DRAKE IS CLOSING: What's Next for Climate Action in Colorado Springs?

AGENDA

- **1.** Updates from CSU on Drake transition and Q&A 10 mins
- 2. Panelist #1: Jenny, gas-free buildings 8 mins
- **3.** Action Workshop & Questions #1 5 mins
- **4. Panelists #2**: Max, zoning ordinances 8 mins
- 5. Action Workshop & Questions #2 5 mins
- 6. Panelist #3: Chandra & Kevin, protecting public lands 8 mins
- 7. Action Workshop & Questions #3 5 mins
- 8. Survey, Raffle and Optional: **Break out rooms** to answer any remaining questions and to connect with the speakers and other interested folks (15 mins)



350 COLORADO SPRINGS

























***** DRAKE POWER PLANT



***** DRAKE POWER PLANT

David Padgett

General Manager of Environmental Services Colorado Springs Utilities

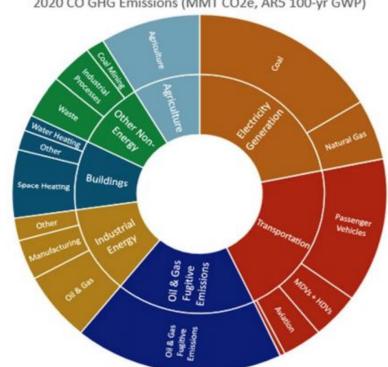




Gas Free Homes and Buildings

Colorado GHG Emissions





2020 CO GHG Emissions (MMT CO2e, AR5 100-yr GWP)

What's next for climate action?





What's the problem w/gas?



The problem with using gas inside our homes and buildings: gas pollutes our indoor air, is harmful to our health, and releases emissions into the atmosphere. Gas usage is a top contributor to climate change.



Where is gas used in my home?









Water Heater Furnace Gas Stove

Health impacts of gas use



- Children living in a home with a gas stove have a 42 percent increased risk of asthma.
- Lower-income populations and communities of color may be disproportionately impacted
 - Risk factors including increased exposure to indoor emissions due to smaller and older homes and older, less efficient gas appliances.



What's the solution?





Local Context



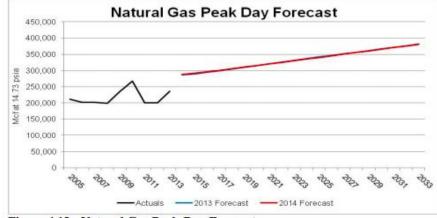


Figure 4.12: Natural Gas Peak-Day Forecast Graph shows the natural gas peak-day forecast.

Table 4.9: Ten-Year Demand Forecast. Ten-Year Peak Demand Forecast Scenario [Mscf @ 14.73 psia]		
2015-2016	291,357	15,442
2016-2017	295,611	15,667
2017-2018	300,310	15,916
2018-2019	305,442	16,188
2019-2020	310,507	16,457
2020-2021	315,400	16,716
2021-2022	320,295	16,976
2022-2023	325,225	17,237
2023-2024	330,215	17,501
2024-2025	335,256	17,769

Basalt Vista





Gas Free Buildings in 2021



- Anticipated action at the state legislature aimed at investor owned utilities (leaves out municipal owned utilities)
- Local control preemption legislation.
- Local action @ city level in Colorado Springs is needed!



Act Right Now For Cleaner Buildings!



- 1) Email your State Representative and Senator! https://leg.colorado.gov/find-my-legislator
- 2) Email your City Council Member!
 o https://coloradosprings.gov/city-council

Sample ask: "My name is XXX and I'm one of your constituents. I'm worried about the climate and indoor air pollution from gas appliances in our homes and I'd like to see action to reduce the pollution coming from our buildings. Please stand up for gas free buildings in Colorado Springs and let me know how I can help."





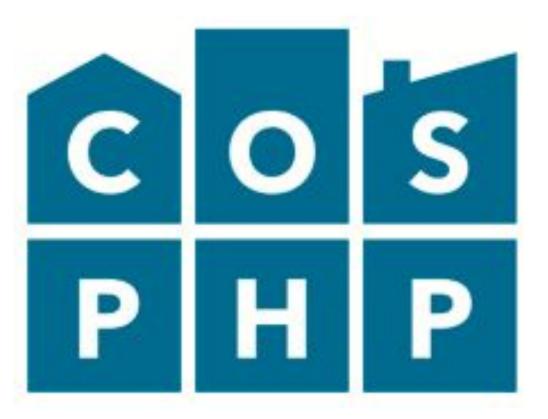
Questions?

Jenny Willford Clean Energy Advocate

jenny.willford@sierraclub.org

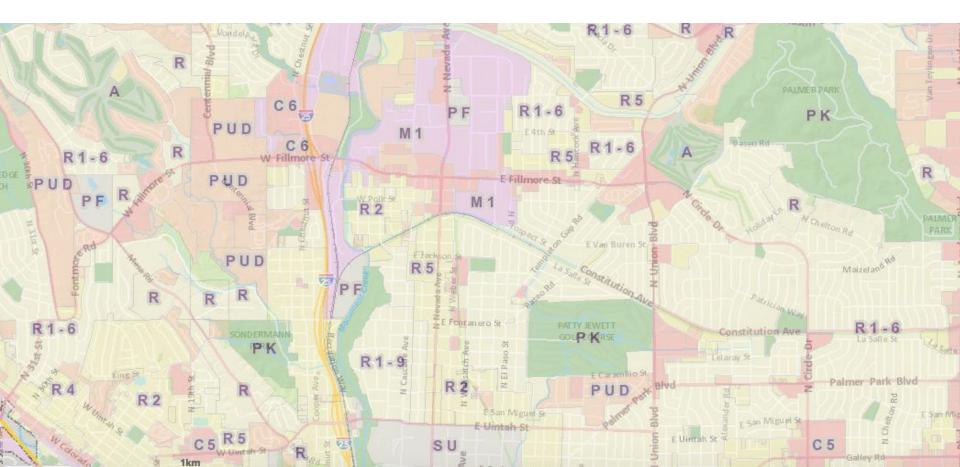


Zoning: Boring, but Important



By Max Kronstadt and the Colorado Springs Pro-Housing Partnership

What is zoning?



And why does it matter?



Zoning and the Environment



- Urban sprawl
 - # cars on the road
 - Availability of open space
 - Robust public transit
- Walkability, bikeability
- Home energy usage

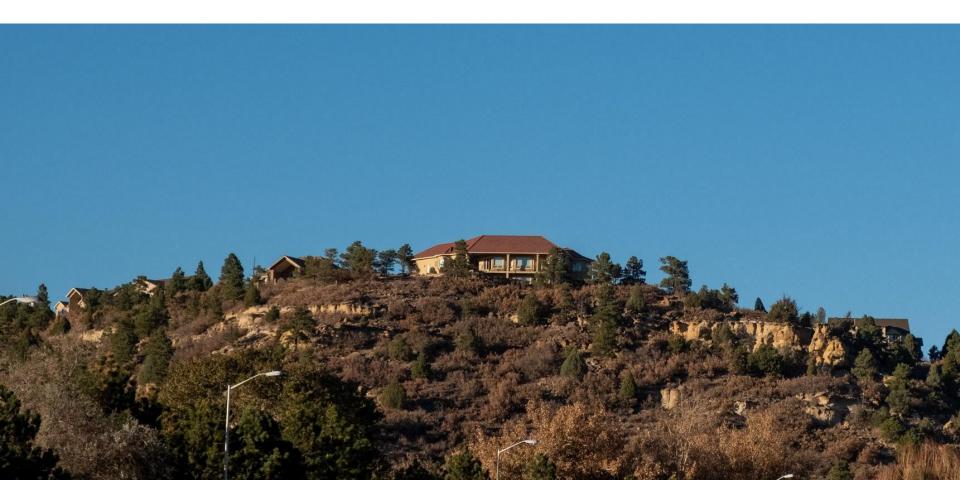
Urban Sprawl



Walkable, Bikeable Neighborhoods



Home Energy Usage



RetoolCOS



Comprehensive review of the zoning code

- Module 1 Zone districts - May 2020
- Module 2 Design standards - November 2020
- Module 3 Review procedures ??
- Consolidated draft ??
- Draft to city council -?? (Likely summer or fall)

City will accept comments at any time

Action

Send to: retoolcos@coloradosprings.gov

CC: tom.strand@coloradosprings.gov, wayne.williams@coloradosprings.gov, bill.murray@coloradosprings.gov, richard.skorman@coloradosprings.gov, david.geislinger@coloradosprings.gov, yolanda.avila@coloradosprings.gov, and mike.omalley@coloradosprings.gov

Bcc: cspringsphp@gmail.com

- Acknowledge that there isn't a current comment period open but explain that you recently learned about RetoolCOS and wanted to make your voice heard.
- Explain that you want to see more permitted uses in existing single-family zones and higher density in R-Flex zones, for any of the following reasons:
 - It would make housing more affordable
 - It would reduce urban sprawl, reducing vehicle emissions and protecting open space
 - It would make neighborhoods more walkable and bikeable
 - It would make it easier for the city to develop a robust public transit system
- Explain that you want to see greater reductions in minimum parking requirements for any of the above reasons.

As a PS: Say you appreciate the electric vehicle charging incentive but would like to see it be stronger.

CHANDRA ROSENTHAL

Rocky Mountain Office Director, PEER



CLIMATE IMPACTS FROM FEDERAL LAND

- Oil and gas leasing and production
- Mining of minerals and coal
- Grazing of cows and sheep
- Carbon sinks
- Watersheds

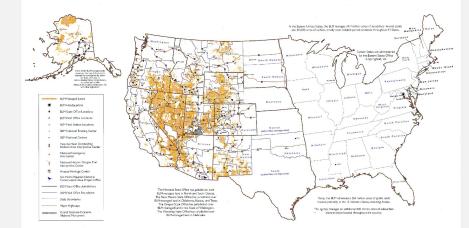
PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY

www.peer.org



BUREAU OF LAND MANAGEMENT: BLM

- The agency that manages the MOST federal lands: 245 Million acres.
- 26 million acres have been leased for oil and gas development as of 2019.
- Biden Administration plan to halt leasing.



Public Lands Managed by the Bureau of Land Management (BLM)

don't believe in climate change? then why is this dog melting into the carpet?



Climate change is real folks

UNCOMPAHGRE FIELD OFFICE COLORADO

- 900,000 acres of public land in BLM Colorado's Southwest District.
- Four river systems—the Gunnison, San Miguel, Dolores, and Uncompanyer.
- The topography ranges from lowland riparian along the Dolores River (at around 4,700 feet) to red rock desert to a moonscape of highly erodible Mancos Shale badlands to the piñon-juniper woodlands of the Uncompany Plateau.
- <u>Under Trump Administration's "energy dominance" agenda</u> to bolster domestic oil, gas and coal industries expanded energy development across 675,800 acres of land and 971,200 acres of mineral.

ROYAL GORGE FIELD OFFICE



SAN LUIS VALLEY FIELD OFFICE





The Freedom of Information Act (FOIA) 5 USC § 552

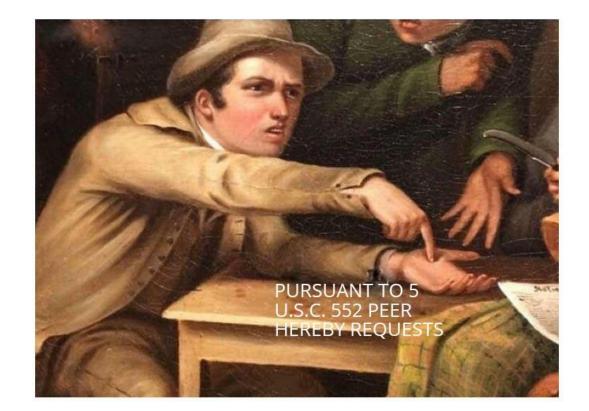
Freedom of Documents

- No Duty to make new records
- Duty to perform a reasonable search
- Request must reasonably describe
 - Records
 - Custodians (optional)
 - Timeframe (optional)
- Duty to respond in 20 working days (30 in unusual circumstances)

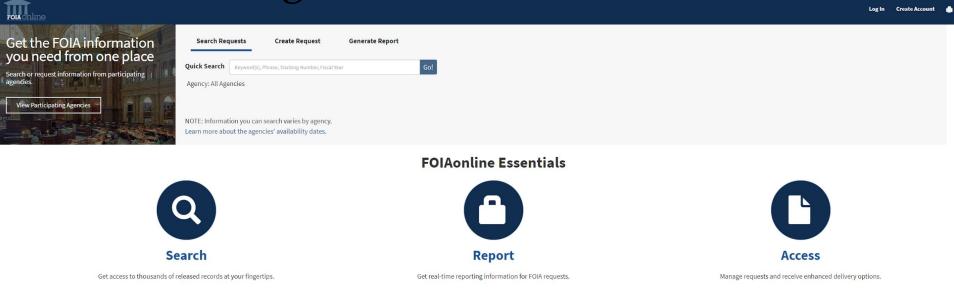


When the government's got records and I want em

Requests



FOIAOnline.gov



Tools to Help Your Productivity

Search FOIA Requests Customize searches to eliminate unwanted results	*
Access Released Records	<
Create an Account	<
Track Request Status	<
Generate Agency Reports	<

Quick Search						Perform keyword se		
	ber ()	PA-2012-000	0123), or i	a partial n	sle keywords can be used, which will search usin umber (200123). Results will include both require ad Example.			Advanced
Keyword Search	100	2018	pe, cooper c	ry novem	Got .		find agency data.	
Search Results		_			Advanced Search			
Clear Filters Agency Type		Showing 1 to 50 of 200 entries				meaning the search results	value in the corresponding Search For field. Multiple select must match all criteria entered. Multiple selections can al	
Exemptions Used Final Disposition	* *	Tracking Number	13	Туре	Look Up By		Search For	
Request Type Reporting Year	÷	CEP-2018-	000040	Request	Select One	*		
Time to Process Closed Date	* *	CEP-2018-	000041	Request	Assigned to Organization		Department of Justice =	
Received Date	۷	CEP-2018-	000042	Referral	Open		Yes	
		2018	000043	Request				
					Received Date		02/01/2018 To 02/12/2018	

★ indicates a required field.

Agency Selection	
* Agency	Select an agency 🔹

Request Type		
Request Type	FOIA	

Contact Information			
Salutation	 Mailing Address Location	United States/US Territories	•
* First Name	* Address Line 1		j
Middle Initial	Address Line 2		
* Last Name	* City		
Email Address	* State/Province		•
Organization	* Zip Code/Postal Code		
Phone Number			
Fax Number			

Processing Fees			
Why are fees required?			
★ Will Pay Up To			

Description		
★ 0/2000 ②		

The Request



February 16, 2021

- 1. Intro (optional)
- 2. The Records you want
- 3. Who has them
- 4. Fee waiver request

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended, Public Employees for Environmental Responsibility ("PEER"), requests certain information and communications from the U.S. Department of Energy ("DOE") regarding the Department's handling of interoffice referrals and extensive delays regarding certain FOIA requests.

Background

Dear FOIA Officer:

Fee Waiver

- Educational request
- "Other" requesters have to show:
 - No commercial Interest
 - Concerns the operations or activities of the government
 - Likely to contribute to public understanding
 - Significant Contribution to Public Understanding

Fee Waiver Request

PEER requests that all fees be waived because "disclosure of the information is in the public interest . . . and is not primarily in the commercial interest of the requestor" (5 U.S.C. 552 (a) (4)(A)):

1. The records concern the operations or activities of the Government.

The FOIA request is, by its terms, limited to identifiable activities of the BLM State Offices and the agency's capacity to respond to imminent threats to health and safety with sufficient qualified personnel.

2. The disclosure of the requested records is likely to contribute to public understanding of these operations or activities.

If the public sees these materials, it will help enhance their understanding of how the BLM state offices have responded to personnel and resource shortfalls identified by DOIOIG and how many employees BLM has in its state, district, and field offices qualified to survey or respond to potentially hazardous abandoned mine sites.

3. The release of these requested records will contribute significantly to public understanding of the governmental activities.

The nature of the information should inform the public about the operation, performance, and management of the BLM abandoned mine lands program.

PEER intends to provide the requested information to members of Congress and its relevant committees, as well as members of state governments whose constituents may be affected by abandoned mine lands on BLM lands. We also intend to disseminate it to the general public though -

- > Release to the news media;
- Posting on the PEER web page which draws 5,000-7,000 unique visitors per month; and
- Publication in the PEER newsletter that has a circulation of approximately 20,000, including 1,500 journalists.

deaths and injuries which were caused by abandoned mines on BLM lands underlines the broad public interest in this material.

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax-exempt organization under section 501 (c)(3) of the Internal Revenue code.

Withholdings and Redaction

§ 552(b): <u>Exemption 1</u> (classification) <u>Exemption 2</u> (internal rules) <u>Exemption 3</u> (prohibited by other statutes) <u>Exemption 4</u> (trade secrets & commercial info) <u>Exemption 5</u> (discovery privileges) <u>Exemption 6</u> (personal privacy) <u>Exemption 7</u> (law enforcement) <u>Exemption 8</u> (regulation of financial institutions)



OOPS! YOU ADDED TOO MUCH:



Still want more? Read the wiki

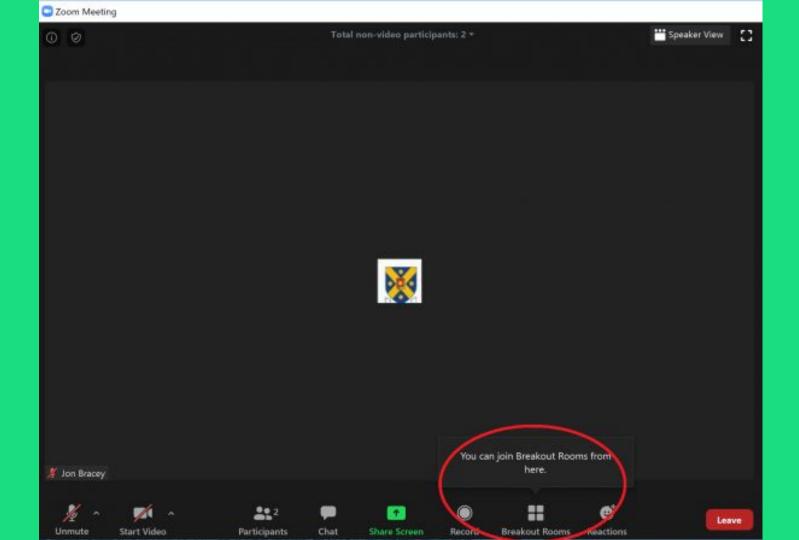
FOIA.wiki is your friend and mine

IA	Main page Discussion			Read View source V
Kj.3	Main Page			
90	Welcome to the FOIA Wiki!			
OIA	This is a free and collaborative resource on the United States fed	ral Freedom of Information Act (FOIA). The FOIA Wiki is provided by the Reporters Com	mittee for Freedom of the Presser, with contributions from The FOIA Projecter a	TRAC @, MuckRock@, The National Security Archive@, FOIA Mapperd
mation	Note: COVID-19 is affecting many agencies' FOIA processes.	Responses and litigation may be delayed; get the latest information here.		
ges		ency? Visit the Agencies Landing Page for regulations, statistics, record systems, laws	uits, and tips.	
	New to FOIA? → Interested in how advocates.	ournalists, litigators and organizations work together on FOIA? Read and contribute to th	e FOIA Collaboration Guide.	
ere	Read the FOIA Basics	FOIA Wiki? See the help wanted category to find pages that need contributions. Read th		
iges	page to get started → Want to get involved with the	POLA WIKI7 See the neip wanted category to lind pages that need contributions. Read th	te FOIA wiki Policies before making changes.	
sion "material of the				
nk	TABLE OF CONTENTS			
noite				
General provides and the second secon	Introduction	 Pre-determination agency actions 	Exemptions from disclosure	Litigation
	FOIA Basics Text of the FOIA	 Accepting requests 	 Foreseeable Harm Standard 	Standing
		Multitrack processing	Exemption 1 (classification)	 Exhaustion of Administrative Remedies
RTERS	Legislative History	 Searching for records 	 Exemption 2 (internal rules) 	 Jurisdiction and Venue
ITTEE	Agency FOIA Regulations	 Sufficiency of an agency's search 	 Exemption 3 (prohibited by other statutes) 	 Statute of Limitations
OF THE PRESS	Executive Branch Guidance	 Consultations/Referrals 	 Exemption 4 (trade secrets & commercial info) 	Complaints
	History	 Pre-determination communications 	Trade Secrets	 Service and Answers
EB .	Current Guidance	 Acknowledgements 	 Commercial or Financial Information 	 Preliminary Injunctions
OIA ect	OGIS Guidance	 Estimated date of completion 	 Exemption 5 (discovery privileges) 	 Motions to Dismiss
	OIP Guidance	 Requests for information from the requester 	 Threshold Requirement 	 Release of Records in Litigation
-	Affirmative Disclosures	 "Still interested" letters 	 Deliberative Process Privilege 	Discovery
AC	 (a)(1) requirements 	 Public liaisons and FOIA officers 	 Work Product Privilege 	Vaughn Indices
	 (a)(2) requirements 	Determinations	 Attorney-Client Privilege 	 Agency Declarations
	 Enforcement of affirmative disclosures 	 Agency deadlines and extensions 	Other Privileges	 In Camera Inspection
юск	 Entities Subject to FOIA 	 Required Contents 	 Exemption 6 (personal privacy) 	 Standard of Review
ROCK	 Records Subject to FOIA 	Releasing Records	 Threshold Requirement 	 Motions for Summary Judgment
INAL	 Defining agency records 	Timing	 Privacy Interest 	Trial
RITY	 Agency records vs. Congressional records 	 Duty to segregate 	Public Interest	 Relief and Remedies
IVE	 Agency records vs. personal records 	 Format of Records 	 Exemption 7 (law enforcement) 	 Costs and Attorney Fees
	 Making a FOIA Request 	 Administrative Appeals 	Threshold Requirement	Appellate Practice
M	 Identity of the requester 	 Timing of an administrative appeal 	 Exemption 7(A) 	Reverse FOIA Lawsuits
M	 Procedural requirements 	 What can be appealed? 	Exemption 7(B)	Agency Reporting Requirements
apper	 Contents of a request/specificity 	 Contents of an administrative appeal 	 Exemption 7(C) 	FOIA and the Privacy Act
	 Sample requests and templates 	 Timing of the agency response 	 Exemption 7(D) 	FOIA and the Administrative Procedure Act
mant through the of you	 Submitting the request 	 New issues raised on appeal 	 Exemption 7(E) 	Mandatory Declassification Review Government Shutdowns and FOIA
EN#	 Fees and Fee Categories 	 Sample administrative appeals 	 Exemption 7(F) 	COVID-19 and FOIA
U	Types of fees	 Office of Government Information Services 	 Exemption 8 (regulation of financial institutions) 	Major Supreme Court FOIA Cases
	News media requesters	Mediation	Exemption 9 (wells)	Major Supreme Court FOIA Cases Additional Resources
	 Educational & scientific requesters 	Compliance Reviews	 § 552(c) Exclusions 	Additional Resources Index of all FOIA Wiki articles
	 Commercial Requesters 	Recommendations/Other	Glomar Responses	 Index of all POIA WKI articles
	Other Requesters	 Requester options for agency delay/non-responsiveness 	 Waiver and Prior Disclosure 	
	Fee Waivers		 Discretionary Disclosure 	
	 Expedited Processing 			

Join a RAFFLE to win a 25.00 \$ coffee shop gift card!

- 1. Complete 2/3 actions by tonight
- 2. Fill out the survey by tonight





THANK YOU!



***** DRAKE POWER PLANT