



2014

COLORADO LEGISLATIVE CONSERVATION SCORECARD



Conservation Colorado

The future is worth the fight

A scenic view of a mountain trail. In the foreground, a woman with a braid is seen from behind, walking through a field of tall grass and yellow and blue wildflowers. Other hikers are visible in the background, some wearing hats and backpacks. The trail leads up a hillside covered in dense evergreen trees. In the distance, a valley with rolling hills and a small town is visible under a clear sky.

You care about Colorado's environmental legacy.

DO YOUR LEGISLATORS?

The scorecard highlights the priorities of the conservation community in the 2014 legislative session. You will find factual, nonpartisan information about how each member of the legislature voted on important issues that affect Colorado's air, land, water and people. We invite you to examine the scores of your representative and your senator and to see how well their votes match up with your conservation values. We encourage you to call or write your legislators and let them know you follow their environmental scores. Phone numbers and email addresses of your elected officials can be found at <http://conservationCO.org/legislator-directory/>.

Conservation Colorado turns conservation values into Colorado priorities.



Know the Score

I am pleased to share Conservation Colorado's 2014 Legislative Scorecard with you. The good news to report is that we had a number of major successes in the 2014 legislative session. Of course, it is also the case that we had to push back against anti-environmental forces to protect past victories.

We won because of you. Your time, energy, and support meant we could protect Colorado's open spaces, clean water, and stunning blue skies. Thank you!

HERE ARE A FEW 2014 LEGISLATIVE SESSION HIGHLIGHTS:

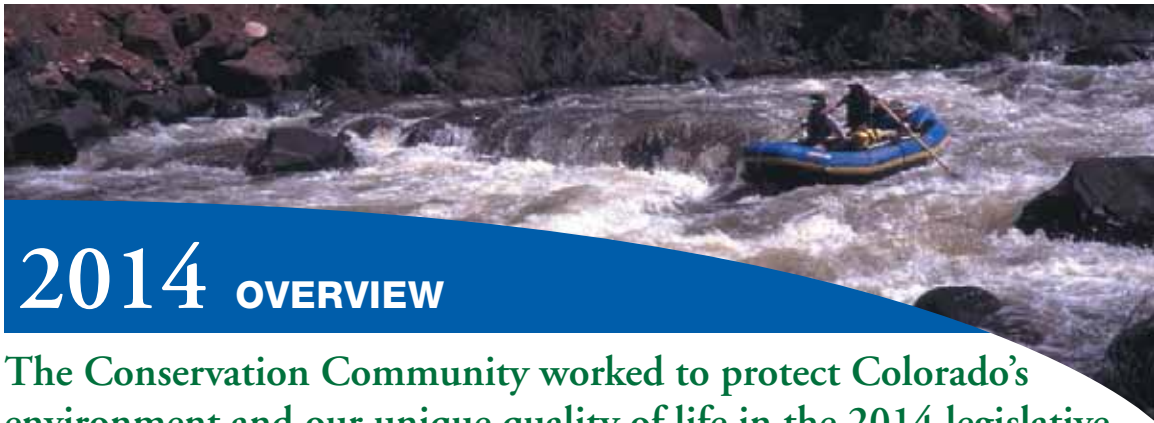
- **Senate Bill 192, *Uranium Processing Groundwater Protection***, the bill will better protect communities from ongoing contamination from uranium milling facilities and provides needed transparency to Colorado's uranium milling oversight laws. This bill begins a cleanup process several decades overdue in Cañon City and provides clear direction in the case of future contamination. As introduced, the bill included measures to protect Colorado's water from experimental new uranium milling technologies. These provisions were stripped from the final bill but we will continue to advocate for policy changes going forward.
- **House Bill 1356, *Strengthen Penalty Authority for Oil and Gas Conservation Commission***, updated Colorado's oil and gas fines regime and brought additional transparency to how and when oil and gas fines are levied.
- **Senate Bill 23, *Transfer Water Efficiency Savings to Instream Flow***, was designed to help protect our rivers by modernizing irrigation practices and creating much needed flexibility for farmers and ranchers to conserve water. Our team and coalition partners worked tirelessly to pass this through the legislature. In an inexplicable move we strongly opposed, the Governor vetoed this bill. While this was an enormously frustrating outcome, we will continue to move forward to win good policies to protect our rivers and streams.

You are instrumental to Conservation Colorado's success. Thank you and we look forward to continuing to work in partnership in the months and years to come as we continue our fight to protect Colorado's air, land, water and people.

For Colorado,



Pete Maysmith,
Executive Director



2014 OVERVIEW

The Conservation Community worked to protect Colorado's environment and our unique quality of life in the 2014 legislative session. We worked with our legislative champions on pro-conservation efforts to promote clean, renewable energy policies while fighting back against big polluters and the dirty energy lobby.

PROTECTING OUR ENVIRONMENT

Colorado's environment, including our water and energy resources, is an important part of our identity as Coloradans and is critical to our economy and quality of life. Bills passed this year to save water include measures increasing the use of high efficiency water fixtures and encouraging agricultural users to use their existing water more efficiently. Legislation also passed that will increase opportunities for energy efficiency in schools.

HOLDING BIG POLLUTERS ACCOUNTABLE

Two key 2014 bills will help hold big polluters accountable. After three decades of contamination, the legislature passed a bill to hold uranium companies responsible for reckless milling and cleanup practices. Finally, there is help for residents of Cañon City and their contaminated groundwater, and that's good news as uranium mining and milling tries to make a comeback across the state. Additionally, after running a similar bill in 2013, the legislature increased fines on oil and gas drilling companies when they violate the law, endangering families and polluting our air and water. Our out of date fine structure amounted to little more than a slap on the wrist for the worst violators. Increased penalties and new transparency for the fine process were added this year.

DEFENDING RENEWABLE ENERGY PROGRESS

Colorado is a national leader in the promotion of clean, renewable energy like wind and solar. In 2013, the legislature expanded Colorado's renewable energy standard to 20% by 2020 to bring clean renewable energy to more of Colorado. The state's largest utilities have a standard of 30% by 2020. This year, in the face of unprecedented attacks on the advances made last year, our champions stood up against dirty energy proponents to defend Colorado's progress. Their efforts will protect Colorado's hard work to reduce air pollution, combat climate change, and promote the jobs of the future.


While significant progress was made this session, there is still much work to be done. The Governor vetoed one of the most critical bills passed this session; agricultural water efficiency legislation that would have been an important first step to preserve and protect our rivers. The conservation community will redouble our efforts to develop solutions to the impending gap between water supplies and water usage. Also, while the uranium legislation passed provided a critical step towards protecting our groundwater and holding big polluters accountable, an important measure to regulate new, unproven uranium mining technologies was stripped and must be pursued through future action.



Protecting OUR RIVERS

There were two key bills for water conservation and efficiency this year. One to promote indoor water efficiency through phasing in the sale of high efficiency bathroom fixtures like toilets and faucets. The second water bill would have promoted efficiency in irrigation systems on ranches in order to keep some additional water in our rivers for the environment. Both of these bills were born from years of stakeholder conversations.

Senate Bill 23

1  **TRANSFER WATER EFFICIENCY SAVINGS TO INSTREAM FLOW**

Sponsors: Senator Gail Schwartz and Representative KC Becker

House Vote: 35-30 • Senate Vote: 25-9-1

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper VETOED On: June 5, 2014

Description: SB 23 was a measure designed to protect our farms and our rivers. It would have allowed irrigators to transfer the water they saved after increasing their “water efficiency” (e.g., lining their irrigation ditches) to the state as an instream flow without a loss or impairment to their water rights. In short, improved irrigation practices meant we could take a little less water from our overburdened rivers. The bill had support from water providers, agricultural producers, and conservationists. Despite bipartisan support in the Senate, the bill was hotly debated along partisan lines in the House.

Senate Bill 103

2  **PHASE-IN HIGH EFFICIENCY WATER FIXTURE OPTIONS**

Sponsors: Senator Lucia Guzman and Representative Randy Fischer

House Vote: 35-28-2 • Senate Vote: 19-16

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on: June 6, 2014

Description: As we plan for our water future, we face an increasing gap between our water demands and our available supply. Creating ways to conserve and become more efficient is key to meeting our future needs. Senate Bill 103 is a practical and common-sense water conservation measure that phases in the sale of certified WaterSense high efficiency bathroom fixtures (limited to bathroom faucets, showerheads, toilets and urinals) and phases out the sale of old inefficient fixtures. As a result, Colorado will save an estimated 40,000 acre feet (over 1.3 million gallons) of water by 2050.

PROGRESS STALLED

In early June, when Governor Hickenlooper vetoed Senate Bill 23, many were left wondering what happened. This narrow and voluntary measure would have allowed a small amount of water to be returned to our rivers when agricultural irrigation systems are improved for efficiency. Although the bill faced some opposition from a few traditional water users, consensus was built among key stakeholders in support of the bill. In addition, state agencies provided guidance and support for the bill. While the veto was a setback, this bill laid important groundwork in building coalitions of diverse water users and developing collaborative solutions to meet our water needs. Conservationists will continue to work toward collaborative legislation to move beyond the status quo of Colorado’s unbalanced water policy.



Senate Bill 186

4



EFFICIENT SCHOOL
AND COMMUNITY
PERFORMANCE CONTRACTS

Sponsors: Senators Gail Schwartz and Andy Kerr
and Representatives Max Tyler and Millie Hamner
House Vote: 38-26-1 • Senate Vote: 23-12

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on:
June 6, 2014

Description: We know that rural Colorado wants energy efficiency and conservation just as much as larger cities, but often lacks the funding, thwarting good projects. SB 186 gets at this obstacle by allowing the Colorado Energy Office to aggregate energy efficiency projects in order to create a larger portfolio that may be more attractive to financial institutions. The program also provides a clear path to grant funding from the Department of Local Affairs. Projects eligible for this program include: equipment or infrastructure to reduce energy costs, energy efficiency projects, water conservation and efficiency projects, and improving energy usage of motor vehicle fleets.

In 2014, we continued to build upon and expand clean energy policies in Colorado. Programs to support clean energy and efficiency in our schools and rural communities stand out.

House Bill 1101

3



COMMUNITY SOLAR
GARDEN BUSINESS
PERSONAL PROPERTY
TAX EXEMPTION

Sponsors: Representative Max Tyler and Senator Gail Schwartz

House Vote: 38-25-2 • Senate Vote: 20-15

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on:
May 9, 2014

Description: House Bill 1101 exempts solar business owners from certain property taxes. It specifies that taxes cannot be levied on material that generates solar electricity for governmental or residential use. This bill also makes the tax code for solar projects more consistent and therefore easier for business owners. Community solar gardens are a popular and effective way for Colorado to transition to clean renewable energy. This exemption will level the playing field and help solar gardens compete better in the energy marketplace.

Senate Bill 202

5



FUNDING FOR ENERGY
EFFICIENCY IN SCHOOLS

Sponsors: Senator Andy Kerr and Representative Max Tyler

House Vote: 40-25 • Senate Vote: 18-17

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on:
May 15, 2014

Description: Senate Bill 202 makes energy efficiency more accessible to Colorado schools. By changing various requirements in state law, it creates an easier path for interested schools to invest in renewable and efficient energy. It eliminates the requirement that schools apply for loans from at least two banks before applying for a state loan and lowers the interest rate levied on schools, among other revisions. These changes will allow Colorado's education system to show children the value of sustainability by providing a positive example.

DEFENDING SOLAR AND WIND ENERGY IN RURAL COLORADO

In 2013, we were pleased to work on Senate Bill 252, which expanded solar, wind, and other renewable energy options to more of Colorado. Previously, significant parts of Colorado lagged behind when it came to electricity generation from renewable sources. In early 2014, we began to see the impacts of Senate Bill 252 as Tri-State Generation and Transmission finalized a deal for 150 megawatts of new wind energy in eastern Colorado. Unfortunately, the 2014 session started with several attacks on renewable energy, including five bills aimed at repealing or watering down Senate Bill 252. Thanks to conservation champions in both the House and Senate, these bills were swiftly defeated, affirming Colorado's support for clean energy.



Public Lands & WILDERNESS

Once again this year, we saw repeated efforts from a fringe group of legislators to attack our federally managed public lands – which include many of Colorado’s most spectacular natural icons. Among the half-dozen bills hostile to public lands introduced was an attempt, yet again, to seize for the state control of all federal public lands in Colorado. This misguided legislation would have triggered years of litigation, cost the state of Colorado millions of dollars, stalled our tourism economies, and if ultimately successful, would leave our public lands unprotected in the face of development and closed to the public.

Thanks to conservation champions in both the House and Senate, we were able to defeat these measures. Moreover, we witnessed vastly more of our legislators excited to celebrate our public lands. In late March, the House and Senate honored the 50th anniversary of the Wilderness Act with a tribute in both chambers. They were joined in this celebration by Governor Hickenlooper who issued a proclamation recognizing the value of Colorado’s 43 wilderness areas. Stunning photos of our treasured wilderness from Colorado photographer John Fielder graced the halls of the Capitol as the proclamation and tribute were announced to a crowd of wilderness and public land supporters.





Oil & Gas AT OUR DOOR

Colorado continues to see oil and gas drilling expand rapidly across Colorado. With more than 50,000 wells it is becoming increasingly difficult to find a community that is not impacted by drilling and fracking. While rural Colorado has struggled with these impacts for years, the drilling boom has recently moved to the more densely populated Front Range where it has sparked a backlash among understandably concerned citizens. Efforts to address this boom at the capitol have been met with mixed success at best. In 2013, over ten bills addressing drilling and fracking were introduced. Nearly all of them failed in the face of fierce industry opposition. In 2014, two of these measures were brought back for further consideration, again with mixed success.

House Bill 1297

6



ANALYZE HEALTH DATA
REGARDING FRONT
RANGE OIL AND GAS

Sponsors: Representative Joann Ginal and Senator Irene Aguilar

House: 38-27 • Senate: N/A

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on: N/A

Description: House Bill 1297 sought to comprehensively study the health impacts of oil and gas activity along the Front Range. Despite the oil and gas drilling boom, few studies about the health impacts from

this heavy, industrial activity have been conducted. Initial studies of oil and gas development in western Colorado have triggered concerns but also lack a clear assessment of impacts on communities. This new activity has brought a flurry of questions and concerns from citizens about the health impacts of heavy industrial development in their communities. This legislation would have directed the Colorado Department of Public Health and Environment to analyze health impact data associated with oil and gas development. The bill passed the House with bipartisan support and passed the Senate Health and Human Services committee but was ultimately killed in the Senate Appropriations Committee.

House Bill 1356

7



STRENGTHEN PENALTY
AUTHORITY FOR OIL AND
GAS CONSERVATION
COMMISSION (COGCC)

Sponsors: Representative Mike Foote and Senator Matt Jones

House 40-22-3 • Senate 20-15

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on:
June 6, 2014

Description: Current fines for oil and gas drilling violations in Colorado are among the lowest in the United States and have not been updated for several decades. Over 400 spills were reported in Colorado last year, many contaminating streams and rivers, though few companies saw strict penalties for the violations. House Bill 1356 increases the daily fine from \$1,000 to \$15,000 and removes the maximum cap on these fines. Further, the bill increases transparency by requiring the COGCC to publish quarterly reports detailing information on violations and penalties.





Transportation

Historically, most funding for transportation in Colorado has been poured into concrete and asphalt for roads and bridges. As Coloradans adapt alternative ways to travel from home to work to play, our funding policies need to adapt as well. 2014 saw legislation aimed at creating more flexibility in our transportation system. These small steps can create different transportation options for Coloradans and will have significant air quality benefits while reducing climate changing carbon pollution.

House Bill 1301

8



SAFE ROUTES TO
SCHOOL PROGRAM
STATE FUNDING

Sponsors: Representative Diane Mitsch Bush and Senator Andy Kerr

House: 42-20-3 • Senate: 24-11

PRO-ENVIRONMENT VOTE: YES

Governor Hickenlooper Signed into Law on:
June 3, 2014

Description: This bill provides state funding for the Safe Routes to School grant program, which promotes alternative forms of transportation to school like biking and walking. This funding will support infrastructure projects such as bike lanes as well as educational programs. Previously, only federal funds supported these efforts. Taking state ownership over this important program makes Colorado a leader in promoting healthy and environmentally conscious communities and kids.



PLUGGING IN TO TRANSPORTATION

Electric vehicles are growing in popularity and many states, including Colorado, have created smart incentives to spur the adoption of these new vehicles. For years, Colorado has had a program to allow fuel-efficient vehicles and electric vehicles into High Occupancy Vehicle (HOV) lanes. The program has been hugely popular with all 2,000 permits filled, and hundreds more on a waiting list. The 2,000 vehicle cap has stalled our ability to incentivize newer and cleaner vehicles. Senate Bill 200, sponsored by Senators Matt Jones and Steve King and Representatives Dominick Moreno and Bob Rankin would have expanded this program to 6,000 vehicles. Unfortunately, the bill was killed in the Senate Appropriations committee.



Cleaning Up OUR ENVIRONMENT

This year we saw three key bills aimed at cleaning up historic contamination, holding polluters accountable, and a new program to prevent pollution from occurring in the first place.

Senate Bill 192

9



URANIUM PROCESSING
GROUNDWATER
PROTECTION

Sponsors: Senator Mary Hodge and
Representatives KC Becker and Jared Wright

House Vote: 43-22 • Senate Vote: 15-19-1

PRO-ENVIRONMENT VOTE: YES IN THE
HOUSE AND TO CONCUR WITH HOUSE
AMENDMENTS IN THE SENATE

Gov. Hickenlooper Signed into Law on:
June 5, 2014

Description: For more than 30 years residents of the Lincoln Park neighborhood in Cañon City, Colorado have seen their water wells contaminated by uranium and other heavy metals. Despite decades of effort, this radioactive contamination from the Cotter facility nearby has still not been cleaned up. This legislation ensures that cleanup of these wells occurs as the Cotter Corporation begins closing their mill. The bill also provides additional transparency to the permitting process for uranium processing licenses, bringing Colorado into compliance with the U.S. Nuclear Regulatory Commission. Unfortunately, the Senate stripped out important new permitting and protections for Coloradans for proposed experimental uranium milling technology.

ON THE GROUND

Colorado is fortunate to have passionate, smart and engaged advocates working to protect our water from uranium contamination. Two groups stand out in their work in their local communities. Colorado Citizens Against Toxics and the Tallahassee Area Community, both in Fremont County, are staunch advocates for their community. Formed in response to 30 years of contamination from the Cotter Corporation in Cañon City, these groups have engaged citizens, business owners, health care workers, and others to protect their air and water. They have been key to successfully passing legislation to strengthen uranium oversight in Colorado for the past decade.

Senate Bill 29

10



ARCHITECTURAL PAINT
STEWARDSHIP PROGRAM

Sponsors: Senator Linda Newell and
Representative Randy Fischer

House Vote: 38-26-1 • Senate Vote: 18-15-2

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on:
June 6, 2014

Description: This bill serves to counteract the environmental impact of an often-overlooked hazard: paint disposal. Currently, recycling paint is a challenge for Colorado citizens. The inaccessibility of recycling options means unused paint is often discarded inappropriately, putting our environment at risk. This legislation establishes a paint stewardship program, allowing consumers to drop off unused or unwanted paint easily for reuse or proper disposal.

Senate Bill 73

11



BROWNFIELD
CONTAMINATED LAND
INCOME TAX CREDIT

Sponsors: Senator Cheri Jahn and Representative
Cheri Gerou

House Vote: 55-10 • Senate Vote: 32-2

PRO-ENVIRONMENT VOTE: YES

Gov. Hickenlooper Signed into Law on:
May 15, 2014

Description: Senate Bill 73 provides needed funding for a tax credit aimed at cleaning up contaminated brownfield properties. These properties, often in urban centers, are not eligible for other clean up programs or funding sources. This tax credit provides resources for individuals who seek to clean up a contaminated property, supporting urban infill and redevelopment.



Notable LEADERS

Conservation victories would not be possible without our conservation champions at the state legislature. We are fortunate to have strong support in both the House and Senate.

COMMITTEE LEADERSHIP

This year many key votes occurred in committees including the House Transportation and Energy Committee, chaired by Representative Max Tyler, the House Judiciary Committee, chaired by Representative Daniel Kagan, and the Senate State, Veterans and Military Affairs Committee, chaired by Senator Jessie Ulibarri. These committees worked tirelessly through long, sometimes contentious hearings. The committee chairs ensured that all bills got a full hearing and that citizens were able to have their voices heard. **Thank you to Senator Ulibarri, Representative Kagan, and Representative Tyler for your committee leadership!**

LEAVING A LEGACY

2014 brought the end of an era for some of our strongest conservation champions. **Senator Gail Schwartz and Representative Randy Fischer are term limited and leaving the legislature.** They are both long time environmental leaders at the capitol. **In late 2013, Representative Claire Levy left her seat to join the Colorado Center on Law and Policy.** During her tenure at the legislature, Representative Levy worked to win funding for conservation priorities on the Joint Budget Committee, championing smart growth and transportation bills. **Speaker of the House Mark Ferrandino is also leaving the legislature.** A prime sponsor of Senate Bill 252 in 2013, his leadership was crucial to expanding renewable energy in Colorado. **Thank you to our departing champions for their support of conservation!**

REACHING ACROSS THE AISLE

Though some conservation issues were the focus of partisan fights, many of the conservation community's initiatives enjoyed bipartisan support. It is always inspiring to see legislators hold to their values in supporting pro-conservation bills in the face of caucus or outside pressure. **This year Representative Jared Wright, a Republican from Fruita, was a key supporter of several conservation measures.** He earned a score of 64%, and sponsored SB 192, the uranium clean up bill. His 3rd reading speech in support of cleaning up uranium contamination was powerful and helped to build support for the bill. We appreciate Representative Wright's support and wish him well as he leaves the legislature.

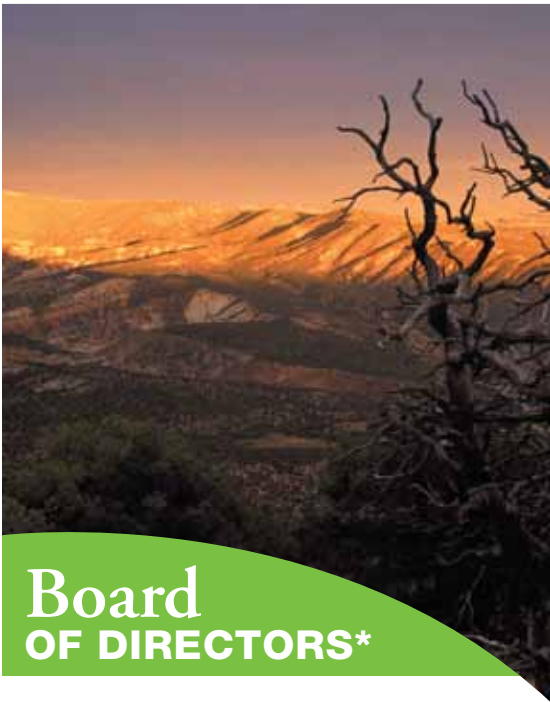
TACKLING TOUGH ISSUES

Senator Mary Hodge has a reputation as a moderate legislator who wields her influence carefully. We were thankful to have her as a prime sponsor of SB 192. Stepping in after an original bill sponsor backed out due to pressure from the mining industry, **Senator Hodge signed on to the bill and provided strong leadership to clean up uranium contamination.**

ONE TO WATCH

Representative KC Becker took over the seat vacated by Representative Claire Levy and had only a few weeks to learn the ropes of the legislature before she began her first term. **In her first session, Representative Becker was the House sponsor of two important conservation bills, SB 23 (water) and SB 192 (uranium), and earned a score of 100%.** We look forward to continuing to work with Representative Becker, and watching her take on new challenges in the House.





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Conservation Colorado

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