COLORADO ENERGY JUSTICE
SNAPSHOT

National Association for the Advancement of Colored People,
Environmental and Climate Justice Program
7/6/2017
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SUMMARY

Access to clean energy is not just an environmental issue, but also a civil right. Communities of color bear a disproportionate share of the burdens of the fossil fuel based energy economy. This is why the NAACP Environmental and Climate Justice Program stands for just energy policies that will help protect our communities from harmful energy production processes and provide equitable access to clean and renewable energy and the energy economy.

This Snapshot profiles Colorado’s energy portfolio, compares key state energy policies to NAACP recommendations, documents utility disconnection policies, and outlines opportunities in the clean energy economy for Colorado residents of color. As a resource rich state with unique geographic and sociopolitical landscapes, energy is often at the fore of state policy debates. With this in mind, it is critically important that NAACP leaders actively engage in these debates to ensure that our community’s needs motivate just energy policies. This snapshot will provide information that will inform NAACP members on avenues for engagement.

STATE ENERGY PROFILE

Colorado's economy is highly diversified. Major industries include aerospace and defense; research and sciences; electronics and advanced manufacturing; agriculture; tourism and outdoor recreation; financial services; and food and beverage manufacturing. Per capita energy consumption is below the national average. Industry is the leading energy-consuming sector, followed closely by the transportation sector. ¹

Energy Portfolio

- Colorado’s vast fossil fuel resources include the Niobrara Shale, with resource estimates running as high as 2 billion barrels of oil.
- From 2005 to 2015, crude oil production in Colorado more than quadrupled; in the same period, marketed natural gas production rose 51%.
- In 2015, 60% of the electricity generated in Colorado came from coal, 22% from natural gas, and 18% from renewable energy resources.
- Colorado's Renewable Energy Standard requires investor-owned electric utilities to provide 30% of electricity sold from renewable energy sources by 2020, with 3% coming from distributed generation.
- In 2015, Colorado’s grid-connected solar photovoltaic capacity of 599 megawatts was the ninth largest in the United States, and the state obtained more than 6 times as much net generation from utility-scale solar facilities as it did just 5 years earlier in 2010.
- Average household energy costs in Colorado ($1,551 per year) are 23% less than the national average, primarily due to historically lower natural gas prices in the state, according to EIA's Residential Energy Consumption Survey.
For more detailed information and data on Colorado’s energy portfolio visit the U.S. Energy Information Administration’s webpage:

http://www.eia.gov/state/?sid=CO
Colorado Energy Policies

HB16-1004 Measurable Goals Deadlines CO Climate Action Plan- Postponed Indefinitely: The state climate action plan to include specific measurable goals, the achievement of which will both reduce Colorado's greenhouse gas emissions and increase Colorado's adaptive capability to respond to climate change, along with associated near-term, mid-term, and long-term deadlines to achieve the goals; and the annual climate report to the general assembly to include an analysis of the progress made in meeting the measurable goals and deadlines specified in the plan. The analysis must include an estimate of the economic, social, and health impact on low-income individuals in Colorado that results or would result from meeting the deadlines as planned.iii

HB16-1035 PUC Approval Of Securities Only For Gas & Electric-Passed: The bill specifies that the statute requiring advance approval by the Public Utilities Commission for the issuance of securities to fund property acquisitions, facilities, repairs, and other expenditures applies only to electric and gas utilities.iv

HB16-1053 Retail Hydrogen Fuel Systems Regulation-Passed: On or before January 1, 2017, the director of the Division of Oil and Public Safety is required to promulgate rules concerning retail hydrogen fuel for vehicles, including rules relating to inspections, measurement, and specifications. The director's rules must establish minimum design, construction, location, installation, and operation standards, and these standards must conform to the minimum standards prescribed in the National Fire Protection Association's national fire code, as revised by the Association from time to time. The Division of Oil and Public Safety is required to begin enforcing the rules on July 1, 2017. The director may promulgate rules to establish fees to offset the administrative costs incurred by the division of oil and public safety. The bill amends the definition of "fuel products" to include hydrogen.v

HB16-1207 PERA Investments In Renewable Energy Companies Postponed Indefinitely: Beginning January 1, 2017, and in each calendar year thereafter, the Public Employees' Retirement Association (association) is required to ensure that, of the moneys that are not already invested by the association and that the association will invest during the applicable calendar year, at least 1 percent of such moneys are invested in renewable energy companies. If the association is unable to invest 1 percent of such moneys in renewable energy companies in any calendar year, the association is required to explain why it was unable to satisfy the requirement in the comprehensive annual financial report prepared by the association.vi
<table>
<thead>
<tr>
<th>Policy Type</th>
<th>NAACRP Recommended Policy Standards</th>
<th>Colorado Policy Details</th>
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</thead>
<tbody>
<tr>
<td><strong>Net Metering</strong></td>
<td>Net Metering Standards require utility companies to provide retail credit for new renewable energy produced by a consumer.</td>
<td>Capacity Limit: $0.1067/kW</td>
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<td><strong>Capacity Limit Recommendation:</strong> 2,000 kW (minimally), per system</td>
<td>Mandatory/Voluntary: Mandatory</td>
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<td><strong>Mandatory/Voluntary:</strong> Mandatory</td>
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<td><strong>Renewable Portfolio Standard (RPS)</strong></td>
<td>A RPS requires electric utility companies and other retail electric providers to supply a specific minimum amount of customer load with electricity from eligible renewable energy sources.</td>
<td>Recommended Standard: 25% renewable energy by 2025-2026</td>
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<td></td>
<td><strong>Recommended Standard:</strong> Minimally 25% renewable by 2025</td>
<td><strong>Mandatory/Voluntary:</strong> Mandatory</td>
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<td><strong>Mandatory/Voluntary:</strong> Mandatory</td>
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<td></td>
<td><strong>Allowable Sources:</strong> Wind, solar, geothermal, ocean/wave energy</td>
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<td><strong>Energy Efficiency Resource Standard (EERS)</strong></td>
<td>A EERS establish a requirement for utility companies to meet annual and cumulative energy savings targets through a portfolio of energy efficiency programs.</td>
<td>Recommended Standard: <strong>Investor-Owned Utilities (IOUs):</strong> 30% by 2020</td>
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<td><strong>Recommended Standard:</strong> Minimally 2% annual reduction of each previous year’s retail electricity sales.</td>
<td><strong>Cooperatives:</strong> 10% by 2020</td>
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<td><strong>Mandatory/Voluntary:</strong> Mandatory</td>
<td><strong>Municipally-Owned Utilities (MOUs):</strong> 10% by 2020</td>
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<td><strong>Mandatory/Voluntary:</strong> Mandatory</td>
<td><strong>Mandatory/Voluntary:</strong> Mandatory</td>
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<tr>
<td><strong>Local Hire Provision</strong></td>
<td>• Extra renewable energy credit multipliers for in-state installation and in-state manufactured content</td>
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<td>• Renewable energy credits for utility providing incentives to build a plant in-state</td>
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<td></td>
<td>• Renewable energy credit for utility that makes an investment in a plant located in-state</td>
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<td>• Quota for government assisted construction project employers to hire a percentage of workers locally</td>
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<td>• Bidding Preferences for companies that hire a percentage of their employees in-state for state-funded public works projects and service contracts</td>
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<td><strong>Disadvantaged Business Enterprise</strong></td>
<td>• Provide training opportunities</td>
<td>IDOT certifies firms for participation in the federally mandated Disadvantaged Business Enterprise (DBE) Program. The DBE program is intended to provide contracting opportunities to small businesses owned and controlled by socially and economically disadvantaged individuals.</td>
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<td>• Notify DBEs of state business opportunities</td>
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<td></td>
<td>• Set-aside funds for DBEs</td>
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Access to energy is not a luxury, it’s a necessity. With exposure to both extreme heat and extreme cold, folks should not be forced to choose between paying for medications or their energy bill. Public officials have implemented some policies that protect consumers from the life-threatening practice of utility disconnection (As outlined to the left). However, energy justice advocates must continue to hold utility companies and regulators accountable to human rights and basic but life-saving protections.

**Utility Disconnection Policies**

| **Notice** | Initial written notice must be provided by mail fifteen days before the scheduled disconnection. Second notice must be attempted in person or by phone 24 hours before the scheduled disconnection. Notice shall be printed in English and any other language where the utility’s service territory contains a population of at least ten percent who speak a specific language other than English as their primary language. |
| **Date Based Protection** | None. |
| **Temperature Based Protection** | None. |
| **Payment Plan** | Yes. |
| **Reconnection Fee** | Yes. |
| **Disconnection Limitations** | None. |
| **Other Protections** | Postponement of disconnection for sixty days with a medical certification. Medical certification may be renewed for an additional thirty days. |


More disconnection policy details are available at the [Low-Income Home Energy Assistance Program State Disconnection Policies webpage](https://liheapch.acf.hhs.gov/Disconnect disconnect.htm)

**Action steps:**

Meet with the Public Utilities Commission or your local utility company to advocate for the adoption of the following:

- Temperature based protections
- Restriction on reconnection and disconnection fees
- Expanded protection for vulnerable populations
Hot Topics, Issues and Developments

**Colorado attorney general sues Boulder County over oil and gas ban:** Colorado Attorney General Cynthia Coffman followed through today with her threat to sue Boulder County over its years-long ban on accepting oil and gas permit applications. Boulder County commissioners, in a statement, said they believe the county's current moratorium "is consistent with Colorado law" and accused the attorney general of acting on behalf of the state's oil and gas industry. “The Colorado Supreme Court has made clear that local governments do not have the authority to ban oil and gas development,” Coffman said at the time. She gave the county a deadline of Feb. 10 to lift its latest moratorium, which was set to expire on May 1.

**Lawsuit claims thousands of violations at Martin Drake Power Plant:** A lawsuit is filed today against Colorado Springs Utilities claiming the Martin Drake Power Plant has violated the Clean Air Act over 3,000 times. WildEarth Guardians is the group behind the lawsuit, they've been threatening action since fall. The Guardians have programs focusing on western wildlife, rivers, open spaces and climate and energy. The group's complaint says the Martin Drake Power Plant is not correctly monitoring its opacity.

The Clean Air Act requires continuous opacity monitoring. Opacity meaning the amount of light reduced by an air pollutant. Air opacity monitoring is set to measure those emissions being released into the atmosphere.

WildEarth Guardians claim between April 2011 and December 2015 the power plant had unexcused periods of opacity monitor downtime. Opacity is monitored on a six minute basis, the guardians claim every six minute downtime is a violation; amounting to 3,155 Clean Air Act violations total.

The Colorado Public Utilities Commission recently approved a comprehensive settlement across 3 major regulatory dockets. And for the first time in Colorado, programmatic offerings for low income solar will be available – which include a rooftop installation option, a dedicated low-income Solar*Garden solicitation, and a standard offer low-income Solar*Garden.
DEVELOPING THE BLACK-GREEN PIPELINE

African Americans are inadequately represented in the clean energy sector. It is the goal of the NAACP Black-Green Pipeline Initiative that African Americans will have increased representation across all sectors of the clean energy economy. The Black-Green Pipeline Initiative promotes the equitable inclusion of communities of color into the green economy in order to address unemployment in our communities and to increase the voices and influence of our communities in the green economy.

Opportunities in Energy

The 2017 U.S. Energy and Employment Report (USEER) finds that the traditional and energy efficiency sectors today employ approximately 6.4 million Americans. These sectors increased in 2016 by just under 5 percent, adding over 300,000 net new jobs, roughly 14 percent of all those created in the country. The 2017 USEER analyzes four sectors of the U.S. economy:

• Electric Power Generation and Fuels
• Transmission, Distribution and Storage
• Energy Efficiency
• Motor Vehicles

The first two of those sectors make up the traditional energy sector. The Report provides a quantitative lens with which to evaluate the employment impact of new energy technologies, shifting fuels deployment, and evolving transmission and distribution systems:

• Electric power generation and fuels technologies directly employ more than 1.9 million workers.
• In 2016, 55 percent, or 1.1 million, of these employees worked in traditional coal, oil, and gas, while almost 800,000 workers were employed in low carbon emission
• Generation technologies, including renewable, nuclear, and advanced/low emission natural gas.
• Just under 374,000 individuals work, in whole or in part, for solar firms, with more than 260,000 of those employees spending the majority of their time on solar. There are an additional 102,000 workers employed at wind firms across, the nation. The solar workforce increased by 25% in 2016, while wind employment increased by 32 percent.\footnote{\textsuperscript{3}}

Colorado has a high concentration of energy employment, with 90,113 traditional energy workers statewide. 36,765 of these workers are in the fuels sector, 28,252 in transmission, wholesale distribution, and storage, and 25,096 workers are employed in electric power generation. The traditional power sector is 3.6 percent of total state employment, compared to 2.4 percent nationally. Colorado has an additional 29,756 jobs in energy efficiency, 1.4 percent of all energy efficiency jobs nationwide.\footnote{\textsuperscript{11}}

The Green Labor Market and Communities of Color

Given that communities of color have the most to lose with the disproportionate impact of climate change, correspondingly those communities should have the most to gain from the green economy to balance the effect, decrease economically based vulnerability, and increase resilience. By advancing and improving legislation related to green jobs and availability of contracts and also on implementation by facilitating access to programs that ensure that African Americans are getting green contracts and green jobs. Also this will ensure the development of communities of color’s own definition of green jobs including setting standards of equity and safety.

To subscribe to the Black-Green Pipeline Initiative Weekly Digest send a blank email to: naacp-bgp-subscribe@yahoogroups.com
Although racial diversity has increased in other fields over the past several decades, racial diversity in environmental organizations and agencies has stagnated, with only about 14 percent of the workforce consisting of people of color. This includes a number of energy-focused organizations. Environmental organizations are not adequately reaching out to organizations representing communities of color for recruitment.

The Green Energy Economy would create jobs in green renewable generation installation, weatherization/energy efficiency, thermal energy auditing, insulation, and more. With more than 9.6 percent of African Americans still unemployed it is time to take action and create a Green Collar revolution which provides opportunities for all to access living wages and pathways to self-determination and economic wellbeing.

Unemployment Statistics

In 2015 the gap between the U.S. unemployment rate and the rate for African Americans was 4.3 percentage points. In Colorado, the unemployment rate in 2015 for African Americans was 2.4 percentage points above the state average.

2015 National Unemployment Rate: 5.3%
2015 Colorado Unemployment Rate: 3.5%
2015 National African American Unemployment Rate: 9.6%
2015 Colorado African American Unemployment Rate: 5.9%
Take Action -

Colorado residents have the opportunity to strengthen its partnerships with other governmental agencies, such as other Federal agencies and State, Tribal, or local governments, in order to have effective and sustainable Social Change in regards to Environmental Justice, specifically Energy Justice within the state of Colorado.

Colorado residents are exposed to disproportionate toxic exposures, as well as neglect and discrimination. Building capacity in disproportionately burdened communities, and promoting collaborative problem-solving for issues involving environmental justice. With that being said, it is time to be organize, mobilize and take action to create a more Energy Sovereignty landscape within the state of Colorado.

Colorado NAACP leaders released the Colorado Just Energy Policies Report, which among other things evaluates the state of Colorado’s key clean energy policies and advocates for the focal policies outlined in this snapshot. Colorado NAACP branches have been environmental justice leaders in their respective communities, engaging with local coalition of likeminded advocates and championing the NAACP energy justice platform. Listed below are avenues for continued engagement:

Host a Bridging the Gap: Connecting Black Communities to the Green Economy Roundtable

• The NAACP ECJ Program is committed to advancing a meaningful dialogue and concerted action on engagement of communities of color in the green economy.
• To start taking action, organize a multi-stakeholder roundtable with socially responsible energy business leaders, historically black colleges and universities, environmental groups, civil rights organizations, labor unions, and others to discuss developing and implementing a strategy to ensure that policies/laws/regulation, research initiatives, community level practices, corporate social responsibility measures, etc. are in place to ensure greater engagement of communities of color in the green economy.

Implement a demonstration project such as a community solar garden or rooftop solar project

• Interested in taking a direct role in implementing clean energy practices in your community? Install rooftop solar or community solar.
• There are several rebates and incentives available to Colorado interested in pursuing renewable energy projects. Visit energy.gov for a list of renewable energy incentive program available on the state and federal levels.
• You can also check out funding opportunities offered through the Department of Energy SunShot Initiative, which aims to support solar energy adoption by making solar energy accessible to all Americans.

Launch a Just Energy Policies Campaign

• Identify one or more of the focal policies outlined in this snapshot and documented more extensively in the Just Energy Policies to champion.
• Build a coalition with likeminded energy justice advocates and other local and state allies to build power and momentum.
• Host a town-hall to educate the community about the policy and get input from members on their needs, priorities, and perspectives.
• Launch an intentional campaign to advocate that Colorado adopts the recommended policy standard.
• Set up lobby trainings and coordinate a lobby-day with elected officials.

Make public the NAACP energy justice platform and engage the public through media

• Develop and place an op-ed by NAACP Unit President or ECJ Chair in a local newspaper
• Participate in a radio interview, TV interview, podcast
• Be quoted in a local newspaper
• Post an article or blog to an online platform
CLOSING

Colorado residents have the opportunity to strengthen its partnerships with other governmental agencies and other organizations, to have effective and sustainable social change in regards to Environmental Justice, specifically Energy Justice within the state of Colorado.

Colorado’s residents of color are disproportionately exposed to toxins in their environment, as well as neglected and discriminated. Building capacity in disproportionately burdened communities, and promoting collaborative problem-solving for issues involving environmental justice is critical for the future of communities of color in the state. Colorado has the potential to be a clean energy leader in the U.S., but first the state must address the fact they rank first in the Midwest for greenhouse gas emissions per capita.

Embracing a transition to clean, renewable energy sources will not only provide significant environmental and health benefits for the people of Colorado, but will also diversify and strengthen the state’s economy. While the state has significant renewable energy potential, state policies have not incentivized the growth of renewable energy. NAACP just energy leaders should advocate on behalf of a strong Renewable Portfolio Standard, Energy Efficiency Resource Standard, Net Metering standards, Local Hire Provisions, and Minority Business Enterprise Programs. Our communities have the potential to be key leaders facilitating a just transition to clean, renewable, locally owned and controlled energy.

Colorado Green Organizations

Environment Colorado is a citizen-based environmental advocacy organization and a project of Environment America. Our professional staff combines independent research, practical ideas and tough-minded advocacy to overcome the opposition of powerful special interests and win real results for Colorado’s environment. Environment Colorado draws on 30 years of success in tackling our state’s top environmental problems. [http://www.environmentcolorado.org/page/coe/about-environment-colorado](http://www.environmentcolorado.org/page/coe/about-environment-colorado)

The Colorado Renewable Energy Society (CRES) was founded on March 29, 1996, with Ron Larson and Paul Notari generating the first membership solicitation. Our first board meeting was held on April 8, and the Inaugural Meeting of Membership on May 22, 1996. On June 6, 1996, CRES was incorporated as a 501(c)3 non-profit organization in the state of Colorado. [https://www.cres-energy.org/about-cres/](https://www.cres-energy.org/about-cres/)

The Sierra Club Rocky Mountain Chapter works state-wide to focus our work at the municipal and county levels. We’re involved in everything from hiking, to environmentaleducation, to conservation. [http://www.sierraclub.org/rocky-mountain-chapter](http://www.sierraclub.org/rocky-mountain-chapter)

Colorado Environmental Council serves as the environmental community’s eyes, ears and voice in Springfield. The two organizations — collectively known as IEC — work together to ensure a more healthful environment for Colorado residents. [http://ilenviro.org/](http://ilenviro.org/)
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http://www.eia.gov/state/analysis.cfm?sid=CO

http://www.eia.gov/state/?sid=WV#tabs-2


http://www.bizjournals.com/denver/news/2017/02/14/colorado-attorney-general-sues-boulder-county-over.html?ana=RSS%26s=article_search


http://www.seia.org/events/colorado-settlement-case-study-different-approaches-low-income-solar


Taylor, Dorceta E. "The state of diversity in environmental organizations: Mainstream NGOs, foundations & government agencies." Green 2.0 Working Group (2014).