

## **SB24-165: Air Quality Improvements**

**Senate Transportation & Energy – 3/20**

### **Colorado Auto Dealers Association – Official Position**

Good afternoon, Madam Chair, Vice-Chair, and members of the committee. My name is Devin Saunders, and I am the Director of Government Affairs for the Colorado Automobile Dealers Association. We appreciate the opportunity to testify on this piece of legislation and I promise to make this short and sweet.

CADA represents over 260 franchised auto dealerships across the state that employ over 10,000 Coloradans and contribute nearly a billion dollars annually to our state's economy.

The Colorado Auto Dealers Association has been engaged in **extensive discussions** on this legislation. While we appreciate the goal behind this bill, we are currently taking a neutral position on this legislation and **strongly support the original plan** that was developed by the Air Quality Control Commission (AQCC), and which was supported by the Colorado Energy Office.

We believe the AQCC's current plan and directive provide a **balanced approach** to achieving Colorado's clean air goals while ensuring the continued viability of Colorado's transportation industry.

We believe this approach is critical to maintaining a healthy transportation industry in the Denver Metro area and across the state. Thank you for your time and consideration and I'm happy to answer any questions you all may have.



***“Voice of the Western Slope since 1953”***  
***A coalition of counties, communities, businesses & individuals***

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March 20<sup>th</sup>, 2024

Chair Faith Winter  
Senate Committee on Transportation and Energy  
Wednesday at 1:30pm, SCR 352, *Submitted through the remote testimony portal.*

Dear Chair Winter and Esteemed Committee Members:

Club 20 maintains a committed and ongoing interest in energy extraction and production policies considered by the State of Colorado’s Legislature. This interest is heightened by the fact that Colorado is fortunate to have vast reserves of oil and gas, particularly in regions like the Western Slope; including the Piceance Basin that is home to some of the cleanest and most densely concentrated fields of energy resources. Therefore, Club 20 opposes SB24-165 and SB24-266 and asks that we celebrate the abundance of resources rather than hinder the competitiveness of Colorado’s energy industry.

With this priority in mind, we urge you to consider the sheer volume of existing regulations on the industry and the unintended consequences of moving forward with legislation that would halt production and further use of Colorado’s resources. State legislation and regulatory policy has had and continues to have direct and indirect impacts on Western Slope resource extraction, impacting the economic and social well-being of many of our communities.

Club 20 believes that free market mechanisms, rather than mandates, should be the primary consideration regarding the choice of energy resources used for power generation in our state. Traditional resources such as oil, natural gas, coal, and hydropower have been and will continue to play a significant role in meeting future energy needs. As we look to utilize nuclear, solar, wind, geothermal, biomass, shale oil, clean coal and unconventional natural gas technologies, we must use these energy resources in a combined integrated manner to provide the foundation for a clean, diversified, and secure energy future, especially during times of high demand.

Club 20 recognizes that we must find alternatives to energy resources as we move towards the future. However, we also recognize how important it is for our western communities to thrive economically and protect what it is that makes their communities unique. Club 20 policy supports a mission to improve the balance and overall capability of all energy resources that will strengthen economic growth, promote energy price stability, improve the environment, maximize diversified resource supplies; as well as promote the integrations of conventional/traditional, unconventional, and renewable and alternative energy resource technologies.


We respectfully request that the Committee and the Colorado General Assembly delay any further consideration of legislation that would hinder the work of Colorado’s oil and gas industry and specifically bills SB24-165 and SB24-166. By fostering collaboration, innovation, and responsible resource development, we can maximize the potential of all Colorado’s energy resources while

*Serving as the “Voice of the Western Slope” for the last seven decades, Club 20 is proud to represent our nonpartisan collection of members that come from both sides of the aisle and range from small business owners, elected officials, and members of some of the biggest industries in our region.*

protecting our environment, supporting economic growth, and meeting our state's energy needs for reliability and affordability.

Thank you for your time and consideration. We look forward to seeing your leadership in promoting a balanced and inclusive energy portfolio that serves the best interests of all Coloradans and keeps Colorado competitive in the industry.

Sincerely,

A handwritten signature in black ink, appearing to read "BCD", with a decorative flourish extending to the right.

Brittany Dixon  
Executive Director  
Club 20

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## INDIVISIBLE COLORADO

**March 18, 2024**

**Members of the Colorado Senate Committee on Transportation and Energy**

**Re: SB 165 Air Quality Improvements**

Dear Chair and Committee Members,

I'm here today on behalf of Indivisible Colorado to urge your support of SB 166, the Air Quality Improvements bill. Indivisible Colorado consists of dozens of grassroots Indivisible groups throughout the state including over 32,000 Coloradans. We are teachers, architects, priests, planners, civil servants, school administrators, small business owners, artists, retirees, nurses, contractors, and many more. We are Coloradans, and we are concerned by the tepid commitment shown so far in the state's leadership to address the air quality crisis.

Many of us live in Colorado for the quality of life: the beautiful Rockies, fresh mountain air and easy access to the outdoors. But the ugly truth is that the summer months, when we are commonly outside, are the most unhealthy to be outdoors in the Front Range. It is unhealthy for everyone, oil and gas workers, billionaires, the governor, his children, all of us here and our families. We have that in common, we all breathe.

But From Fort Collins to Colorado Springs, cities, towns and suburbs are increasingly polluted communities. In the Front Range where 80% of Coloradans dwell, you'll have a choice of living and working somewhere between the 6th most polluted city for ozone in the United States (Denver) or the 20th (Colorado Springs).

Some of us might be able to get away from the worst of it. That's helpful, but according to medical literature that is not enough. Air Pollution is a known cause of many serious diseases, including respiratory and lung diseases, leukemia, birth defects and immune system defects, cardiovascular problems, heart disease, stroke, and neurological problems.

Whatever we have done, and whatever we are doing right now - is not working. Air quality is rapidly getting worse in the Front Range. We must change course.

SB165 targets precursor emissions, improves public access to emissions data, requires a pause in fossil fuel production during ozone season, prompts rulemaking by the AQCC to attain nitrate oxides reduction, codifies the needed reductions of NOx emissions by 2030, a Polis directive; requires CDOT to report to the legislature on a program to reduce VMT, and, finally, it gives the AQCC a deadline to hold rulemaking on indirect source pollution.

We need the protections in this bill more than ever. Indivisible Colorado urges this committee to pass SB165.

Sincerely,

Elizabeta Stacishin, Climate Policy  
Indivisible Colorado

To the esteemed members of the committee:

My name is Maria Chansky, and I am a family physician living in Glenwood Springs, in Garfield County, CO. I am writing to express my support for SB 165, directed at mitigating air pollution associated with increased ozone levels secondary to oil and gas emissions and motor vehicles, and exacerbated by warmer summer temperatures. I am asking you to consider the health of all Coloradans, and vote in favor of this bill.

In April of 2022, the United Nations declared access to a "clean, healthy and sustainable environment" is a human right—including access to clean air. The quality of our air in Colorado is directly threatened by oil and gas emissions, particularly during the summer months of June, July, and August. According to researchers from CU Boulder, air quality evaluations in Weld County, Fort Collins and Boulder indicate that oil and gas operations are the primary source of volatile organic compounds (based on their unique chemical signature). Sunlight causes these gases to react with nitrous oxide emissions to make ozone, which is the main component of smog. Smog in turn contributes to a wide variety of health problems, including heart and lung diseases, neurological disorders, and many cancers. During the summer months, Colorado experiences more hours of sunlight each day, leading to greater ozone creation, and elevated risk to human health. Extreme heat (also more common during summer months) also hastens the creation of ozone and exacerbates its risks.

It makes sense that decreased air quality increases the risk of lung diseases such as COPD and asthma. Recent studies have shown that compromised air quality also exacerbates a wide spectrum of other health issues. Poor air quality increases the risk of many cancers, including breast cancer, lymphoma, and lung cancer. It also contributes to calcification of the arteries, leading to higher prevalence of heart attacks and strokes. Elevated air pollution has been linked to Alzheimer's Disease, Parkinson's Disease, and other dementias. Compromised air quality directly contributes to increased emergency room visits, hospitalizations, and premature deaths. Children, elderly, and people living in cities are particularly susceptible to health problems stemming from air pollution. Outdoor workers such as farm workers, firefighters, roofers, and construction workers are also at increased risk. Colorado prides itself on its vast natural expanses and high quality of life. However, the CU Boulder study indicated that the air in some regions of Colorado had higher average levels of propane than 28 US cities, including concentrations up to 9 times higher than the bustling cities of Houston and Pasadena.

Based on information from the National Oceanic and Atmospheric Association, between 2009 and 2014, the amount of US oil production increased by 64% and the amount of natural gas production increased by 21%. During that time, oil and natural gas emissions of volatile organic compounds increased by 17% and nitrous oxide emissions also increased significantly. During this five-year period, summer ozone levels increased dramatically across the central United States. The greatest effects were noted in Northern Texas, Oklahoma, New Mexico, and Colorado. Southwest and North-central Colorado experienced some of the most extreme elevations in summer ozone during this time. Researchers forecast that increasing ozone levels will contribute to 1100-2700 premature deaths per year in the United States by 2025, with

disproportionate effects on Colorado. Ozone risk is clearly elevated during the long, hot days of summer. To protect our air, and the health of our citizens, we must do everything we can during the summer to limit the risk that ozone concentrations exceed standards set by the Environmental Protection Agency-- we must limit oil and gas pre-production activities during the high-risk summer months. Motor vehicles also emit significant ozone pollutants, and SB 165 lays the foundation for further limiting these emissions.

A recent report on industry in Garfield County identifies the construction industry as the second largest employer in the county, providing almost 15% of local jobs. These outdoor workers will be at elevated risk for health problems associated with air pollution. This includes my husband, who is a carpenter, primarily works outdoors and suffers from asthma. It is urgent that we protect our health and our air from the harmful impact of ozone. I ask you on behalf of my community, my patients, my family, and myself, to vote in support of SB 165. Thank you for your time and attention in reading this statement.

Dear Colorado Legislators,

I support SB24-165. This bill is critical in reducing nitrogen oxides (NOx) and volatile organic compounds (VOCs) which combine to form ozone when they interact with sunlight. Colorado's Denver Metropolitan/North Front Range has been in violation of the federal National Ambient Air Quality Standards for ozone since 2012. State Implementation Plans (SIPs) have not been able to bring this area into attainment and solve the air quality problem. Ozone can cause many health impacts such as asthma attacks, decreased lung function, and increased risk of respiratory infections and diseases. Many Coloradans are being impacted by the unhealthy air quality in the ozone non-attainment area. Fifty-eight percent of Coloradans reside in an area that regularly experiences unhealthy ozone levels in the summer. Furthermore, economic damages from ozone in Colorado are estimated to total \$480 million to \$1 billion in 2025.

This bill aims to reduce ozone pollution by targeting contributors of nitrogen oxides and volatile organic compounds in the non-attainment area and improving public access to air emissions data. This bill would require a pause on oil and gas pre-production activities during ozone season (June through August), unless electric equipment is used. It also clarifies that the motor vehicle emission budgets for NOx and VOCs in the ozone nonattainment area must decline starting in 2030 and every 5 years after for on and off-road vehicles. It creates a new publicly accessible database of oil and gas air emissions data for the Colorado Department of Public Health and Environment and the Energy and Carbon Management Commission. This bill is essential in decreasing ozone precursors and providing more public information about air quality. Please approve SB24-165 and protect the health of Coloradans.

Sincerely,

Shelby Behr



To: Senate Transportation & Energy Committee  
From: The Alliance for Collective Action  
Re: Testimony in Support SB24-165 – Air Quality Improvements  
Date: 3/20/2024

The Alliance for Collective Action is an environmental nonprofit working across sectors to build a more climate-resilient and equitable future. Our Coalition for a Regenerative Future has over 400 members across the state of Colorado, with the majority of our membership in Colorado's Front Range. Many of our members have been directly impacted by Colorado's poor air quality, with some experiencing frequent respiratory issues and having to limit days spent outdoors in the summertime when ozone pollution is high. We commend the introduction of the package of ozone bills from the 2023 Ozone Interim Committee and urge you to vote yes on Senate Bill 24- 165.

The facts are stark: since 2012, the Denver Metro and Northern Front Range area has consistently failed to meet the federal National Ambient Air Quality Standards (NAAQS) for ozone. This failure has resulted in severe health impacts on our communities, with ozone contributing to respiratory issues such as asthma attacks, decreased lung function, and increased risk of respiratory infections. Nearly 60% of Coloradans reside in areas experiencing unhealthy ozone levels during the summer months. Moreover, economic damages stemming from ozone pollution in Colorado are estimated to range between \$480 million to \$1 billion annually, underscoring the urgent need for action.

The proposed bill offers a multifaceted approach to tackling ozone pollution. By requiring a pause on oil and gas pre-production activities during ozone season, the legislation addresses a major contributor to NO<sub>x</sub> and volatile organic compounds (VOC) emissions. According to the Regional Air Quality Council, the oil and gas sector accounts for 47% of the 2026 NO<sub>x</sub> inventory and 34% of the 2026 VOC inventory in Colorado's ozone nonattainment area. The bill also requires oil and gas operators to submit an annual emission inventory report and creates a publicly accessible database for the CDPHE and the ECMC of oil and gas air emissions data, increasing the transparency of operators for the benefit of Colorado residents.

The bill also addresses emissions from other critical sources like transportation, requiring CDOT to establish vehicle miles traveled reduction targets for the covered

nonattainment area and to develop policies and programs to assist metro planning organizations in meeting these targets.

Of particular significance is the codification of Governor Polis's NO<sub>x</sub> emissions reduction directive, providing enforceability to the goal of reducing NO<sub>x</sub> emissions by 50% by 2030. This measure aligns with the urgent need for ambitious targets and concrete actions to mitigate ozone pollution in our state.

This bill's emphasis on targeting major ozone precursor emissions and improving access to emissions data aligns with our mission to support healthy and vibrant communities where both people and the environment can thrive. We urge you to vote yes on SB24-165, which represents a significant step towards safeguarding public health, protecting the environment, and fostering sustainable economic growth in Colorado.

Sincerely,

Jane Allen, Assistant Director, Climate & Energy Resilience  
Jolie Brawner, Director, Coalition for a Regenerative Future  
The Alliance for Collective Action

Thank you for allowing me the opportunity to give public comment. I am Kelsey Barnholt, and I live in Erie, CO. Erie has over 360 active wells, 26 of which are freshly fracked since I moved into my house in 2020. To my dismay, additional wells are on the docket to be drilled & fracked in close proximity to Erie homes despite the supposed protections from SB19-181.

Living in a town that is disproportionately impacted by poor air quality largely in part to our over abundance of oil and gas wells, air quality legislation is very important to me and my family. Additionally, I have Primary Immunodeficiency which makes me more susceptible to cancers like lymphoma, the VOCs, methane, and NOx emitted from oil & gas wells as well as the high levels of ozone here in the Front Range increase my risk of future cancer. I also have asthma, which is the worst its ever been since moving to Erie. I live in a new neighborhood in Erie where construction equipment spews black exhaust CONSTANTLY. It's disheartening to see black exhaust looming in the air over my kids' elementary school.

I am a triathlete and enjoy swimming, running, and biking all over CO, but it's frustrating when there are Ozone days that prevent us from going outside. I have to check the AQ before I decide to exercise outside during spring and summer. I have spent \$1600 on air purifiers to make the air in my home safer to breathe because the air around my home is filled with VOCs, methane, and ozone. VOCs are known to cause a whole host of issues from premature births and low birth weights to asthma and cancer. The air quality problem is dire in Erie, which is why the Town of Erie has had to invest over \$1 million to purchase air quality monitoring for the Town. In it's short 1.5-2 years since being installed, we have seen terrifying spikes in methane and BTEX.

SB24-165 will help make the air in the Front Range safer for us and our families by not allowing Oil & Gas' to drill & frack during Ozone Season as well as require operators to report their emissions. This would hopefully make the air safer for all of us so that we can continue to enjoy the outdoors in CO!

For the sake of all the people living in the Front Range and in the state of Colorado in general, I urge you to vote Yes on SB24-165. Thank you for your consideration.

## **Sb 24-165, Air Quality Improvements**

Written testimony submitted by Tony Gagliardi, State Director, Colorado chapter, National Federation of Independent Business,

Dear members of the Senate Transportation & Energy Committee,

The National Federation of Independent Business is an 80-year-old, Not for Profit membership organization with approximately 300,000 dues paying members nationally and dedicated to making it possible for every individual to own, operate and grow their business free from over regulation by government. Our membership is comprised of small and independent businesses engaged in every industry imaginable and who have an average of 5-9 employees. On behalf of the over 6,000 members of NFIB Colorado I request you vote NO on Sb-24-165.

No one can say Colorado citizens do not want clean air and water. However, Sb 24-165, and the other pending legislation attempting to shut down Colorado's energy industry are extreme and harmful to Colorado's school systems, support programs, and livelihoods of hundreds of small businesses that in one way or another depend on the health and support of Colorado's energy sector. Not to mention the thousands of jobs provided by industry.

Transitioning away from oil and gas requires significant infrastructure investments, technological advancements, and changes in consumer behavior. It must be understood, a shut down of the oil and gas development prematurely could lead to energy shortages and disruptions.

When recently balloted, NFIB Colorado members opposed disruption to the oil and gas industry by over 90 percent.

**Please vote NO on Sb 24-165**

**A.F. Tony Gagliardi, State Director  
303-831-6099**

**Senate Transportation & Energy**

**03/20/2024 01:30 PM**

**SB24-165 Air Quality Improvements**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Megan Wilder For themselves	<p>Please pass these vitally important bills to improve Colorado's Air Quality:</p> <p>SB-165: Improve Air Quality SB-166: Strengthen Air Quality Enforcement HB-1330: Toughen Air Quality Permitting HB-1339: Improve Air Quality in Impacted Communities</p> <p>These carefully designed bills offer common sense solutions to Colorado's obviously worsening air quality problems. For too long lawmakers have relied on the "carrot" approach, hoping that incentives would be adequate. We know now that this will not work. It is time to get serious and pass regulations with real teeth that will quickly address the causes of air pollution and punish the industries that won't reform and continue to violate rules.</p> <p>It is not OK that nearly four million Coloradans live in "severe" non-attainment areas where ozone pollution causes heart and lung disease, premature death, childhood asthma, and scarring of healthy lung tissue. I urge you as savvy legislators: do not cave in to oil and gas companies and other polluting industries. Stand up to these entrenched interests. Your constituents are begging you to make the hard decisions required to protect the air we all breathe.</p>
Chris Hoffman For themselves	<p>I strongly support this bill. For too long lawmakers have relied on the "carrot" approach, hoping that incentives would be adequate. We know now that this will not work.</p> <p>It is time to get serious and pass regulations with real teeth that will quickly address the causes of air pollution and punish the industries that won't reform and continue to violate rules.</p>

	<p>It is not OK that nearly four million Coloradans live in "severe" non-attainment areas where ozone pollution causes heart and lung disease, premature death, childhood asthma, and scarring of healthy lung tissue. I urge you as savvy legislators: do not cave in to oil and gas companies and other polluting industries. Please stand up to these entrenched interests.</p> <p>Thank you.</p>
<p>Scott Hudson For themselves</p>	<p>My name is Scott Hudson, and I am a resident of Parker, Colorado. My family and I enjoy the outdoors and moved here sixteen years ago, because of the access to nature and the state's healthy environment. However, we are greatly concerned about the air pollution along the front range, and the state's seeming inability to get the issue under control. Therefore, we fully support SB24-165 as a step forward in addressing the problem.</p> <p>I owned an oil and gas operating company for 16 years and understand the importance of the oil and gas industry to the state and local economy. However, looking solely at the income that the industry contributes to the state does not take into account the long-term costs that the industry generates due to emissions and other environmental impact. This environmental and health cost must be taken into account in order to decide on whether to permit additional wells and how to regulate the industry. I firmly believe the industry is capable of significantly reducing its emissions and should do its part to reduce air pollution in Colorado. The Operational Pause that is included in the bill for oil and gas operations during ozone season is a good start. Transitioning to electric drilling and production equipment is another.</p> <p>I also fully support the requirement that oil and gas companies provide an inventory of their emissions and estimating emissions for each season. However, this should be reviewed thoroughly and compared against measurement data taken by the state or third party. This is not because I do not trust companies to report accurately but instead to recognize trends and identify improvements that can be made. Data is worthless without review and follow-up action. Therefore, I support making the reports and information gathered under this bill public for review by citizens of the state.</p>

	<p>Finally, I believe that this is only a step to reducing our air pollution problem. The results of this bill will need to be reviewed every few years to determine if it is meeting its goal and if changes should be made. I am confident that Colorado can resolve its air pollution problem, but it will need to be a concerted, long-term effort. This bill is a positive step in that direction.</p>
<p>Kelly Hegarty Against themselves</p>	<p>Dear Committee Members, As your constituent, I am asking you to VOTE NO SB24-165. This is one of several bills introduced this session that aim to ban our local oil and gas industry in Colorado and disregard the tireless work of Colorado regulators, stakeholders, and everyday residents over the past half-decade to produce this resource cleaner and safer than almost anywhere in the world. We need to support producing natural gas and oil right here in Colorado, where we already have the strongest oil and gas regulations in the country. Please support our local economy and oil and gas workers with a NO vote! Respectfully, Kelly Hegarty</p>
<p>Markis Glenn For themselves</p>	<p>Thank you committee members for reading and including my written testimony related to SB 24-165. My name is Markis Glenn. I am a long-time Boulder resident. During the 1990's, I was always shocked at the brown cloud that periodically rested above the city of Denver. As time went on, population increased and hydraulic fracturing became widespread throughout the front range, that cloud grew and grew. These days it's rare for me to look at the Eastern horizon and not see an immense brown cloud spanning the horizon from way up North to South of the city. I hike daily. I can taste when the air is poor quality. On the worst days, my eyes burn. Dramatically decreasing this air pollution must become one of our priorities in the front range. By passing and implementing the proposals in bill SB-24-165, we will be moving forward and making positive changes to finally come into compliance with Air Quality Regulations and most importantly, taking care of our home and health. PLEASE be aggressive in supporting this bill and cleaning up the air that feeds us all.</p>
<p>Molly Jacobs For themselves</p>	<p>I'm in full support of this bill. Denver has the 6th worst air quality in the entire country. That means that our communities are more likely to develop lung cancer and heart problems. When I see kids riding their bikes around my neighborhood in the summer, my first thought is concern for their lung health and their heart health. What kind of legacy are we leaving the children of Colorado if we don't put safeguards in place to protect their health? This bill is one solid way of ensuring that Coloradans grow up healthy and strong.</p>

<p>Karen Artell For themselves</p>	<p>Hello Senate Transportation &amp; Energy Committee Members, both Bills Sponsors and my Local Legislators</p> <p>Regarding SB24-165:</p> <p>I live in Fort Collins. The west Fort Collins ozone monitor has some of the highest ozone measurements in the ozone nonattainment area.</p> <p>According to the NCAR FRAPPE Study <a href="https://www2.acom.ucar.edu/frappe">https://www2.acom.ucar.edu/frappe</a> emissions and ozone precursors from oil and gas facilities in Weld County travel on prevailing winds to Fort Collins and up against the foothills and contributing to our high ozone days.</p> <p>Of particular importance to me:</p> <p>The ozone season is designated from May 1 ending on September 30 each year going forward and that oil and gas pre-production activity not be allowed within the ozone nonattainment area during the designated ozone season.</p> <p>The ECMC and the Division act to limit emissions of NOx from oil and gas operations in the ozone nonattainment area.</p> <p>Regarding SB24-166:</p> <p>The public has access to Colorado Air Quality Control Commission hearings and the ability to comment on proposed rulemakings but have little access to what happens after a regulation is adopted. We don't know how the regulated entities are held to account. Documents are difficult to search for on Colorado's Air Pollution Control Division website, though searching has improved with the newer APCD Map Portal and Records Search Tool. Not all documents are uploaded necessitating requests for records from staff members.</p> <p>The Division uses the Colorado Open Records Act (CORA), which states, in part, that, "The custodian may deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest: ...any records of ongoing civil or administrative investigations conducted by the state or an agency of the state in</p>
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	<p>furtherance of their statutory authority to protect the public health, welfare, or safety unless the investigation focuses on a person or persons inside of the investigative agency.”</p> <p>Surely the Division knows that non-compliance with clean air rules and regulations are contrary to the public interest, not the public's need to know about the air they breathe.</p> <p>The Division must provide more transparency for the public regarding operator noncompliance and enforcement of the Division's rules and regulations.</p> <p>Thank you for your consideration.</p>
<p>Debra Bjork For themselves</p>	<p>Support SB24-165 Improve Air Quality</p> <p>My family and I are some of the 58% of Coloradans who live in the EPA-designated “severe” surface ozone nonattainment area. My five grandchildren, sons and spouses, and husband are eleven of the four million Coloradans who breathe this air every day. This surface ozone and other carcinogenic pollutants cause heart and lung disease, premature death, childhood asthma, and scarring of healthy lung tissue. It is equivalent to smoking a pack of cigarettes every day.</p> <p>I urge you to support this bill. Crafted to improve air quality, by the 2023 Legislative Interim Committee on Ozone Air Quality, it will help to address Colorado’s severe ozone pollution.</p> <p>Please do not be swayed by industry arguments that pausing excessive emissions activities and reporting is too costly or too cumbersome. It is not. Citizens have a right to know what is in our air. You have the power to both clean up our air and to save lives.</p> <p>I urge you to support this bill, which:</p> <ul style="list-style-type: none"> <li>• Requires a pause on oil and gas preproduction activities during ozone season (June through August), with exceptions for all-electric equipment.</li> </ul> <p>We prohibit citizens from burning wood and using outdoor water. It is no different to require oil and gas to pause high emission activities during the high ozone season, when we have SEVERE ozone levels.</p> <ul style="list-style-type: none"> <li>• Codifies Governor’s NOx emissions reduction directive. In 2023, Governor Polis directed state agencies to reduce NOx emissions 50% by 2030. This measure makes the directive enforceable.</li> </ul>

	<ul style="list-style-type: none"> <li>• Requires the Colorado Department of Public Health and Environment (CDPHE) to report to the legislature during their 2025 SMART Act hearings on a program to meet the motor vehicle emission budgets in the Denver Metro/North Front Range ozone nonattainment area.</li> <li>• Directs the AQCC to hold a rulemaking, by 2026, on Indirect Source pollution to aims to reduce emissions associated with "indirect" air pollution sources, such as reducing truck emissions from warehouses.</li> <li>• Creates a new joint, publicly accessible, database for the Colorado Department of Public Health and Environment (CDPHE) and the Energy and Carbon Management Commission (ECMC) of oil and gas air emissions data.</li> <li>• Clarifies that the motor vehicle emission budgets developed for NOx and VOC in the ozone nonattainment SIP must decline starting in 2030 and every 5 years after for both on-road and non-road mobile sources.</li> </ul>
<p>Kendra Lechtenberg For themselves</p>	<p>My name is Kendra Lechtenberg and I strongly support Senate Bill 24-165. I am proud to be a Coloradoan, having grown up in Fort Collins and chosen to move back after living in California for many years for my education, but I have been discouraged that our state has fallen so far behind in protecting its air, and as such, the health of its citizens and the natural environment. The changes that SB24-165 would enact would put us on a better path to being able to reduce ozone and air pollution by enabling oversight, transparency, and by starting to better-regulate some significant sources of ozone and other pollution.</p> <p>While I was living in California, my dream was always to move back to Colorado, but a major concern for my partner and I was the ozone problem and whether we would truly be able to enjoy the amazing outdoor opportunities here if the air quality made it unhealthy to do so. Two years after moving back to the Front Range, Colorado's air quality remains a major concern for us, and is a significant cause of anxiety for my partner. We want to raise children here, and I don't want to have to check the Air Quality Index every few hours to see if it's safe to go on a bike ride, or a run, or to play in the backyard.</p>

	<p>I think this bill could go further, but it is a good place to start. The longer this problem goes unaddressed, the worse it will become, so it's imperative that the senate act now. Please support SB24-165.</p>
<p>Barbara Donachy For themselves</p>	<p>Dear Committee</p> <p>My name is Barbara Donachy. I have a MPH from the Colorado School of Public Health and am a 45 year resident of Denver with three children and three grandchildren living in Denver who attend Garden Place Academy elementary school that sits in the midst of the famously polluted 80216 zip code.</p> <p>That said, in the present, every day certain communities are exposed to ozone. Any amount of exposure to ozone can be harmful in the short term for some people. We know from population studies that ozone is very highly associated with many respiratory problems. We know from EPA or other agencies providing "guidance" that ozone exposure is dangerous at some levels and not expected to harm most people at other levels. But, no level of exposure is good for your health. And added to other things that some people may be experiencing, like heat fatigue, or other pollution diet, some people are going to suffer more.</p> <p>I've been deeply concerned about the climate crisis since working on a public health project in 2009 in Bolivia, where at 21,000 feet mountain glaciers are melting. I fear greatly for the future.</p> <p>And, like many of my friends and colleagues, I am frustrated at the tediously slow pace of governmental response to such an existential threat to current and future generations.</p> <p>This is a step that can be done. I support this bill. I believe it will improve the mental and physical well-being of the public.</p> <p>Thank you for your consideration. Barbara Donachy, MPH</p>

<p>Edward Talbot For themselves</p>	<p>My wife and I are long term residents of Colorado having raised our family here. We have become increasingly concerned about ho growth and sprawl BUT particularly the operations of the oil and gas industry have negatively impacted and increasingly are making worse our air. It appears time after time that industry has failed it moral and legal obligations to effectively reduce its emissions especially of methane with empty misleading claims they are really doing anything. We have to admit we are starting to believe the State of Colorado government has been complicit in this failure to really come down on this industry in a way to bring about the changes needed! Biased reports and empty claims they are doing anything quickly and substantially to reduce emissions are all we see. We need far stricter enforcement by the State to make change and that will only come through the one thing the oil and gas industry understands. That is money. High hefty fines are what they will understand and will actually get that industry to do what they should have been doing. Please pass this bill. Public health is more important than company profits.</p>
<p>Leslie Glustrom For themselves</p>	<p>Dear Senate Transportation and Energy</p> <p>Thank you to the bill sponsors for bringing SB24-165 and SB24-166 related to improving air quality.</p> <p>I'll keep this short. I'm chemically sensitive and every day I spend on the Front Range (where I live and generally sleep) is a very difficult day for me characterized by serious headaches, sore throat, burning eyes and general malaise.</p> <p>When I can get to cleaner air, I feel significantly better.</p> <p>PLEASE PASS THESE BILLS!!</p> <p>Thank you</p> <p>Leslie Glustrom</p>
<p>Jordan Sorokin For themselves</p>	<p>I am a recent resident of Fort Collins having moved from out of state to live near my wife's family as we begin our own. I am overwhelmingly in support of SB24-165. I have been shocked at Colorado's consistently poor air quality, especially during our Ozone</p>

	<p>season, and have been disappointed with the effective counter-lobbying put forward by the Oil &amp; Gas industry, which has prevented necessary measures for improving our air. In all honesty, we are considering relocating back to where we moved from due to concerns of long-term consequences from exposure to elevated pollution, both for ourselves and for our future family. It is the AQCC's civic duty to enforce the policies needed to reduce the negative health impacts brought about by corporate, short-term interests — policies that are supported overwhelming by the majority of Colorado voters.</p>
<p>Karen Artell For themselves</p>	<p>Chair Winters and committee members, thank you for the opportunity to comment. My name is Karen Artell. I support SB24-165.</p> <p>I live in Fort Collins. The west Fort Collins ozone monitor has some of the highest ozone measurements in the state.</p> <p>According to the National Center for Atmospheric Research (NCAR) and the FRAPPE study, the emissions and ozone precursors from oil and gas facilities in Weld County travel on prevailing winds west to Fort Collins and up against the foothills contributing to our high ozone days.</p> <p>Oil and gas emissions are the predominant contributor of ozone precursors in the ozone nonattainment area, now designated as severe.</p> <p>My community bears the burden of poor air quality and its effects on our health and environment from oil and gas development emissions in Weld County.</p> <p>Of particular importance to me in the bill:</p> <p>The ozone season be designated from May 1 through September 30 each year going forward, and</p> <p>Oil and gas pre-production activity be paused during the ozone season within the ozone nonattainment area.</p>

	<p>Emissions, including ozone precursors, during pre production activities are higher than during any other phase of oil and gas development.</p> <p>The preproduction pause provides an effective and clear-cut action to reduce ozone precursors during the ozone season, improves air quality in the whole nonattainment area including the fastest growing cities and counties, population wise, in the state and once implemented requires minimal added state staff time and expenditures.</p> <p>The pause would end when the nonattainment area is re-designated by the EPA as a maintenance area.</p> <p>Please vote yes on SB165.</p>
<p>Robert Roseman Against themselves</p>	<p>Hello, my name is "Sunny" Roseman. I came to Colorado in 1977. Channel 9 hired me to be part of the Weather Team of "Sunny and Stormy." I went to the University of Oklahoma, where I studied Meteorology. I then went to Arizona State where I studied Climatology and specialized in Urban Climate Change.</p> <p>As a 47 year resident of Colorado, I understand your Colorado Pride, your Colorado attitude and your desire to keep this state a vibrant and healthy place to live, learn and play.</p> <p>I'm sure we ALL agree that the key to continued prosperity for our state...depends on a healthy economy and a large degree of freedom from overregulation and heavy handed regulations that increase the cost of living for everything from fuel, groceries, utilities, education, and transportation to housing.</p>

	<p>I'd like to address SB - 165 which has the potential to do IRREPARABLE HARM to our ECONOMY:</p> <p>This bill states that from May 1st to September 30th any oil and gas pre production activity must stop.</p> <p>*Has any thought been given to the cost, the damage to the production facilities and what this will cost consumers?</p> <p>*Has any thought been given to what happens to the workers and all the businesses that rely on this activity?</p> <p>*Has anyone given any thought to the downstream damage to the economy?</p> <p>FINALLY: The Bill requires the DOT to establish Vehicle Miles Traveled GOALS...which eventually turn into mandates.....</p> <p>3 Questions come to mind:</p> <p>WHO THINKS UP THIS STUFF?</p> <p>WHAT ARE THEY THINKING?</p> <p>DO THEY ACTUALLY CARE ABOUT THE DAMAGE THIS WILL CAUSE?</p>
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	<p>AGAIN I believe that if we continue over-regulating our States' natural resources, especially Oil and Gas, great harm will come to the quality of life here in Colorado. Thank you!</p>
<p>Perry Bellcourt None themselves</p>	<p>My name is Perry Bellcourt. I came as a private home owner living in Westminster... I am a 8 year US Army Veteran of 6 I put into Combat. 12 years ago I got married and my wife and I decided out of all the places to live in America we chose Colorado. 6 years ago we bought a house which has 28 Solar panels on it, we're trying to do our part and thought that should help. Once we got everything up and running we found not only did we take on a hefty mortgage we also took on a minimum of \$350.00 Electric bill so I've been trying to get away from a totally electric house. Last year I had a 95% efficient \$30,000.00 boiler system installed, Bought a state of the art stove and had gas ran in from the street.... Now we pay a combined bill of roughly \$150-4170.00 per month. Last year we went and bought a Toyota RAV4 which we get 50mpg out of and it's a Full Size SUV. If you pause production the effect on gas prices alone will go back to when Biden first took Office but this time it will stay there not to mention what it will do to the small businessman. We Love it here so Please don't make it impossible for us to stay, I don't want to leave Colorado</p>
<p>Joe Antus None Signal Tech Coalition</p>	<p>Good afternoon committee members,</p> <p>My name is Joe Antus. I'm the executive director of Signal Tech Coalition. Signal is a collection of tech &amp; business leaders in Colorado and we're here to show our support for SB 24-165 and we urge you to do the same. This bill not only promises a greener &amp; healthier future for Colorado but also presents a significant opportunity for economic impact and cost savings for its citizens. At its core, this bill is about taking decisive action to reduce motor vehicle emissions in alignment with our state's ozone plan for 2030 and 2035, and crafting a proactive strategy to further diminish pollution in the front range.</p> <p>The implications of this legislation stretch far beyond environmental preservation; they speak to the very fabric of our economic sustainability. In a 2021 analysis by the Colorado Department of Transportation, it's projected that Colorado can experience a staggering \$40 billion in savings by 2050 from just a 10% reduction in household driving. Such savings reflect not just lower transportation</p>

	<p>costs for Coloradans but also a potential decrease in healthcare expenditures due to improved air quality.</p> <p>Furthermore, the economic damages from ozone pollution, estimated to be between \$480 million and \$1 billion in 2025, spotlight the urgent need for action. This bill directly addresses these challenges, offering a pathway to not only avert significant economic losses but also foster a healthier, more sustainable environment for all Coloradans.</p> <p>If our state is able to craft an approach that includes enhancing public transit accessibility while developing affordable housing in dense population/workforce centers, we can set a precedent nationally for blending economic development with environmental stewardship. We don't have to choose between our environment and our economy. This legislation is a part of a larger call for collective action towards a future where economic prosperity and environmental sustainability are not mutually exclusive but are interdependent, achievable ideals. By supporting this bill, we pave the way for a Colorado that thrives economically, safeguards well-being of its residents, and keeps us on track with our larger environmental goals.</p> <p>I urge you to consider the long-term economic and environmental health of our state and support this crucial legislation.</p> <p>Thank you for your time &amp; consideration.</p>
<p>Barbara Donachy For Physicians for Social Responsibility Colorado</p>	<p>Dear committee</p> <p>I'm writing on behalf of PSR (Physicians for Social Responsibility) Colorado. PSR Colorado is an organization of health professionals and allies that offers evidence-based education and advocacy to protect current and future generations from the health impacts of fossil fuel production and use, the climate crisis, and exposure to radionuclides and other toxic substances.</p> <p>HB24-165 is an important step toward both reducing our ozone nonattainment, a goal that must be reached by either using our own</p>

	<p>initiative or by having it imposed upon us by the EPA such as expensive reformulated gasoline.</p> <p>We believe this legislation and the accompanying ozone legislation will contribute to the health and well-being of all Coloradans.</p> <p>We acknowledge the efforts of the Legislative Interim Committee on Ozone Air Quality and the many impacted community members who have over the past years taken the time and courage to speak out for their communities, their children, their elders.</p> <p>As health professionals, we are very much aware of the negative health impacts of ozone on our communities. The American Lung Association states that "exposure to unhealthy levels of ozone air pollution makes breathing difficult for more Americans all across the country than any other single pollutant." In 2023, They ranked Denver-Aurora 6th worst in the nation for ozone pollutants. We know that children are at greatest risk from exposure to ozone because their lungs are still developing, they spend more time outdoors, and they breathe faster. We know ozone aggravates asthma, emphysema and chronic bronchitis. It inflames and damages our airways and makes our lungs more susceptible to infection. It has been linked to premature mortality and increased hospital admissions.</p> <p>We cannot control the level of ozone from wildfires and outside sources nor can we control our wonderful sunny climate that contributes to ozone formation.</p> <p>But we can control emissions from major contributors to ozone precursor emissions and we can minimize the exposure to the most impacted communities.</p> <p>We support this bill and believe it will help achieve the air quality standards we seek through reducing emission from multiple sources.</p> <p>Barbara Donachy, MPH PSR Colorado Board of Directors</p>
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<p>Adrienne Razavi For themselves</p>	<p>Dear Lawmakers,</p> <p>Please pass this vitally important bill to improve Colorado's Air Quality: SB-165.</p> <p>It's clear every summer that our air quality is getting worse and worse, with just a quick look to the west: our iconic mountain range is totally obscured some days. And while the loss of the views are sad, the damage our air quality has on our health and the health of the ecology of our state is far worse. We must do all we can to improve our air quality, and the plans in this bill are a great start. Expanding the ozone months and requiring oil and gas companies to measure, report, and limit levels of pollutants is the first step to fixing this problem, because we cannot take action on what we have not measured, and oil and gas companies are not going to do anything to protect the environment on their own. What is most exciting to me about this bill is that it is attempting to impact poor air quality from both directions: those who produce the oil and gas by exploiting our natural resources, and those who use the oil and gas because they are part of a car-dependent system. Oil and gas companies, as the monied power-holders behind the continued rape of our environment, hold much of the blame for this climate crisis, but individual vehicle drivers share some as well. Because they are entrenched in a transportation system that has prioritized driving for decades, though, it is no wonder Coloradoans do not use other options. This bill gives CDOT the room to build vehicle miles traveled reductions programs and policies to assist MPO's in meeting vital VMT reduction targets. I live in the Aurora suburbs and ebike to get almost anywhere, including to my job in downtown Denver, in addition to taking the bus and train; only occasionally do I use my car, as a last resort. I experience every day how uncomfortable, scary, inconvenient, and even life threatening it is to get around through these transportation methods because of the prioritization - and therefore entitlement - of drivers. My professional life is dedicated to making it easier to get around without driving, so I know my experience is the norm, not the outlier. This bill will help improve our air quality in a number of ways, and will maybe have other indirect benefits to our transportation system besides. For these reasons, I urge you to please do the right thing for us and support this bill. Thank you.</p>
<p>Lynne Sullivan For</p>	<p>Hello, and thank you for considering my opinion as your constituent who is suffering from Colorado's poor air quality as a ranch hand.</p>

<p>themselves</p>	<p>Please support SB24-165, Air Quality Improvements, because it will improve my (and all of your constituents') life and health by limiting the amount of pollution from various emitters. For me, one of the best components of this bill is the pause in pre-production drilling, fracking and flow back operations, during high ozone season.</p> <p>I come home exhausted and barely able to function each day I work outdoors in the summer when air quality is at its most dangerous, with excessive levels of toxic pollutants.</p> <p>Please help us all (and save on health care costs etc.) by supporting this bill.</p> <p>With deep gratitude for your consideration and help, Lynne Sullivan</p>
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