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C o n s e r v a t i o n
V o t e r s

The Conservation Legacy of Governor Bill Owens 1999-2006

Colorado's Governor can play an important role in protecting our environment. The Governor can sign or veto legislation, issue executive orders enabling state agencies to act, and appoint members to boards and commissions that regulate our air, water, land, and energy.

Unfortunately, during his eight years in office, Governor Bill Owens did the following:

- Vetoes more conservation bills than any other Colorado Governorⁱ
- Under funded or opposed important conservation projects
- Encouraged politics over science

At the same time, Governor Owens signed important legislation to provide tax credits for conservation easementsⁱⁱ, mandate state funding for transitⁱⁱⁱ, and provide tax credits for energy efficient cars^{iv}. He also deserves credit for supporting a package of ballot measures (TRANSBonds and 4A) to create bonds for the SouthEast Corridor Light Rail Line.

Heading into 2007, there is critical conservation work left undone in Colorado. This includes:

- Making Colorado a renewable energy leader and providing leadership to minimize the impact of oil and gas development on air, water, wildlife, and western communities.
- Protecting precious open space. Utilizing current bonding authority and creating new sources of revenue at the municipal, county, and state level to close the funding gap between critical lands that need to be protected and existing financial resources.
- Adopting a balanced plan for meeting Colorado's water needs.
- Ensuring Colorado's air quality meets public health standards. The Denver Metro area is yet again on the verge of violating health standards and air quality is on the decline in some West Slope communities as oil and gas development accelerates.
- Fully supporting the implementation of the FasTracks mass transit plan and accelerating balanced statewide transportation planning.

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A summary of actions taken by Governor Bill Owens between 1999 and 2006 is included below.

1) Vetoed more conservation bills than any other Colorado Governor.ⁱ Governor Bill Owens vetoed eleven conservation bills that would have increased energy efficiency, used water more efficiently, and helped local governments acquire more open space. The Governor's aggressive use of the veto pen leaves much work undone that future Colorado leaders will need to address. The following bills were vetoed:

Clean Energy

- House Bill 1147 – Measures to promote energy efficiency, 2006.
- House Bill 1133 – Measures to promote energy efficiency, 2005.
- House Bill 1317 – State energy planning bill, 2006.
- Senate Bill 138 – Encouraging ethanol gasoline use, 2006.
- House Bill 1162 – Energy efficiency standards for appliances, 2005.

Water Conservation

- House Bill 1070 – Water conservation measures, 2005.

Protecting Open Space

- Senate Bill 52 – Open space and parks sales tax, 2006.
- Senate Bill 174 – Open space and parks sales tax, 2005.

Healthy Air

- House Bill 1309 – Clean air bill to allow Colorado to retain strong air quality protections when Federal regulators loosen minimum requirements, 2006.

Transportation

- House Bill 1342 – Ensuring private toll roads meet environmental standards, 2005.
- Senate Bill 230 – Preventing private toll road developers from condemning private property, 2005.

2) Under funded or opposed important conservation projects. From the very beginning of his time in office, Governor Owens took actions that delayed or limited important work on conservation issues. This includes the following:

- Immediately following his first State of the State address, Governor Owens backed out of a pre-existing commitment by Governor Roy Romer to provide \$90 million for the SouthEast Corridor Light Rail Line. Virtually no state dollars were spent on transit until the 8th year of the Owens Administration and state funding for transit projects is just now returning to the point it was when Governor Owens took office. 1999.
- Failed to utilize existing bonding authority to acquire critical open space through Great Outdoors Colorado (GOCO). Currently GOCO can only fund one of every three applications for land acquisition funding they receive. Two million acres of critical lands have been identified for acquisition, but there's a \$1.2 billion funding gap between existing resources and what needs to be protected over the next ten years.
- Chronically under funded the Office of Conservation and Drought Planning. The office had no director for extended periods of time in both 2001-2002 and 2005.

- Under funded state water planning set up by HB 1365 so very few cities have been able to take advantage of state funding for developing water plans. Not having a plan in places makes cities ineligible to apply for the implementation funds established by HB 1254 in 2005.
- Backed out of a commitment to reconsider rollbacks of clean air protection rules to account for scientific analysis and input from local communities^v. 2005.
- Actively tried to take away protections for lynx on the White River National Forest. 2001.
- Spearheaded Referendum A, a \$2 billion blank check for unnamed water projects which failed to address a balanced plan for meeting our state's water needs. The measure was defeated 2:1 by the voters. 2003.
- Opposed the successful Renewable Energy Initiative (Amendment #37), which requires large utilities to get 10% of their electricity from renewable sources by 2015. 2004.
- Opposed the successful FasTracks initiative, which includes funding for the Denver Metro area's light rail and bus system. 2004.

3) Encouraged politics over science. During Governor Owens' tenure, science took a backseat to politics at the Division of Wildlife (DOW). Governor Owens' transition team recommended that the DOW be legislatively reclassified as a Type 2 agency, stripping the wildlife commission of authority and transferring it to a political appointee. Department of Natural Resources Director Greg Walcher aggressively pursued this agenda.

Not surprisingly, a 2003^{vi} survey of Division employees found widespread fear of retaliation, strong doubts about the scientific integrity of decisions and deep concern about the DOW's declining effectiveness in protecting wildlife.

These concerns energized the "Red Owls", a group of former DOW employees concerned that scientists weren't being allowed to do their jobs, to play a critical role in the defeat of a plan to reduce the role of wildlife science in decision making.

ⁱ Based on a survey of bills vetoed from 1970 to the present. Neither Gov. John Love (R) nor Gov. John Vanderhoof (R) vetoed any conservation bills. Gov. Dick Lamm (D) vetoed 1 conservation bill and used the veto to stop 9 anti-environmental pieces of legislation. Gov. Roy Romer (D) vetoed 5 conservation bills and used the veto to stop 5 anti-environmental pieces of legislation.

ⁱⁱ House Bill 1354. 2006.

ⁱⁱⁱ Senate Bill 179. A bi-partisan compromise to give 10% of capital funds above the program spending limit but below the Tabor limit (SB 1 funds) to transit. 2002.

^{iv} House bill 1290. 2005.

^v The Owens' administration publicly committed to rewrite the rules through a process that included more scientific analysis and input from local communities. The Dept. of Public Health and Environment reneged on that agreement in July 2005 and moved to implement the new rules without additional scientific analysis and public input promised to the Legislature.

^{vi} From an employee survey conducted by Public Employees for Environmental Responsibility. December 2003. Press release available at http://www.peer.org/news/news_id.php?row_id=320.