



D 2023 018

EXECUTIVE ORDER

Establishing an Office of Sustainability for State Facilities and Operations, Directing the Electrification of Lawn and Garden Equipment Used by State Government, and Directing the Development of a Water Efficient Landscaping Policy for State Facilities

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, Article IV, Section 2 of the Colorado Constitution, I, Jared Polis, Governor of the State of Colorado, issue this Executive Order directing the Colorado Department of Personnel and Administration (DPA) to establish a Sustainability Office for the purposes of implementing this strategy and achieving the goals of this Executive Order and other greening government efforts and opportunities to reduce energy and water consumption in State buildings, increase the use of renewable energy by State facilities, purchase and utilize electric cars and trucks in State operations, and improve the sustainability of State procurement.

Additionally, I direct the Colorado Department of Public Health and Environment (CDPHE) and DPA to develop a policy to phase out gas-powered push and hand-held lawn and garden equipment to continue towards the State's commitment to efficient and sustainable government operations, work towards the State's goals for reducing greenhouse gas emissions, improve air quality, help make neighborhoods quieter and more pleasant, and reduce local pollution across Colorado.

Finally, I direct DPA, in consultation with the Department of Natural Resources (DNR), to develop and implement a policy containing low water-use/water efficient landscape criteria, also known as "water-wise landscaping," to new development and significant redevelopment projects for State facilities to set the standard for climate-resilient urban landscapes while advancing the goals of the Colorado Water Plan.

I. Background and Purpose

The State of Colorado has a long-standing commitment to efficient and sustainable government operations. The State has made tremendous efforts through past Executive Orders towards "greening government" as well as accomplishing goals and directives beyond the measures in the Greenhouse Gas Pollution Reduction Roadmap. These continued efforts set the example for the private sector and other government entities, save taxpayer money on utilities

and fuel, and reduce the impact of State operations on Colorado's environment and on public health.

New State and federal incentives and grants present an opportunity to improve sustainability and further reduce pollution to meet and exceed Colorado's greening government goals. It is imperative that these dollars be used to further reduce greenhouse gasses and other air pollution wherever feasible. These improvements will also reduce the operating costs of State government for the benefit of all Coloradoans.

In particular, gasoline-powered lawn and garden equipment create high levels of localized emissions that include hazardous air pollutants, criteria pollutants, and carbon dioxide emissions. These "nonroad" emissions significantly contribute to air pollution, raising concerns about the impacts on public health. Gasoline-powered lawn and garden equipment is also exceedingly loud contributing to noise pollution as well as air pollution. The State can and now will set an example in reducing emissions by making changes in the equipment we use to care for the lands of Colorado. To accomplish this goal, CDPHE and DPA shall implement the phasing out of traditional gas-powered push and hand-held lawn and garden equipment and promote electric lawn and garden equipment.

The pressures of growth, drought, and climate change are increasing water scarcity across the State and Colorado must be a leader in advancing the efficient use of water in its urban landscapes. Outdoor irrigation accounts for nearly 40% of the use of drinking water in Colorado, a figure that can and must be reduced through the transformation of our urban landscapes from expansive irrigated turf to low water use landscapes. By developing and implementing a water-efficient landscaping policy for State facility development and substantial redevelopment, the State can set the "Colorado-scaping" standard for outdoor landscapes while bolstering climate resilience, water and air quality, and quality of life for urban communities.

II. Directives

A. Establishing a Sustainability Office

- a. This Executive Order hereby establishes an Office of Sustainability (Office) that reports to the Executive Director of DPA to work across State government to advise and support State capital planning, procurement, and operations to achieve the goals in this Executive Order, and Colorado's other greening government efforts and opportunities.
- b. This new Office of Sustainability shall:
 1. Consist of the Director of the Office, reporting to the Executive Director's Office of DPA, funded initially with the EPA's Climate Pollution Reduction planning grant.

2. Establish an operating budget that may include hiring additional staff, third party consultants, and other costs to support office efforts.
3. Develop a strategic plan for the Office. This “Greening Government Strategic Plan” (Plan) should include a year-by-year approach to strategies, including but not limited to energy performance contracting, adoption of electric vehicles, advancing water efficiency measures for State facilities, and improving State operations. The plan should seek to maximize federal incentives, reduce pollution, adapt to climate change impacts, and reduce costs for State operations. The Plan should be submitted to the Governor’s Office no later than July 1, 2024.
4. Coordinate across State government, including with the Greening Government Leadership Council, Colorado Energy Office, Colorado Department of Transportation, CDPHE, and other relevant agencies to meet the directives in this Executive Order and other greening government efforts.
5. Provide regular reporting on all greening government goals and initiatives contained in this Executive Order and other directives, and as required by law.
6. Advise the Governor on achievable regular revisions to greening government directives and other initiatives for the State to continue to lead by example on sustainability.

B. Creating Policy to Phase Out Gas-Powered Lawn and Garden Equipment

- a. I direct CDPHE and DPA, in consultation with other relevant State agencies, to establish a policy to phase out use of gas-powered push and hand-held lawn and garden equipment with internal combustion engines that are less than 25 horsepower by State agencies in the ozone nonattainment area and explore the feasibility of expanding this phase-out to all statewide operations by January 31, 2024. The phase-out should be complete for equipment owned and utilized by State agencies in non-exempted locations and activities in the ozone nonattainment area by June 1, 2025, to the maximum extent possible with current funds and definitively if an adequate budget is approved by the Colorado General Assembly. Contractors utilizing electric lawn and garden equipment will continue to be prioritized during procurement. Covered push and hand-held lawn and garden equipment include, but are not limited to, aerators, brush cutters, chainsaws with guide bars under 18 inches, dethatchers,

edgers, grass trimmers, hedge trimmers, push lawn mowers, leaf blowers, power washers, rotary tillers, weed whackers, and any other handheld gas-powered lawn and garden equipment. This policy will not apply to equipment used for the purpose of abating or preventing damage during a declared disaster emergency, equipment used by first responders to provide emergency services, or for the purpose of fire hazard reduction activities in or near wildland areas or wildland urban interface.

- b. In determining an appropriate policy for the phase-out of this equipment, CDPHE and DPA must consider technical feasibility of equipment use, and feasibility of use in remote areas and ensure the policy does not disrupt critical State functions including wildfire or aquatic nuisance species mitigation and management, emergency response, or lead to other unintended consequences that worsen air quality. CDPHE and DPA should also consider the feasibility of phasing out or electrification of riding lawn mowers used by State agencies in this policy.
- c. I direct CDPHE and DPA to report to the Governor's office by September 30, 2023, with a budget within State resources, to achieve this goal and calculation of emissions and fuel cost reductions associated with the proposed policy.

C. Developing Water Efficient Landscaping Policy for State Facilities

- a. I direct DPA, in consultation with DNR and other relevant State agencies, to develop and apply low water-use/water efficient landscape policy, also known as "water-wise landscaping," for new construction and substantial renovation projects for State facilities. The water-efficient criteria in the policy shall limit bluegrass or other high-water turf grass to high-traffic areas, such as parks, sports fields, playgrounds and common areas used for civic engagement and where turf is necessary to maintain air and water quality and to promote quality of life and climate resilience. The water-efficient criteria shall require the installation of sustainable, drought-tolerant, and ecoregion appropriate landscaping, including native or drought tolerant lawn grasses, and high-efficiency irrigation infrastructure in areas where high-water turf grass is non-essential, such as medians, roundabouts, parking lot islands, slopes greater than 4:1, and areas not used for water quality.
- b. In determining the appropriate water-efficient landscaping criteria in the policy, DPA, in consultation with DNR, must incorporate regional climatic and ecosystem considerations as well as water efficient irrigation systems. The criteria shall also support the long-term sustainability of Colorado's tree canopy, and provide long-term environmental benefits

such as stormwater management and shading for cooling, slowing stormwater, and reducing evaporation.

- c. I direct DPA to report to the Governor's office by June 1, 2024 with the proposed water efficient landscaping policy for incorporation into new construction and substantial renovation.

III. Duration

This Executive Order shall remain in effect unless modified by a future Executive Order of the Governor.



GIVEN under my hand and the Executive Seal of the State of Colorado, this thirteenth day of September, 2023.

A handwritten signature in blue ink that reads "Jared Polis".

Jared Polis
Governor