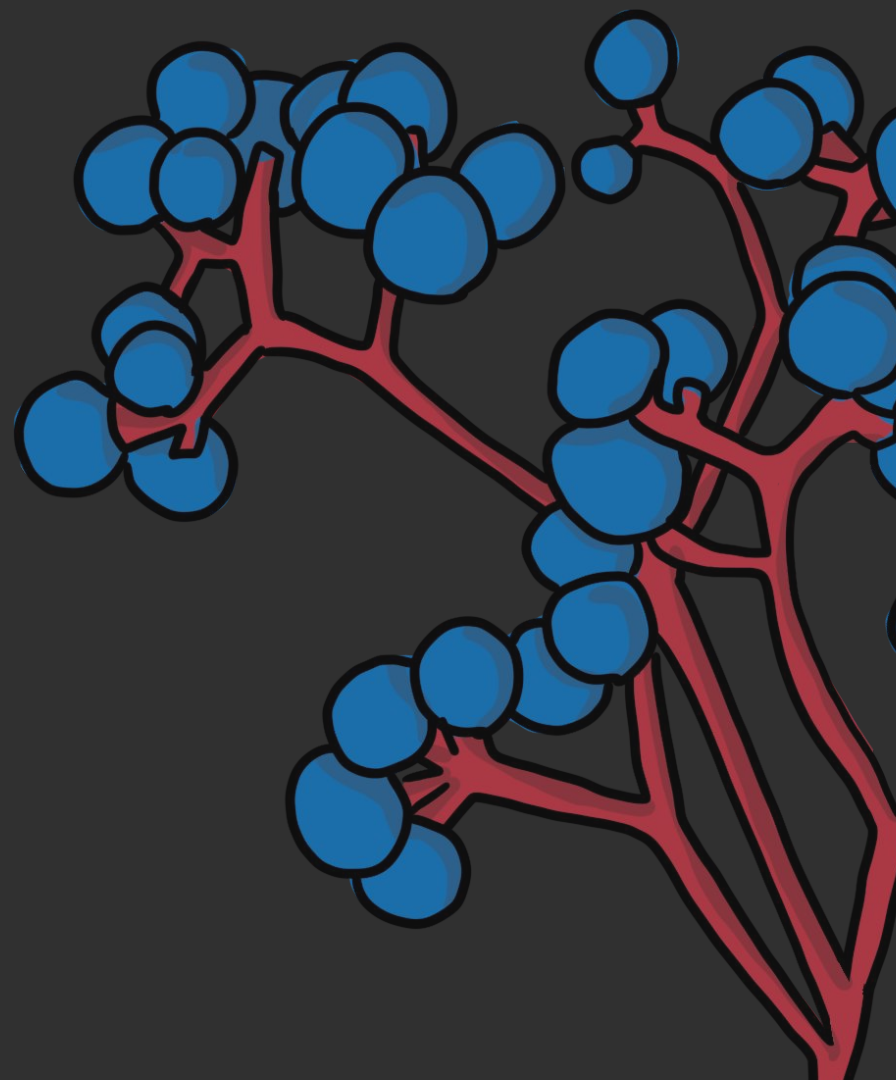


***RENEE MILLARD -CHACON*** – EJ ACTION TASK  
FORCE MEMBER - ENVIRONMENTAL AND EQUITY  
CUMULATIVE IMPACT ANALYSIS CO-CHAIR,  
EXECUTIVE DIRECTOR OF WOMXN FROM THE  
MOUNTAIN



# ENVIRONMENTAL JUSTICE AS DEFINED IN THE EJ ACT (HB21-1266)

*Environmental justice recognizes that all people have a right to breathe clean air, drink clean water, participate freely in decisions that affect their environment, live free of dangerous levels of toxic pollution, experience equal protection of environmental policies, and share the benefits of a prosperous and vibrant pollution-free economy.*

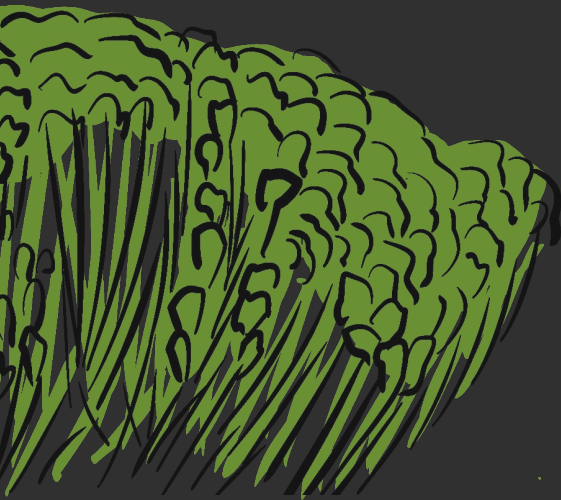


# ENVIRONMENTAL JUSTICE IN COLORADO

*Less-burdened communities have benefitted from relationships that impose burdens on other communities, which is a tangible debt that must be repaid through financial reinvestment, and these relatively privileged communities have a responsibility to acknowledge the harms to which they contribute and a duty to find ways to give back what has been taken; and*

*Environmental justice is not a zero-sum game: The better we take care of all communities, the more we all grow, and by focusing on communities that are hurting the most, all communities will find opportunities to heal and thrive*

**COLORADO ENVIRONMENTAL JUSTICE ACT, SEC. 2.(B)VI AND VII**



# ENVIRONMENTAL INJUSTICES FACING COLORADO LATINOS

## COLORADO LATINO CLIMATE JUSTICE POLICY HANDBOOK



<https://conservationco.org/wp-content/uploads/2022/11/11.17-V2-PROTEG>

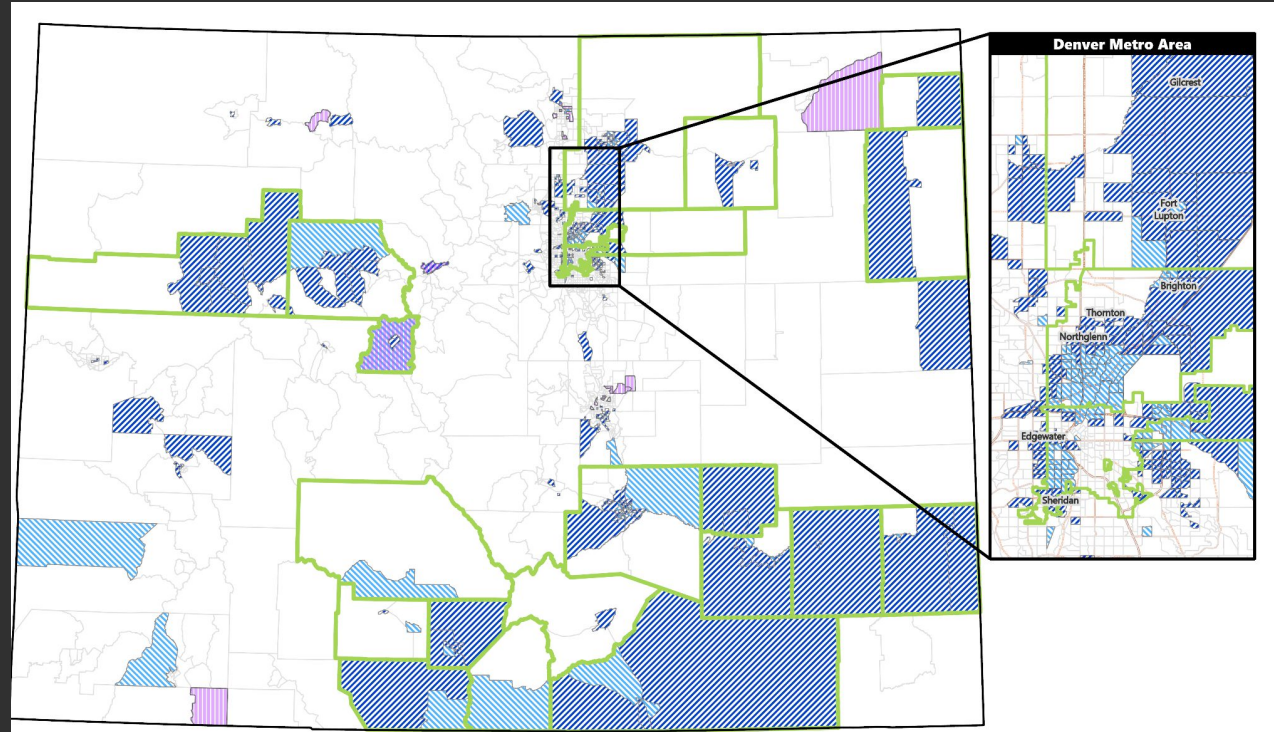
[ETE\\_HANDBOOK.pdf](#)

# LATINO POPULATION OF COLORADO

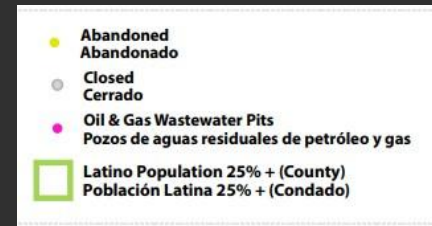
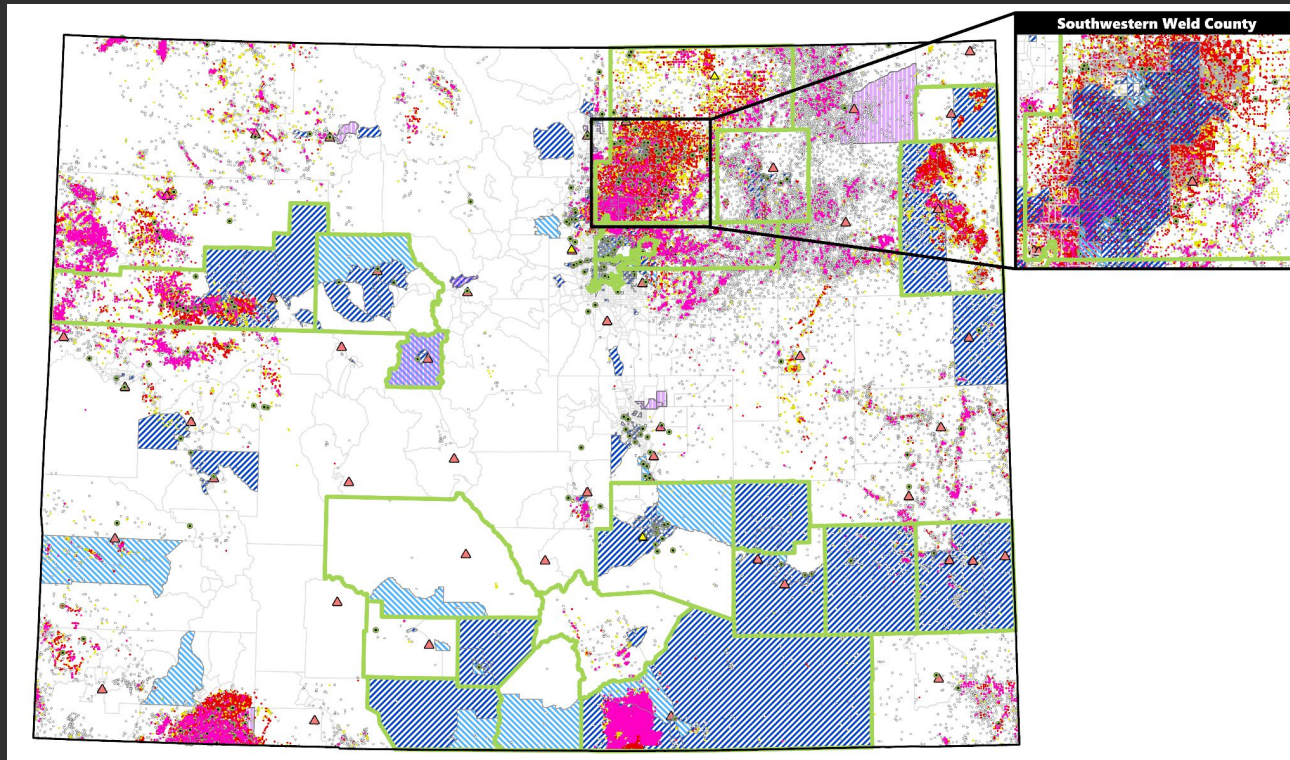
The Front Range 'nonattainment area' includes counties with high Latino populations

**MAP LEGEND**  
**LEYENDA**

- Latino Population 25% + (County)  
Población Latina 25% + (Condado)
- Latino Population (Census Tract) <25%  
Población Latina (Zona del Censo) <25%
- Latino Population (census tract) 25% - 50%  
Población Latina (Zona del Censo) 25% - 50%
- Latino Population (census tract) 50% +  
Población Latina (Zona del Censo) 50% +



# OIL AND GAS WELLS ARE MORE DENSELY LOCATED IN HIGH LATINO COUNTIES



# LATINOS OVERWHELMINGLY REPRESENT THE OUTDOOR WORKFORCE, MAKING THEM PARTICULARLY VULNERABLE TO AIR POLLUTION



40%  
LATINO



60%  
NON-LATINO



32% LATINO  
Agriculture, Forestry,  
Fishing, and Hunting\* (b)



18% LATINO  
Mining, Quarrying, and  
Oil & Gas Extraction\* (b)



47% LATINO  
Landscaping &  
Groundskeeping\* (b)



27% LATINO  
Construction\* (b)

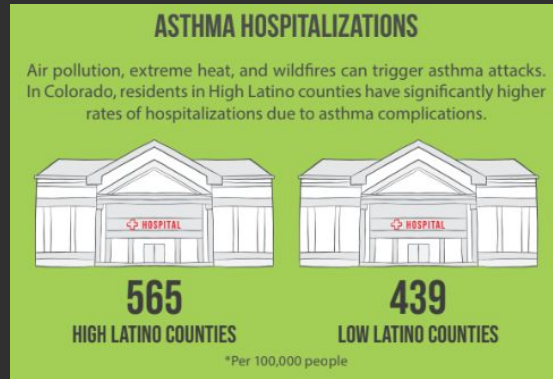
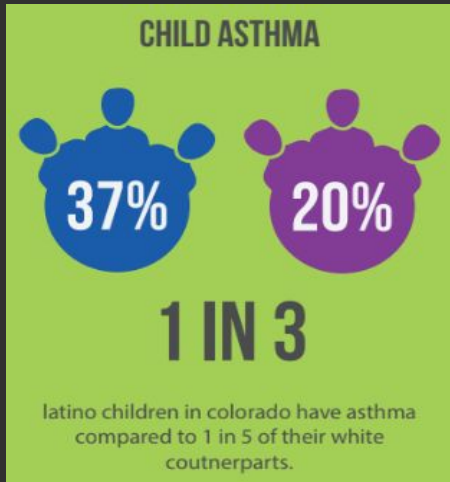


82% LATINO  
Transportation &  
Warehouse\* (b)



# LATINOS MORE OFTEN SUFFER FROM HEALTH CONDITIONS SUCH AS ASTHMA, CHRONIC HEART DISEASE, AND DIABETES.

YET, LATINOS ALSO HAVE LESS ACCESS TO HEALTH CARE AND ARE LESS LIKELY TO REGULARLY SEE A HEALTHCARE PROVIDER AND RECEIVE QUALITY HEALTH SERVICES.



# ENVIRONMENTAL JUSTICE ACT OVERVIEW



# ENVIRONMENTAL JUSTICE ACTION TASK FORCE

- 22 members representing a range of technical expertise and demographics
- Charged with developing a state agency-wide EJ strategy and implementation plan
- Began meeting in December 2021 and held 7 full Task Force meetings through November 2022
- All Task Force meetings were open to the public and provided an opportunity for public comment



# Environmental Justice Action Task Force



Arthur Ortegon



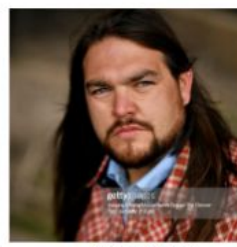
Beatriz Soto  
Committee Co-Chair



Dominique Gómez



Doug Dean



Ean Tafoya  
Task Force Co-Chair  
& Committee Chair



Gary Arnold



Hilda Nucete  
Committee Chair



Jamie Valdez



Jonathan Asher



Jordan Beezley



Kimberly  
Mendoza-Cooke



Mara  
Brosy-Wiwchar



Marsha Nelson



Meera Fickling



Elizabeth Schoder



Michael Sapp



Renée Millard-Chacon  
Committee Co-Chair



Michael Ogletree



Tara Trujillo



Trisha Oeth



Tyson Johnston  
TF Co-Chair



Uni Blake  
Committee  
Chair



**COLORADO**  
Department of Public  
Health & Environment

## CONCERNS WE HEARD

*The persistent lack of enforcement and accountability undermines any environmental justice effort undertaken by the state.*

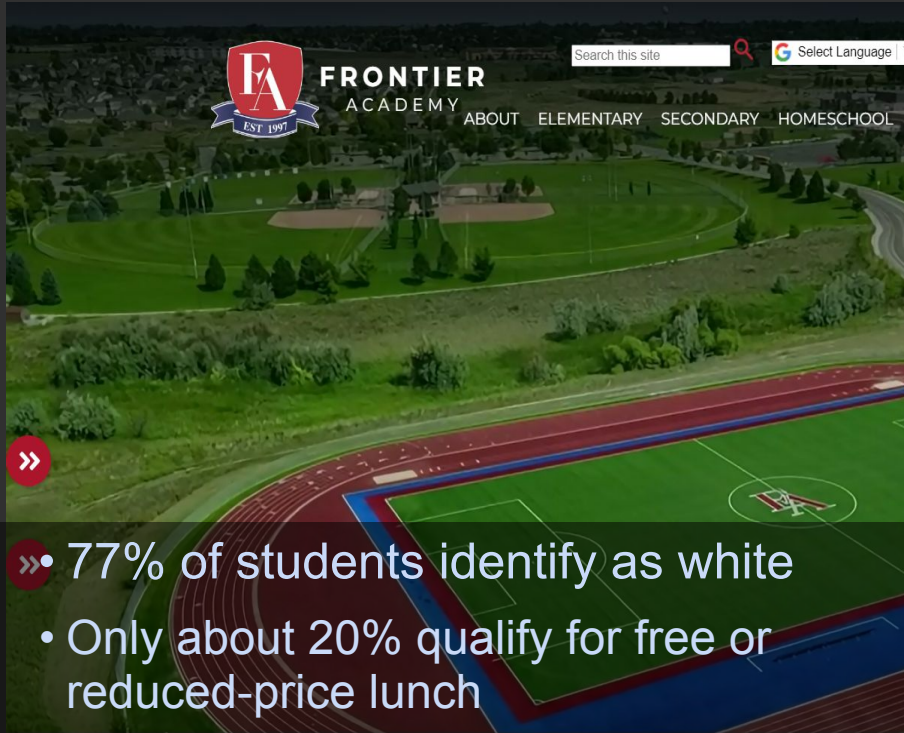
## EXAMPLE: BELLA ROMERO ACADEMY, GREELEY CO

“In March 2017 the Colorado Oil and Gas Conservation Commission (COGCC) approved plans by Extraction Oil and Gas, LLC to drill 24 new oil and gas wells and related production facilities a mere 1,360 feet from the walls of Bella Romero [Academy]. This places the development just barely outside the state-mandated setback of 1,000 feet for schools. All the more alarming, the school’s athletic fields and playground are between the school and the proposed oil and gas wells, placing them well less than 1,000 ft away.”

Source: [Extraction No Longer Drilling at Bella Romero School, but concerns remain \(Westword\)](#)

# EXAMPLE: BELLA ROMERO ACADEMY, GREELEY CO

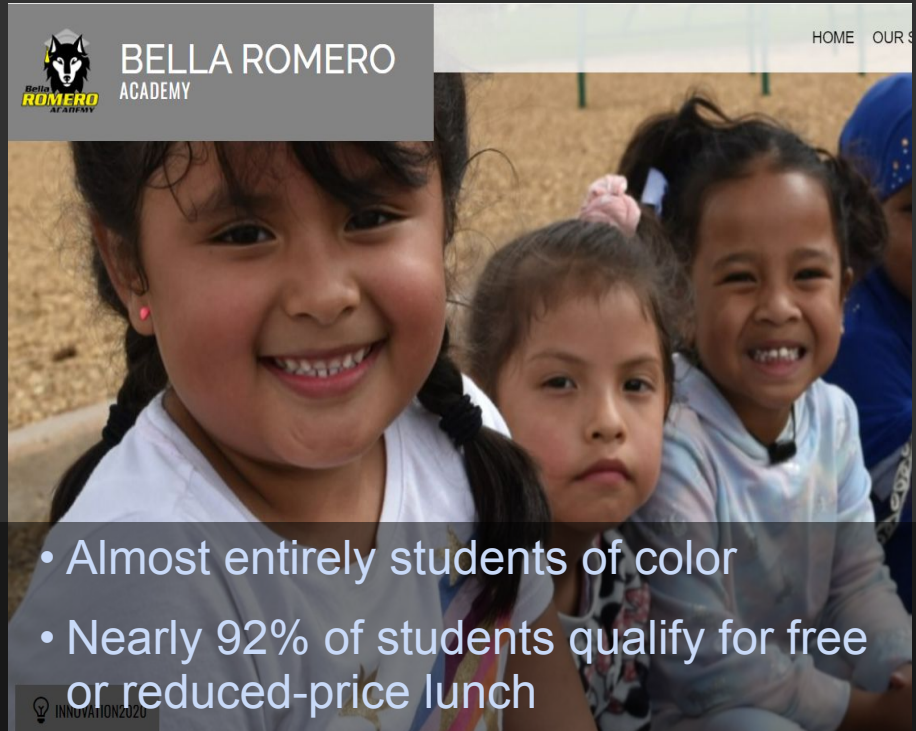
## Frontier Academy or Bella Romero Academy?



Frontier Academy website header: **FRONTIER ACADEMY** EST. 1997. Navigation: ABOUT, ELEMENTARY, SECONDARY, HOMESCHOOL. Search bar: Search this site. Language: Select Language.

»» 77% of students identify as white

- Only about 20% qualify for free or reduced-price lunch



Bella Romero Academy website header: **BELLA ROMERO ACADEMY**. Navigation: HOME, OUR S...

- Almost entirely students of color
- Nearly 92% of students qualify for free or reduced-price lunch

INNOVATION2020

# EXAMPLE: SUNCOR OIL REFINERY, COMMERCE CITY CO

ENVIRONMENT

## Suncor pollutes into nearby neighborhoods more often than similar facilities, EPA vows tougher enforcement

Regional office probe says Commerce City refinery has far more air quality incidents than comparable producers, promises more action



Michael Booth 3:08 AM MDT on Jun 14, 2023



NEWS ENVIRONMENT - News

## Suncor oil refinery emitted elevated hydrogen sulfide and other gas, at levels beyond the plant that company officials called 'acceptable'

Adams County commissioner wants full-time air quality monitoring system at oil refinery



gettyimages.com - The Denver Post

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EDUCATION |

### Commerce City Schools Briefly Placed on Lockout After Suncor Incident

CHASE WOODRUFF | DECEMBER 11, 2019 | 4:03PM

## A Latino-led group monitored the air near Suncor for more than a year. They found elevated levels of pollution and radioactive particles



By Sam Brasch · Mar. 16, 2023, 4:15 pm

OPINION > EDITORIALS • Editorial, Opinion

## Editorial: Colorado agency permitting Suncor pollution is derelict in its duty to protect the environment

CDPHE has failed to renew Suncor Energy pollution permits for years

By THE DENVER POST EDITORIAL BOARD

PUBLISHED: August 10, 2023 at 6:01 a.m. | UPDATED: August 10, 2023 at 10:58 a.m.

The Denver Post

## "Forever chemicals" flowing from Suncor into Sand Creek spike as Colorado weighs renewal of key water-quality permit

The EPA issued health advisory levels for PFAS in 2016 and Colorado adopted those standards in 2020, which would allow Suncor to release the...

Jul 27, 2023



The Colorado Sun

## Suncor releases hazardous release again in Commerce City

The Suncor refinery in Commerce City again released potentially dangerous sulfur dioxide and hydrogen sulfide into the surrounding...

Apr 29, 2023



# EJ ACTION TASK FORCE RECOMMENDATIONS

- Section I: EJ Coordination
- Section II: **Environmental Equity & Cumulative Impact Analysis (EECIA)**
- Section III: **Data and Reducing Environmental Health Disparities**
- Section IV: Definition of Disproportionately Impacted Community
- Section V: Best Practices for Community Engagement
- Section VI: Supplemental Environmental Projects
- Section VII: Just Transition

# RECOMMENDATION: ENVIRONMENTAL EQUITY & CUMULATIVE IMPACT ANALYSIS (EECIA)

## Purpose

Provide information to ensure state agency decisions do not perpetuate a history of environmental racism, and instead address past harms by providing benefits to impacted communities that improve environmental health and livability.

## What is an EECIA?

Centralized analysis that looks at the cumulative impact of various factors on environmental health for certain DICs, including pollution & socioeconomic status. The analyses should be created by a 3rd party consultant or academic institution, & should be prioritized using the CO EnviroScreen tool.

## Use & Application

Individual agencies should reference, consider, & implement an EECIA for a relevant area when making specific decisions that impact that area. Agencies should consider how to incorporate EECIA as early as possible in their decision making processes.

# RECOMMENDATION: DATA & REDUCING ENVIRONMENTAL HEALTH DISPARITIES

## Purpose

To close data gaps pertaining to DI communities, and to recognize that cumulative impacts extend far beyond the state's current data limitations. Better data about the full scope of impacts is needed to fully understand the problem and to effectively operationalize EECIAs.

## State Agency Data Considerations:

- Use data quality indicators in decision making (e.g., accuracy, completeness, consistency, validity, & reliability).
- Consider data that is older or may have other limitations.
- Participatory science is equally valuable to decision making as research conducted by academic institutions or agencies.
- Increased funding for data collection & modernization.

QUESTIONS?

