



CC4CA Comments on Draft Update Of Colorado Climate Plan

November 3, 2017

Colorado Communities for Climate Action submits these comments on the draft update of the Colorado Climate Plan.

CC4CA is a coalition of 15 local governments advocating for state and federal actions to reduce climate-changing emissions in order to protect the climate for current and future generations. Our members are Boulder County, the City of Fort Collins, the City of Westminster, the City of Boulder, Eagle County, Summit County, the City of Lafayette, the City of Golden, Pitkin County, San Miguel County, the City of Aspen, the Town of Vail, the Town of Basalt, the Town of Telluride, and the Town of Mountain Village.

Consistent with CC4CA's focus on actions to reduce heat-trapping emissions, these comments address only those elements of the update of the Colorado Climate Plan that are related to emission reductions. Therefore, these comments do not cover other elements, such as those related to climate change impacts and vulnerabilities and preparedness actions.

CC4CA appreciates that the draft update is a major improvement on the 2015 version of the Colorado Climate Plan, specifically through its incorporation of the new climate protection goals announced in July by Governor Hickenlooper. We also applaud the greater level of detail about ongoing state government programs that help to address climate change, especially the new emphasis and detail on partnership with local governments.

We recommend that the draft be revised so that the final update of the plan includes some additional improvements. Of our recommendations, the three most important are that:

- the state government adopt and include in the updated plan an additional, long-term goal for reducing statewide heat-trapping emissions by at least 80 percent, compared to 2005 levels;
- the document be revised to include a commitment that the state government will immediately begin work on an actual plan to reduce heat-trapping emissions enough, as determined through quantitative analysis of concrete policy actions, to meet the state's emission reduction goals; and
- the state government commit in the plan to immediately undertaking a new emission inventory and forecast, as that is essential baseline information for an emission reduction plan.

Governor Hickenlooper's Executive Order

CC4CA reiterates the statement that we made following Governor Hickenlooper's announcement of his climate executive order in July, of enthusiastically applauding the new climate protection goals established for the state. In particular, we believe that the overall goal of reducing statewide heat-trapping emissions by more than 26 percent by 2025, compared to 2005 levels, would commit those of us in Colorado to do our share to fulfill the national commitment the United States made under the Paris Agreement, which is to reduce national net heat-trapping emissions by 26-28% below 2005 levels by 2025, with best efforts to reduce them by 28%.

We also strongly support the other elements of Governor Hickenlooper's announcement and executive order, including:

- the new statewide goals on emission reductions from the electricity sector,
- the new statewide goal on reduction in electricity sales,
- the announcement of efforts to bring about voluntary utility and cooperative reductions in emissions,
- the directive for the development of a new statewide electric vehicle plan,
- the call for a new state rule for reporting of levels of heat-trapping emissions from major stationary sources,
- that state agencies partner with local governments to support locally-led climate goals and resilience solutions,
- the directive for the state government to work to provide economic and other assistance to communities adversely affected by shifts in energy markets,
- the decision to undertake this update of the Colorado Climate Plan, and
- the decision to have Colorado become a member of the U.S. Climate Alliance.

As the Governor said in his announcement of his executive order, that action "is a beginning." In these comments, we suggest ways for using this beginning as a springboard for moving forward on concrete, measurable actions needed to protect Colorado's climate for this and future generations.

The Draft Updated Climate Plan: In General

CC4CA applauds the state government for the many ways in which the draft updated Colorado Climate Plan is a substantial improvement on the original plan issued in 2015.

The new draft now incorporates as its centerpiece official state government goals for reductions in heat-trapping emissions, which the 2015 plan did not do. Having goals for reducing emissions is essential to protecting our climate from dangerous human disruption and provides a framework against which specific emission-reduction actions can be assessed. The 2025 goal of reducing statewide heat-trapping emissions by more than 26 percent, compared to the 2005 level, is an appropriate short-term goal, generally consistent with the level of reductions adopted by the international community through the Paris Agreement. It is also consistent with the United States government's national commitment under the Paris Agreement, submitted in the Obama Administration, for doing our share to achieve the international agreement.

The draft revisions to the Colorado Climate Plan also provide much more detail than the 2015 plan in describing the many ongoing state government programs and efforts that will be

important in making progress toward the overall emission reduction goal and the other climate protection goals and commitments of Governor Hickenlooper's executive order.

State-Local Partnerships

We also emphasize the importance of Governor Hickenlooper's pledge to undertake "meaningful collaboration and cooperation" with local governments, both to achieve reductions in heat-trapping emissions and to improve resilience to climate-change-related risks. CC4CA strongly welcomes this pledge and looks forward to an opportunity for meaningful, sustained engagement between our coalition and the state in developing and carrying out this partnership with respect to emission reductions.

CC4CA recommends that the final version of the updated plan commit the state to setting up a state-local working group to help develop the actual emission reduction plan that will be needed to achieve the state's climate protection goals.

There is strong local government interest in partnering with the state. A July letter to the Governor initiated by CC4CA and signed by 75 local elected officials, including county commissioners, mayors, and members of city and town councils from 11 counties and 19 municipalities, stated:

Now more than ever, it is up to state and local governments to step up and fulfill our nation's commitment to reduce heat-trapping emissions under the Paris Agreement, which has been agreed to by nearly every nation in the world.

At the local level, we, elected officials from communities across Colorado, are redoubling efforts to bring about local reductions in heat-trapping emissions. Our communities are taking action because it makes financial, social, and environmental sense for us to increase our energy efficiency, diversify our energy portfolio to increase resiliency, reduce waste, and expand multi-modal transportation options for our workforce and community. We are excited to work with your administration to identify opportunities to advance our mutual interests to keep Colorado and its communities vibrant and globally competitive. . . .

As local officials, we are ready and willing to help you and your administration shape and implement concrete, measurable actions that will be needed to meet these goals.

Governor Hickenlooper's executive order is clear in promising a state-local partnership both with respect to locally-led climate protection goals and actions to reduce emissions, and with respect to preparedness plans and actions to address climate impacts. However, the draft climate plan update focuses primarily on possible partnerships with respect to preparedness actions. By contrast, with respect to emission reduction actions, the draft merely describes what local governments themselves are already doing.

A New Long-Term Emission Reduction Goal

CC4CA recommends that the state government, in addition to the short-term goal for reduction in statewide heat-trapping emissions included in Governor Hickenlooper's executive order, reaffirm a long-term goal for reducing those emissions by at least 80 percent, compared to 2005 levels.

This is the long-term goal that was established by Governor Bill Ritter, Jr., in [Executive Order D 004 08](#) (2008). As that Executive Order correctly states, “Scientists tell us that to head off disruptions to our economy, environment, and society by the second half of this century, we must reduce greenhouse gas emissions by at least 80% below 2005 levels by 2050.” Since that was written, the scientific evidence has mounted that even sharper and quicker emission reductions are actually necessary to avoid dangerous human interference with the climate—as, for example, documented in [2020: The Climate Turning Point](#), a report by many climate scientists who have played lead roles in the United Nations’s Intergovernmental Panel on Climate Change.

The need for long-term goals as well as for short terms is illustrated by the fact that of the 20 states plus the District of Columbia that have emission reduction goals, 19 include a long-term goal. Only Colorado and Hawaii do not have a long-term goal, as shown by the table attached to the end of these comments.

An Emission Reduction Plan

CC4CA recommends that the draft plan update be revised to include a commitment that the state government will immediately begin work on an actual plan to reduce heat-trapping emissions enough, as determined through quantitative analysis of concrete policy actions, to meet the state’s emission reduction goals.

It would be ideal if this plan itself comprised such a concrete plan, but we recognize that the timeframe for updating it will not accommodate that. So, we recommend that the final version of the updated plan include a commitment that the state government, presumably with CDPHE in the lead and the Colorado Energy Office and other departments and offices assisting, will in short order develop a concrete action plan of specific policies that, based on quantitative analysis, will achieve the state’s new short-term emission reduction goal (and, as we recommend above, also a long-term goal).

In its current form, the draft plan update is not a concrete action plan, as captured the following general statement summarizing the approach reflected in the draft:

Meeting the statewide goal of reducing total GHGs emission over 26% by 2025 will be much more challenging, but Colorado has a track record of solving tough problems. State agencies look forward to working with Coloradans from many backgrounds to refine and implement the GHG reduction strategies needed to meet this goal.

Examples from other states illustrate the type of action planning needed to meet statewide emission reduction goals. Two good examples are the California Air Resources Board’s [2017 Climate Change Scoping Plan Update](#) and the Minnesota Environmental Quality Board’s 2016 report, [Climate Solutions and Economic Opportunities](#). These reports:

- begin with a quantitative projection, including of the effect of current state policies, of the current trajectory of statewide emissions and the extent to which that trajectory will fall short of state goals;
- identify potential actions to further reduce emissions, across all sectors of emission-producing activities (such as electricity generation and consumption, transportation, building heating and cooling, industrial operations, and solid waste management);

- include a quantitative analysis of the emission reductions that would be achieved by the identified actions; and
- select a suite of proposed actions that will achieve the further emission reductions needed to achieve the state goals.

New Emissions Inventory & Forecast

CC4CA recommends that the Colorado Department of Public Health and Environment develop a new inventory and forecast of future heat-trapping emissions reflecting Colorado laws and Colorado-specific information, with input from local government and other stakeholders.

An updated, improved inventory and forecast is essential to provide the context for the selection of concrete policy actions to achieve the goals established in Governor Hickenlooper's executive order.

As CC4CA noted in a letter to CDPHE in July 2017, the last Colorado inventory and forecast, done in 2014, acknowledged that the projections in that report for 2020 and 2030 are based on Colorado's historical emissions and *national* projections for the future, but not on any Colorado-generated data about future emissions here after 2010. As the report states:

Due to the limitations with the Projection tool, and the failure to account for recently enacted GHG [greenhouse gas] reduction strategies, definitive conclusions about the trend in GHG emissions in Colorado during the next 20 years are not warranted at this time. Instead, in order to build confidence in the overall inventory, it is recommended that a working group composed of stakeholders examine the opportunities for improving our understanding of emissions from specific sectors of the inventory including: electrical power, oil and gas facilities, and electricity consumption.

Our letter also pointed out that the last inventory addressed emissions only through 2010, so the underlying data will soon be eight years out of date. That inventory indicated that Colorado's total emissions increased by 5 percent, while EPA reports that total national emissions decreased by 10 percent over the same period, a dichotomy underscoring the need for current, accurate information on Colorado's actual level of emissions.

In the draft plan update, new information is presented on emissions from Colorado's fossil fuel fired electric utility generating units. This new data is certainly helpful, but only covers some emissions, and certainly does not displace the need for a new, full inventory.

To move forward without delay in developing a concrete plan to meet the state's new climate protection goals, it is essential that the baseline data from a new inventory and forecast be obtained now, rather than waiting until 2019.

CC4CA also reiterates our earlier request for a meeting with CDPHE to discuss an updated emissions inventory and forecast.

Reporting of Emissions

The draft update to the plan says that CDPHE will "[p]ropose a state greenhouse reporting rule by December 30, 2018, that mirrors current federal requirements." Taking more than a year to

propose a new state regulation would ensure that no new regulation is actually promulgated during the current Administration but would instead be left up to the Administration of the next Governor.

CC4CA recommends that the final version of the updated plan include a timetable that provides for promulgation of a final rule by the end of 2018. Especially since this rule is to be identical to an existing federal regulation, this should be possible.

Motor Vehicle Emissions

In at least one important instance, the draft update identifies a major new step toward potential emission reductions, to our knowledge not previously announced—that the state government will undertake to help bring about further emission reductions. That new action is that the Colorado Department of Public Health and Environment (CDPHE) will “[e]valuate the potential costs and benefits of adopting California’s motor vehicle standards.” **CC4CA requests an opportunity to participate in CDPHE’s evaluation of the potential costs and benefits of adopting the California standards.**

The federal Clean Air Act provides authority for California to adopt its own emission standards for new motor vehicles, if at least as stringent as federal standards, and for other states to adopt the California standards. Twelve states plus Washington, D.C., have adopted California’s basic emission standards. These states represent about 35 percent of the nation’s population and the same share of new motor vehicle sales. Also, nine states have adopted the specific California standards requiring manufacturers to achieve specified sales of zero tailpipe-emission vehicles (battery-only electric vehicles).

The separate California vehicle standards have enjoyed unusual bipartisan support, including among Colorado’s congressional delegation, both as an example of cooperative federalism among federal and state governments and as important for protecting the climate. A June 2017 letter to the Administrator of the U.S. Environmental Protection Agency supporting continuation of the EPA waivers under the Clean Air Act for the California standards was signed by Rep. Mike Coffman, Republican of Colorado, and Rep. Jared Polis, Democrat of Colorado, along with others from both parties.

In recent years, the basic California standards have been synchronized with federal emission and fuel efficiency standards. The Trump administration is now considering rolling back the federal standards, which would make the California standards even more important in reducing heat-trapping emissions. Reducing emissions from the transportation sector is increasingly important as emissions from electricity generation have fallen, and nationally – and perhaps also in Colorado – transportation is now the sector producing the most heat-trapping emissions.

It should not be difficult nor take long for CDPHE to evaluate the potential costs and benefits of adopting the California standards. The California Air Resources Board has published major analyses of its motor vehicle regulations, including just this year a [mid-term review](#) that [found](#) that they are achievable and cost-effective.

Other Specific Concrete Policy Actions

CC4CA recommends that the following additional concrete policy actions be added to the final version of the updated Colorado Climate Plan. Detailed information on the reasons for these actions is in CC4CA’s [2016–2017 policy priorities](#). The additional action items are:

- New state legislation to provide counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.
- The early retirement of two coal-fired generation units, as recently proposed to the Public Utilities Commission by Xcel Energy, and their replacement with cleaner sources producing fewer heat-trapping emissions.
- New state legislation to incrementally increase the Renewable Energy Standard for all types of electric utilities—investor-owned, cooperative, and municipal utilities.
- New state government incentives for the purchase and use of zero emission vehicles, as well as the development of the infrastructure needed to support the use of those vehicles across Colorado. The latter is called for in Governor Hickenlooper’s executive order, which we welcome, but the former is also needed to accelerate the transition to cleaner electric vehicles.
- New state legislation to require the Public Utilities Commission to consider all environmental and health costs of the fuels used by investor-owned utilities to generate electricity. Electric utilities should be statutorily required to include a “cost of carbon” when developing their long-term integrated resource plans, as is now being done in PUC proceedings, but without the guarantee that this practice will continue which would be provided by a state law.
- The development and implementation of state policies and programs to achieve the statewide waste diversion goals established by the Solid and Hazardous Waste Commission, which can contribute to reductions in heat-trapping emissions.

Thank you for the opportunity to review the draft updated Colorado Climate Plan and to submit these comments.

State Goals for Reducing Heat-trapping Emissions

State	Near-Term Goal (through 2029)	Long-Term Goal (2030 and later)
<p>ARIZONA</p> <p>Executive Order 2006-13, signed by Gov. Janet Napolitano (D) in 2006</p>	2000 emissions level ¹ by 2020	50 percent below 2000 level ¹ by 2040
<p>CALIFORNIA</p> <p>Executive Order S-3-05 (2020 and 2050 goals), signed by Gov. Arnold Schwarzenegger (R) in 2005; California Global Warming Solutions Act (codifying 2020 goal), signed by Gov. Arnold Schwarzenegger (R) in 2006; SB 32 (2030 goal), signed by Gov. Jerry Brown (D) in 2017, which codified Executive Order B-30-15, signed by Gov. Brown in 2015</p>	1990 level ² by 2020	40 percent below 1990 level ² by 2030, 80 percent below 1990 level by 2050
<p>CONNECTICUT</p> <p>Public Act No. 08-98, signed by Gov. Jodi Rell (R) in 2008</p>	1990 level ² by 2010, 10 percent below 1990 level by 2020	80 percent below 2001 level ³ by 2050
<p>COLORADO</p> <p>Executive Order D-2017-015, signed by Gov. John Hickenlooper (D) in 2017</p>	More than 26 percent below 2005 level by 2025	
<p>DISTRICT OF COLUMBIA</p> <p>A Vision for a Sustainable DC, adopted in the administration of Mayor Vincent Gray (D) in 2012</p>		50 percent below 2006 level ⁴ by 2032, 80 percent below by 2050

¹ For comparison, national emissions in 2000 were 2 percent below the 2005 level.

² Nationally, emissions in 1990 were 16 percent below the 2005 level.

³ Nationally, emissions in 2001 were 3 percent below the 2005 level.

⁴ Nationally, emissions in 2006 were 1 percent below the 2005 level.

<p>FLORIDA</p> <p>Executive Order 07-127, signed by Gov. Charlie Crist (R) in 2007</p>	<p>2000 level⁵ by 2017, 1990 level⁶ by 2025</p>	<p>80 percent below 1990 level⁶ by 2050</p>
<p>HAWAII</p> <p>Global Warming Solutions Act of 2007, signed by Gov. Linda Lingle (R) in 2007</p>	<p>1990 level⁶ by 2020</p>	
<p>ILLINOIS</p> <p>Announced in 2007 by Gov. Rod Blagojevich (D)</p>	<p>1990 level⁶ by 2020</p>	<p>60 percent below 1990 level⁶ by 2050</p>
<p>MAINE</p> <p>Act to Provide Leadership in Addressing the Threat of Climate Change, signed by Gov. John Baldacci (D) in 2003</p>	<p>1990 level by 2010, 10 percent⁶ below 1990 level by 2020</p>	<p>“In the long term, reduction sufficient to eliminate any dangerous threat to the climate. To accomplish this goal, reduction to 75% to 80% below 2003 level⁷ may be required”</p>
<p>MARYLAND</p> <p>Greenhouse Gas Emissions Reduction Act of 2009 (2020 goal), signed by Gov. Martin O’Malley in 2009; SB 323 (2030 goal), signed by Gov. Larry Hogan (R) in 2016</p>	<p>25 percent below 2006 level⁴ by 2020</p>	<p>40 percent reduction below 2006 level⁶ by 2030</p>
<p>MASSACHUSETTS</p> <p>Global Warming Solutions Act, signed by Gov. Deval Patrick (D) in 2008; confirmed and expanded upon in Executive Order 569, signed by Gov. Charlie Baker (R) in 2016</p>	<p>25 percent below 1990⁸ level by 2020</p>	<p>80 percent below 1990 level⁸ by 2050; 2030 and 2040 goals under development</p>

⁵ Nationally, emissions in 2000 were 2 percent below the 2005 level.
⁶ Nationally, emissions in 1990 were 16 percent below the 2005 level.
⁷ Nationally, emissions in 2003 were 2 percent below the 2005 level.
⁸ Nationally, emissions in 1990 were 16 percent below the 2005 level.

<p>MICHIGAN</p> <p>Executive Directive 2009-4, signed by Gov. Jennifer Granholm (D) in 2009</p>	<p>20 percent below 2005 level by 2025</p>	<p>80 percent below 2005 by 2050</p>
<p>MINNESOTA</p> <p>Next Generation Energy Act, signed by Gov. Tim Pawlenty (R) in 2007</p>	<p>15 percent below 2005 level by 2015, 30 percent below by 2025</p>	<p>80 percent below 2005 level by 2050</p>
<p>NEW HAMPSHIRE</p> <p>2009 Climate Action Plan adopted in the administration of Gov. John Lynch (D)</p>	<p>20 percent below 1990 level⁸ by 2025</p>	<p>80 percent below 1990 level⁸ by 2050</p>
<p>NEW JERSEY</p> <p>Global Warming Response Act, signed by Gov. Jon Corzine (D) in 2007, which codified goals in Executive Order 54, signed by Gov. Corzine in 2007</p>	<p>1990 level⁸ by 2020</p>	<p>80 percent below 2006 level⁹ by 2050</p>
<p>NEW MEXICO</p> <p>Executive Order 05-033, signed by Gov. Bill Richardson (D) in 2005</p>	<p>2000 emission level¹⁰ by 2012, 10 percent below 2000 level by 2020</p>	<p>75 percent below 2000 emission level¹⁰ by 2050.</p>
<p>NEW YORK</p> <p>Executive Order No. 24 (2009), signed by Gov. David Paterson (D) in 2009</p>		<p>40 percent reduction below 1990 level¹¹ by 2030, 80 percent below by 2050</p>
<p>OREGON</p> <p>House Bill 3543, signed by Gov. Ted Kulongoski (D) in 2007</p>	<p>10 percent below 1990 level¹¹ by 2020</p>	<p>75 percent below 1990 level¹¹ by 2050.</p>

⁹ Nationally, emissions in 2006 were 1 percent below the 2005 level.

¹⁰ Nationally, emissions in 2000 were 2 percent below the 2005 level.

¹¹ Nationally, emissions in 1990 were 16 percent below the 2005 level.

<p>RHODE ISLAND</p> <p>Resilient Rhode Island Act, signed by Gov. Lincoln Chafee (D) in 2014</p>	<p>10 percent below 1990 level¹¹ by 2025</p>	<p>45 percent below 1990 level¹¹ by 2035, 80 percent below by 2050</p>
<p>VERMONT</p> <p>S. 259, signed by Gov. Jim Douglas (R) in 2006</p>	<p>25 percent below 1990 level¹¹ by 2012, 50 percent below by 2028</p>	<p>75 percent below 1990 level¹¹ by 2050</p>
<p>WASHINGTON</p> <p>HB 2815, signed by Gov. Christine Gregoire (D) in 2008, which codified goals in Executive Order 07-02, signed by Gov. Gregoire in 2007</p>	<p>1990 level¹¹ by 2020</p>	<p>25 percent below 1990 level by 2035, 50 percent below 1990 level¹¹ by 2050</p>

Source: the Rocky Mountain Climate Organization.