



MINUTES
AGNC BOARD OF DIRECTORS & MEMBER MEETING
October 19, 2022
9:00 am to 1:30 pm

ZOOM: <https://us02web.zoom.us/j/2510562431> **Password:** 2462

PHONE: +1 (669) 900-6833 **Meeting ID:** 251 056 2431 **Password:** 2462

Pledge of allegiance

Call to order – Chairman Mike Samson, called the meeting to order at 9:05am. Introductions were made. Montrose county is hosting the meeting today, Montrose BOCC is meeting at this time as well, but hopefully they will join us after their meeting.

Approval of minutes – Lisa Piering made a motion to approve the minutes; Bill Carlson seconded the motion; motion passed unanimously.

Financial report – Tiffany Pehl reported on the September 2022 financials. The Profit and Loss Statement as of 9/30/22 was described, and AGNC is performing well this year so far. We are slightly ahead in income, still ahead on the budget for executive director, due to Bonnie Petersen’s retirement. We will present next year’s budget at the next meeting and can make adjustments accordingly. Expenses were on target, and net income is on target as well. The Balance Sheet as of 9/30/22 was described with assets described, deferred revenue explained, accounts receivable described and deferred future revenues. Accounts Receivable as of 10/17/22 was described, including Jackson County and Oak Creek balances that are over 90 days due. Tiffany has reached out to both and has not received any response. Mike asked her to call, she has and has not received any response. Coby Corkell was suggested as a contact by John Swartout. Tiffany will talk to John Bristol about the outstanding dues from Routt County for the EDD. Contribution projects and quarterly dues are in the recent column. The Check Register as of 10/17/22 was described with checks written since last board meeting, including the large monthly payment to AAoA, and moving expenses paid to Jeff Tripp. A motion to approve the financial report was made by Bill Carlson, seconded by Grady Hazelton, and the motion passed unanimously.

Project and Committee Reports:

Area Agency on Aging – Heather Jones, NW CO AAoA Director provided an overview of AAA efforts. – She provided an update on the Moffat and Rio Blanco ombudsman positions, as well as the position in the Mesa County area that was vacated. Mesa county has found a FTE position that can be hired to fill these three positions and the job should post soon. They received about \$79K in funding for different programs (see report). An appeal was made so the funding may be delayed. Results of the audit were discussed, and they received notification that they are in compliance. State unit on aging came to visit Garfield County and other sites. They found one compliance issue with nutrition standards. Heather will be following up with providers about this, and they did submit a corrective action plan, which was accepted. Performance measures were discussed, and they received over 90% positive ratings. They participated in a couple of local expos. On October 20th they will be giving a presentation of the survey results from SASOA that was completed. The state results will be presented in the virtual meeting tomorrow. Specific results for each county will also be available and can be obtained from Heather if anyone is interested. Dianna Orf asked if a registered dietician is required for the nutrition programs, and Heather explained that yes they do require this. Mike Samson thanked Heather again for doing her job, and stated that she probably

doesn't get a lot of public "thank you"s. Heather's written report can be seen at the end of these minutes as Appendix A.

Legislative update – Dianna and Richard Orf reported that it has been somewhat quiet due to waiting on the elections. Interim committees did meet and presented bills to move forward. Water and Ag only came up with 2 bills, one to make the committee year-round due to rapidly changing items. Mike Samson brought up the West Slope Water Summit on November 10th in Montrose and stated that we can register online. Mike will send the email to Tiffany so she can forward to our members. Attendance was encouraged, there is no cost to attend, and lunch will be provided. The other bill to come out of Water and Ag is to create a task force to look at an innovative concept of water storage using snowpack. Tax policy oversight committee was charged to look at expenditures of various taxes and take recommendations from the auditors office to act on legislation. There is a bill to repeal for some that are not being used. There is a sub-committee looking at applying a sales tax to services, which we have not had in CO since 1945. This could have a real impact on economic development. Examples are haircutting, business to business, and this would be a very new concept to people. Administration of the tax would be an issue as well, and how to centralize it without harming local communities. Transportation legislation review was discussed, including a law to require drivers to yield to longer vehicles in roundabouts. Sales and Use tax simplification was briefly discussed. Wildfire matters were discussed. There is a lot of discussion at the health department regarding the reduction of green house gas emissions. Stakeholders have been involved from some governments on the front range. Dianna has asked about more input from our region. Tiffany commented that she joined the meeting yesterday and Natural Soda and Garfield County participated in the meeting. There is still time before the rule is proposed for more input. Dianna stated that we will need to watch as they develop their clean truck strategy, as well. Richard attended the water tour up near Hayden. He talked about water use access for instream flow during events such as Whitewater days, but this issue never came up during his discussions. They may be trying to add it to the State water plan. The issue is not going away but may have changed direction in how it is being addressed. Richard talked about the state budget and the overage including the checks being sent out and future refunds. The current sentiment with the budget committee is that inflation may affect the overages going forward. Richard also talked about short term rentals and discussions in the tax committee. The Orf's written report can be seen at the end of these minutes as Appendix B.

Broadband update – Corey Bryndal reported that on the progress status including that the Rifle and Glenwood Springs carrier neutral locations that have been completed, and are pretty much ready to go. The lateral fiber in Rifle to the highway has been installed. GWS is in the process of building the fiber and the permitting process with the railroad and city. Collbran is in the process of getting their infrastructure started. Mesa County is very active with CNL's and fiber connections. They have identified Clifton as a need. Fruita is a challenge since there is no fiber from CDOT at that location. They are working with a company from Utah to help make this happen, and Fruita will begin their procurement process. Corey provided an example of three service providers that want to serve these communities as soon as they have it ready. He talked about southwest Colorado and building a fiber ring around the state, and how fiber cuts effect that. Region 10 has procured DOLA grant monies to get from Durango all the way out to Pagosa Springs, which is a \$4 million project, and they are hoping to get CDOT fiber from there over Wolf Creek Pass to get to Denver. Richard Orf asked about the work with Embry out of Utah and will that give better access to Utah. Corey stated that the deal with Embry is just from GJ to Fruita, but he hopes to get connection to Salt Lake. Mike Kireker asked about how this all works with the connection to major sources. Corey explained that it's about cutting down the number of devices in between the sources. Matt asked about the state broadband roadmap. Corey said the state is focused on the grant and policy management. He is more focused on the technical issues. Corey said it is important for the rural communities to have input to the funding from federal and state level. Corey talked about funding from the rescue plan, and the infrastructure act. There is a middle mile grant that is available. The BEAD program funding is focused on the last mile, and Corey talked about how important this part of the plan is in getting it to the rural areas. Corey talked about how hard Garfield County has worked to get broadband and is a good example for others.

Federal Delegate Update – Senator Bennet’s Office – Matt Kireker gave his federal delegates update since he has to leave after lunch. He talked about the work CCI and John Swartout did to secure funding. He talked about ARPA funds available to counties, but they have to be applied for, and can be matched with other monies. He encouraged people to reach out to him if they need help applying – the deadline is January 31, 2023. John Swartout talked about how flexible the funding is and how quickly you can receive the funding. This can be significant when combined with other sources of funding. Spending is at the discretion of the counties.

Farm Bill Discussion – Senator Bennet’s Office – Matt Kireker introduced James Whaley and Rosy Brummette, joining the zoom meeting from DC. His colleagues are joining to discuss the farm bill and the reauthorization coming up next year. A lot of the work has been done this year. Rosy shared a presentation on zoom regarding the farm bill reauthorization process. Senator Bennet sits on the Ag Committee. He will have a big hand in this bill. She discussed what the farm bill is, and that it has several small bills included in it, and how many programs are funded through the farm bill. The bill is typically renewed every five years. There are 12 titles in the farm bill. The last bill was authorized in 2018. Some of the highlights from that bill are the Good Neighbor Authority, collaborative Forest Landscape Restoration Program, Drought Resilience, and Hemp Agriculture and legalization. The farm bill process and timeline were presented. The current farm bill expires at the end of 2023. Part of the process includes conferencing with the House to reconcile the bill, so that the same version of the bill can be passed in the Senate and the House before going to the President for signing. Senator Bennett has been holding listening sessions (26 so far), with major themes so far being western drought, overall agricultural and rural economy, USDA office staffing issues, forest health and fire mitigation, local and regional food system resiliency. Matt commented about how important the listening sessions, and anecdotal stories are to the work they are doing and bringing the western perspective. Bill Carlson talked about a concern regarding the price of diesel for farmers. The Town of Collbran representative, Carla Distel, talked about how hard the funding is to access for small communities in the Rural Development Program, specifically the Community Facilities Program. She talked about their historical auditorium that needs funding for a community center. She talked about how unworkable the process is to get a small grant and a large loan which is not helpful. She talked about how much easier it is to get local DOLA funding than federal funding, putting a disproportionate burden on local funding. Corey Bryndal said broadband has similar problems accessing federal funds. Rosy talked about possibly disbursing funds to the States to administer. Carla said she thinks that’s an excellent idea. Tanya Perea Doce asked a question about funding for distressed farmers and ranchers, and updates on funding. Rosy talked about the process to access these funds. There is a website to access the funding. Rosy will post more information in the chat. Ginny Love talked about agreeing with Carla regarding the resources to access funding, including staff needed to access grants. She talked about the fact that the rural communities are being left out of funding opportunities. She also talked about the supply chain, and the issue it is for rural communities. John Swartout commented that coordination between agencies is important. He suggested a coordination committee, because unless you force coordination it doesn’t always happen. He would like to see something about the need for federal and state entities to coordinate across agencies. Rosy commented that they have seen this in funding that was available for fires in Colorado. Bill Carlson talked about a news piece that was done on 9news about Palisade peach farmers. He suggested that these committees watch this segment to learn about this process, and how hard it is getting now to obtain the H2A visas for the workers from Mexico. Rosy said that Senator Bennet is aware of the issue and has been working on it for some time. Cindy Dozier commented about the water source protection program, and she wants to be sure the funds are actually appropriated. She said there was a change in the process and she is concerned that Colorado is not being properly funded. She also talked about forest mortality and getting involved in forest management and would like to see that addressed. She feels that it is very important regarding wildfires, including air quality from fires even further away. Tony Hashke from Battlement Mesa posed a question online regarding depredation from wolves, and how the farm bill might address this. Rosy commented about the hunting part of our economy. She said that Senator Bennet has advocated for science-based management. She said there may be funding for non-lethal deterrents and predator mitigation. Tanya asked about the allocation of \$35 million over five years for wildfires. Rosy commented that the Forest Service has put out a plan with priority areas, including some areas in Colorado. She said they are working on an oversight letter to the Forest Service regarding working with the rural areas of Colorado and not overlooking these areas. Matt said they took notes and will keep in touch with our group and keep us apprised moving forward. Rosy put the following

information in the chat box: “<https://www.farmers.gov/inflation-reduction-investments/assistance> For more information, contact FSA at your local USDA Service Center or through the FSA call center at 877-508-8364 between 8 a.m. and 7 p.m. Eastern.” She said now is the time to weigh in on the farm bill and the issues related to it. Matt said there is a NMDA which will be reauthorized in the next couple of months and will include funding for the national guard to assist with wildfires, as well as other military based funding regarding the Space Force, etc.

New Grants Navigator Specialist Positions – Meridith Marshall, OEDIT – Meredith joined by zoom and presented about IJA (Infrastructure, Investments and Jobs Act) – aka the bipartisan infrastructure law. There are over 200 IJA programs applicable to Colorado, 70 of those to local governments. All together we have the potential to receive \$4.1 to \$7.1 billion in funding, including grants and loans. Some of the programs included that are available to local governments include airports, broadband, electric vehicles, environment, power and the grid, passenger and freight rail, public transit, resiliency, road and bridges, water. She talked about the issue of capacity constraints in accessing these funds, leading to missed opportunities for across rural and small communities. There are a large number of agencies distributing these funds. They are working on building a network to coordinate these agencies, including a state infrastructure coordinator, a local governments recovery officer, and a federal infrastructure coordinator. In each of the state agencies there is a recovery officer as well. They are looking to offer support through COGs and offering COG Grants Navigator Specialist positions in each of the COG’s. She talked about how each regions needs are different, and how can they provide support in a way that is unique to each region. They will provide \$100K in funding to hire a position to help communities navigate the funding sources. They have been working with the COGs throughout the state to come up with the best way to provide this position. She showed the map of the regions and Tiffany pointed out that Routt County is now in Region 12. Meredith talked about the local match needed for IJA funding in the amount of \$80.25 million. She talked about the state priorities for the funding. She then spoke about the process for reviewing the applications for IJA funding and the turnaround times. She talked about the www.coforward.colorado.gov website including the IJA search tool for the different funding and who is eligible for them. IJA office hours are the 3rd Thursday of the month at 3pm. Also, there is the Webinar Series on the 3rd Weds of the month at 11am. John Swartout pointed out that counties can use the recent ARPA funding for match needs. Carla Distel commented that there are also some technical pieces, specifically engineering, for the funding that communities may need help within addition to the grant writing. Mike Samson said that the small communities especially will have a need for engineering support. Meredith pointed out that some of the funding is new, but some is additional to what is already in place. Carla said she would like to see flexibility in doing projects in stages in order to accommodate some of these challenges. Meredith pointed out there is an exception to the \$250,000 limit for small communities and that they will go under that amount for small communities. Cindy Dozier commented about what the timelines will be, and Meredith said they don’t know those timelines yet. Cindy asked about a time extension for small communities to meet the requirements that they maybe can’t meet in the application window of 60 days. Meredith said she has not seen an opportunity for extensions. Matt Kireker asked if this has been done before at the federal level. Cindy said she has not seen it at the federal level, but she has seen it at the state level and the state is much easier to work with. Meredith said they are encouraging communities to look at the tool and search the spreadsheet early to look through the different funding opportunities, and this is where the regional grants navigator is going to be helpful. She encouraged everyone to reach out if they are not able to meet deadlines. Ray Beck asked about grants available for airports, and if they can be used for matching funds. Meredith said that there is some funding for airports, but she would need to look into the funding, and that it is designed to match federal funding. Ray asked how this will work with the Economic Development Districts of Colorado. Meredith said they are working with COGS and in Larimer and Weld County they are working with the EDD because they don’t have a COG. Tiffany asked if the spreadsheet is being updated since it has a date of 5/31/22. Meredith said they are updating it and using the IJA playbook to update it. They are planning to add a column for open opportunities. They are also looking at reports to be generated regarding where the funding is going. John Hlavac commented that the ARPA money should be used for match funding as much as possible. Meredith encouraged everyone to use the office hours and contact information. Tony Haschke asked if there would be funding for the bridges in the Parachute area. Meredith said there is lots of funding for bridges through IJA and she would be happy to go over it in more detail with him. Meredith will share her slides with Tiffany to share with the group. The presentation slides can be seen at the end of these minutes as Appendix C. Tiffany Pehl spoke about a survey that has been sent out by the state regarding our capacity issues for our local

governments. Tiffany sent out the surveys yesterday and encouraged everyone to fill them out this week. A motion was made to accept the Grants Navigator Specialist Funding by Lisa Piering, seconded by Bill Carlson, and the motion passed unanimously.

Dana Hlavac, DOLA - Dana spoke about the local assistance tribal capacity funding (ARPA). He also said that Tier 1 applications have had positive returns. He stated that the hearings are on Dec 6 & 7 in Pueblo and that housing incentive applications are being heard tomorrow.

CCI 2023 Legislative Priorities – CCI Executive Director John Swartout spoke about the priorities for the next legislative session. There are five bills that they are going to run: Kinship Placement, where the emphasis is on keeping families together and allowing flexibility to make that happen. Colorado Open Records Act, which may become mute in the next few days due to an appeal that has been struck down in appeals court. Equal Pay Act, which affects counties trying to recruit and retain employees, making it easier to promote people from within. Closed and Small Landfills, which talks about small counties closing landfills following state law and then becoming liable at a later time, asking the state to prioritize based on risk, and creating funding for counties. County Roads that Lead to State Parks and State Wildlife Areas, which talks about finding funding from the State to help maintain these roads. John also talked about the things CCI plays defense on including collective bargaining, unfunded mandates, and county land use authority on a variety of issues. For example, statewide building codes, wildland urban interface and WUI codes, and affordable housing and regional zoning. They are putting together a group to talk about land use authority with county attorneys and county commissioners. He talked about the ARPA funds that were meant to go to counties with public lands. He said that with Senator Bennet and Hickenlooper's help they were able to ensure these funds were dispersed for public lands. He spoke about short term rentals, and that they are working on sharing information between the counties, which is the first step before they can start to require regulating them. Mike asked how many states have a statewide building code, and John said a number in the east and California, Oregon and Washington on the west coast. John talked about how we all need to work together on WUI codes with funding. Cindy Dozier asked about unfunded mandates and if the counties 1041 powers have helped with this. John said some counties have had success with the 1041 powers in combatting the unfunded mandates. He also said the county attorney component of the group is important. Bill Carlson commented about the subdivisions that are planned without consideration of wind patterns, and forest and wildland management. John talked about the current fire conditions in the state and the need for management.

Federal Delegates Update –

Janeth Stanclie with Senator Hickenlooper's office gave three updates: Broadband letter to FCC to increase broadband speed requirement for rural areas and underserved communities. Veteran's affairs – bipartisan letter sent to secretary of veteran's affairs to provide community care for traumatic brain injury. Senator Hickenlooper cosponsored 2 bills to make housing more affordable for military families – one to adjust the housing rates allowance, and one to conduct a study to better understand barriers to home ownership. Small business programs were also discussed that Hickenlooper supports.

Administrative Update – Tiffany Pehl provided an update on the following topics:

- FAMILI (Family Medical Leave Insurance) was discussed. AGNC is too small to pay the premiums, so Tiffany recommends that we opt out due to the amount of work it would create for AGNC staff. A motion to opt out of FAMILI was made by Lisa Piering, seconded by Bill Carlson, and the motion passed unanimously.
- An email was sent out for open positions for the Just Transition Advisory Committee. They are looking for representatives to serve on the committee and applications must be received by Nov 4th to be considered. Tiffany would like as many from our area as possible. Tiffany said she is thinking about applying and asked if there was any opposition, and there was none.
- The board meeting schedule for 2023 is being worked on and will share next meeting.
- The 2023 budget will be presented next month.

- Our mini grant application is being recommended for approval according to Dana Hlavac. Richard asked that we inform them about what the mini grants are going out to. Bill Carlson reported on the Palisade mini grant. Collbran reported about their mini grant project which is a walking history tour. Lisa Piering reported on the solar lighting project they completed with their mini grant. Dinosaur used their grant for flowers. Richard also asked if the legislative calls for next year will be the same, Tiffany said we will keep them on Thursdays at 8:30am. Session begins on January 9th, so the first call will be January 12th. Tiffany said we will set up the zoom link and send it out, but please remember it is for AGNC members only and should not be shared outside of that membership.

New Business – *Next meeting November 16, 2022, Garfield County Administration Building, 2nd Floor Meeting Room, 195 W. 14th Street, Rifle, CO 81650*

Adjournment – meeting was adjourned at 1:19 pm.

Attendance:

IN PERSON	VIA ZOOM
John Swartout	Tommy Klein
Matt Kireker	Tony Haschke
Grady Hazelton	Tony Bohrer
Mike Samson	Ray Beck
Dana Hlavac	Betsy Bair
Karla Distel	Ginny Love
Richard & Dianna Orf	Chris Nichols
Cindy Dozier	Tanya Perea Doose
Heather Jones	Cody Davis
Melanie Matarozzo	Sarah Carlisle
Corey Bryndal	Perry Will
Lisa Piering	Janeth Stancle
Bill Carlson	James Whaley
<u>Sue Hanson</u>	Rosy Brummette
Keith Caddy	R. Tipton
Tiffany Pehl	Meridith Marshall
Jeff Tripp	202-579-3195
Toni Barrett	

APPENDIX A



Updates from AAA 10/19/2022:

- Our Moffat and Rio Blanco LTC Ombudsman retired at the end of August. I am working on the logistics to be able to replace that position as well as the position vacated in Mesa County when the AAA hired a local ombudsman to be the Regional LTC Ombudsman. The AAA hopes to post for the position soon.
- The AAA is excited to announce that we did receive funding from the SB290 Round #2. Hilltop ADRC will receive \$75,000 to help with material aid vouchers for items that are more expensive (home modifications, dental work, hearing aids.). The Senior Social Center will receive \$4,038 to implement the CircleTalk program. Once we receive our contract from the State Unit on Aging for these funds we will get contracts/contract amendments out. There was one appeal submitted last week to the State Unit on Aging, so this could delay the AAA from getting the funding.
- On September 25 we received the results of the State Long-Term Care Ombudsman's monitoring visit that was conducted on 8/31. Region 11 Local Long-Term Care Ombudsman Program is in compliance with the standards of the program.
- The State Unit on Aging (SUA) did their monitoring visit over month ago. They went to Garfield County Senior Programs and ate at the meal site in Parachute on 9/7. Then they went on a home-delivered meal route on 9/8 with Mesa County Meals on Wheels. On 9/8, they also visited with Hilltop's Senior Daybreak, which is an adult day program. There was one compliance issue: 3 meals were deficient in Vitamin B6 for the home delivered meal program and congregate meal sites. A corrected action plan was submitted 9/26 and was accepted by the SUA on 9/27.
- Every year the AAA and providers have to meet performance measures. This is mostly done by providers who give out a survey to participants every February. The AAA met SFY22 Performance Measures, achieving over 90% positive response rate on all services.
- The AAA has scheduled all of the required on-site provider evaluations starting in this month. I hope to have them finished by the end of November.
- The AAA participated at the Roaring Fork Age Friendly Expo on 9/30 in El Jebel. There were over 100 people in attendance. Additionally, the AAA attended the Senior Expo last week at the Grand Junction Convention Center.
- On October 20th from 9am-12pm the Colorado Association of Area Agencies on Aging will be hosting a virtual presentation on the results and demography of the 2022 Community Assessment Survey for Older Adults (CASOA). Surveys were completed around the state in August and September of this year. By this time, I also hope to have county and region data.

APPENDIX B



Associated Governments of Northwest Colorado Government Affairs Report October 17, 2022

Legislative Interim Committee Bills

Wildfire Matters. The committee will introduce five bills in the 2023 session including a bill on wildfire mitigation, wildfire detection pilot program, incentives for the timber industry, updating of the state tree nursery, and fire investigation funding and reporting.

Of particular note are bills that were withdrawn during the drafting process or did not receive enough votes to move forward were a bill concerning building fire resilient homes and establishing a wildfire-urban interface code board. Both of these proposals would have had implications for local control.

Water and Agriculture Resources. Two bills emerged from the water and ag committee: one would make the committee a year-round committee to address changes in water conditions/federal policies as they arise, and the second establishes a one-year task force to investigate the feasibility of high altitude water storage via use of snowpack.

Sales and Use Tax Simplification. The committee will introduce a resolution urging municipalities and counties that locally collect their sales and use taxes to work together, through the Colorado Municipal League, to: create a uniform administration of sales and use tax on construction materials; coordinate efforts to standardize information on building permits; and urges municipalities to speed up the process for issuing documentation showing proof of pre-payment of sales or use tax payments. CML is to update the Task Force regarding its efforts by August 2023.

Tax Policy Oversight. The Committee will introduce bills to repeal seldom or never-used credits and exemptions including: the income tax deduction for depletion of oil shale in addition to the federal depletion amount; • the corporate income tax credit for providing assistance in solving the local government impacts of new mining or milling operations; • the severance tax deduction for oil shale equipment and machinery; • the severance tax deduction for oil shale processing and royalty costs; • the severance tax rate reductions for oil shale producers; • the severance tax exemption for oil shale or shale oil severed at non-commercial production rates; and • the severance tax credit providing assistance in solving the local government impacts of new mineral or mineral fuel severance operations.

A separate task force working under the direction of the Committee continues to discuss a potential new tax applied to services in addition to tangible personal property.

Transportation Legislation Review. Among the five bills that will be introduced by this committee are: a bill to change the amount of civil penalties that may be levied on commercial motor carriers for failure to comply with rules for the safe operation of commercial vehicles by tying the amount of civil penalties to the amount of federal civil penalties for intrastate commercial motor carriers, and a bill requiring drivers to yield to larger vehicles having a length of at least 40 feet or a width of at least 10 feet in roundabouts.

Agency Rulemakings

Following is a list of CDPHE Greenhouse Gas rulemakings underway.

[Recovered Methane Protocols Rulemaking \(Regulation 22\)](#)

[Clean Trucks Rulemaking](#)

[GEMM Phase 2 \(Greenhouse Gas Emissions And Energy Manufacturing\) \(Regulation 22\)](#)

[Greenhouse Gas Emissions and Energy Efficiency Manufacturing \(Regulation 22\)](#)

[Oil and Gas Rulemaking \(Regulation 7\)](#)

[Other Air Pollution Control Division rulemaking engagement information](#)

Reduction of Greenhouse Gas Emissions from Manufacturing (GEMM Phase 2). In July 2021, the Colorado law was changed to include requirements that the State's Industrial sector must reduce its greenhouse gas (GHG) emissions 20% by the year 2030, compared to what it released in 2015. The industrial sector in Colorado includes traditional heavy and light manufacturing along with energy use by other non-manufacturing industries like oil and gas, construction, and agricultural operations. These facilities release GHGs and other air pollution when they make products. The Air Pollution Control Division (Division) intends to submit a proposal for the Greenhouse Gas Emissions and Energy Management for Manufacturing Phase 2 (or GEMM Phase 2) rulemaking to the Air Quality Control Commission in 2023. This rulemaking will affect about 20 companies identified as having the highest GHG emissions, including Natural Soda and American Gypsum on the Western Slope.

In order to determine the reductions this rule will require from each facility it applies to, the Division will look at the type of facility, its pollution levels now and in the past, and how close facilities are located to communities of color, low-income residents, and communities already being harmed by pollution. The Division states that it is working to protect the air quality of local communities through this rulemaking

Two work groups are meeting during fall and winter 2022 to inform specific aspects of the GEMM Phase 2 rule development. All meetings are open for the public to listen in and written comments may be provided using [this form](#). The most recent meeting was October 13 – AGNC is checking for additional opportunities for stakeholders to be added to the group and provide comment.

Club 20 is sponsoring a virtual Town Hall for its members October 18 from 2-3 pm. to discuss this rulemaking with Megan McCarthy, staff person for CDPHE.

Colorado's Clean Truck Strategy, which was developed over the past eleven months, will go to rulemaking before the Air Quality Control Commission early in 2023. The effort focuses on medium and heavy-duty trucks and busses to achieve a zero-emission trucking industry within the state through Electric and Hydrogen fueled vehicles.

The Colorado PUC held six public meetings on proposed rules for a Clean Heat Plan mandated by SB 21-264. A law passed in 2021 requires utility companies that distribute natural gas to reduce greenhouse gas emissions by 4% by 2025 and by 22% by 2030. The utilities must file "Clean Heat Plans" with the commission starting in 2023. The plans may include supply side (or demand management) actions such as providing financial incentives for energy efficiency and encouraging customers to replace natural gas appliances for heating, and cooking with electric sources, as well as methane recovery options such as pulling gas from landfills, water treatment and using green hydrogen. The use of methane recovered from coal mines was previously a part of the Task Force discussion. CMA President Stan Dempsey participated in a subgroup exploring how to evaluate and credit reductions from recovered methane.

A Task Force assembled under HB 21-1286 has wrapped up work on recommendations for Building Performance Standards which apply to buildings 50,000 square feet or more. The purpose of the bill was to achieve a 7% reduction in GHG emissions from the built environment by 2026 and a 20% reduction by 2030 (measured against a 2021 baseline). Owners of commercial, multifamily, and public buildings 50,000 square feet or more must report their energy usage to the state by December 1, 2022. The Task Force's recommendations, which must be approved by two-thirds of the Task Force members, are due to the CEO Executive Director on or before **October 1, 2022**. Among the recommendations are that the AQCC encourage building owners to replace fossil fuel space and hot water heating equipment with efficient, electric technology, The Air Quality Control Commission must promulgate regulations on or before June 1, 2023. A briefing proposed Building Performance Standards is on the AQCC's October 20 meeting agenda.

APPENDIX C

Meredith Marshall Presentation Slides can be found here:

<https://agnc.org/wp-content/uploads/10.19.22-Meredith-Marshall-Presentation.pdf>