



2024 Legislative Issue Form

To propose a CCI legislative issue, please complete this form.

Feel free to use more than one page and include any supplemental materials.

1.) **Contact Information** (of person bringing forth issue):

- a. **Name:** Jeff Fiedler
- b. **Title:** Commissioner
- c. **County:** Lake
- d. **Phone Number:** 719-427-7500
- e. **E-Mail Address:** jfiedler@co.lake.co.us

2.) **Issue/Problem to be addressed** (What is the problem this legislation is seeking to solve?)

Large upfront capital expenditures imposed on counties with small landfills by CDPHE solid waste regulations, that impose an unfunded mandate exceeding existing landfill capital expenditure budgets.

3.) **Background on this Issue/Problem** (How did this come to be? Why are you seeking a legislative remedy?)

CDPHE Solid Waste can impose new requirements on county landfills because of increased daily volume, groundwater sampling results, and other factors. New requirements could include moving from unlined to lined cells, leachate collection systems, increased groundwater monitoring. These new requirements impose large one-time and upfront capital expenditures, on a relatively short timeframe, making it hard to build sufficient fund balance in advance. (For Lake County, our preliminary estimates are that required expenditures could, on an annualized basis, more than double what we typically allocate to our landfill replacement and landfill capital expenditure line items.) By the nature of smaller landfills, this burden falls disproportionately on smaller and more rural counties. While Lake County supports the CDPHE goal of environmental protection, this is essentially an unfunded mandate imposed on counties.

4.) **Proposed Solution/Legislative Remedy to this issue.**

Proposed legislation would give either CDPHE or DOLA the authority and funding to create a fund to assist with the upfront capital expenditures. Ideally this would be grant funding. However, even a loan program that would allow counties to finance upfront capital expenditures would be extremely helpful, as it could better allow counties to cover these costs from existing revenue and avoid going to voters for additional funding.

5.) **Have you explored a non-legislative solution to this problem?**

Local Funding: We believe that in the current cost-of-living and taxation context it would be extremely challenging to raise property or sales tax at the county level to address an externally imposed cost.

CDPHE Policy: We do not believe that CDPHE has much, if any, flexibility to materially alter the regulatory standards and timelines, and have not proposed that.

6.) **Statutory Citation to be modified AND proposed/revised language (The Colorado Revised Statute is available for free at [this link](#), by selecting “Colorado Revised Statutes”).**

We have not provided statutory citation until resolving whether this should be administered by CDPHE or DOLA.

7.) **Relationship of this issue to County Commissioner’s roles and/or authorities.**

County landfill.

8.) **Has this proposal been approved by the Board of County Commissioners?**

The BOCC has not voted on this in a regular meeting, but the urgency of this funding gap has been discussed in operational meetings.

9.) **List any potential Proponents/Opponents & their perspective; indicate any groups/individuals with whom you have already discussed this issue.**

Please submit this completed form to Brittney Becerra at bbecerra@ccionline.org

By Friday, July 7.



Beyond the state budgetary implications, we do not believe that this proposal would generate direct opposition from any stakeholders.

- 10.) **Have you visited with your legislator(s) about this proposal? What was their reaction? Are members of your delegation likely to sponsor, support, or oppose this proposal?**

We have not discussed this with our legislators.

- 11.) **Anticipated Fiscal Impact (to counties, state, other stakeholders, etc.).**

A very preliminary estimate is that if 3 counties a year accessed funding, at perhaps \$2-5M per landfill, this would be ~\$10M/year if structured as grants. A revolving loan fund would require larger upfront allocation, but would obviously avoid year-on-year costs.

- 12.) **Please list the local subject matter experts CCI staff can follow-up with for more information on this proposal.**

Michael Irwin, Lake County Public Works Director.

- 13.) **If your county is submitting multiple issue forms, please rank each issue.**

N/A

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