Western Resource Advocates Urges House State Affairs Committee To Block Senate Bill 15-258  

**SB 15-258 Needless Red Tape and Circular Bureaucracy**

**COLORADO (May 4, 2015) -** Erin Overturf, Senior Staff Attorney with Western Resource Advocates, is testifying before the Colorado House State Affairs Committee today to urge legislators to block Senate Bill 15-258, the Coordinated Review of CO2 Emission Reduction Measures bill.

“Uncontrolled greenhouse gas pollution poses mounting risks to our economy, infrastructure, health, and national security. The Environmental Protection Agency (EPA) has a proposed rule called the Clean Power Plan, which would regulate greenhouse gas pollution from existing coal power plants. Senate Bill 15-258 would impede the process for reducing greenhouse gas emissions in Colorado by creating needless bureaucratic red tape, ultimately threatening Colorado’s control over its energy future.

EPA’s Clean Power Plan is promulgated under the existing Clean Air Act. Within the state of Colorado, the Air Pollution Control Division and the Air Quality Control Commission (AQCC) are the expert technical agencies that develop and implement state rules in accordance with federal air regulations, tailoring their application to the unique circumstances in Colorado. AQCC rules are developed in an open, thorough, public process that provides ample opportunity for public engagement and comment. This proposed bill would upend the established practice for implementing federal air regulations. SB 15-258 would require any Clean Power Plan rules adopted by the AQCC to be subjected to a lengthy, full evidentiary hearing before the Public Utilities Commission. In addition, SB 15-258 would subject the Clean Power Plan rules to approval by both houses of the General Assembly.

As a result of SB 15-258’s unnecessary bureaucratic hoops, it would be nearly impossible for the state of Colorado to submit an implementation plan to EPA by the June 2016 deadline in the Clean Power Plan. Colorado’s failure to submit its implementation plan in a timely manner would give in EPA authority to come into Colorado and dictate how Colorado must comply with the Clean Power Plan. Essentially, Colorado would lose its ability to craft a solution that is right for our unique energy system, priorities, and vision.

SB 15-258 creates needless red tape and circular bureaucracy, while threatening Colorado’s ability to determine our own energy future and address climate change on our own terms. We should allow the Colorado Department of Public Health and Environment to exercise its existing authority, granted by the legislature, to implement this federal air quality regulation, which is within its technical and regulatory expertise. The Public Utilities Commission will retain its authority to review resource plans and compliance plans for those regulated entities that are under its jurisdiction. SB 15-258 is unnecessary and harmful. I urge you to please vote no.”

For the last 25 years Western Resource Advocates has been one of the West’s leading groups of experts protecting the region’s air, land and water. WRA’s lawyers, scientists and economists craft innovative solutions for the most complex natural resource challenges in the region. Go to [www.westernresourceadvocates.org](http://www.westernresourceadvocates.org) and follow us on Twitter @WRADV.