



## **D 2025 003**

### **EXECUTIVE ORDER**

#### **Amending and Restating Executive Order D 2023 018 and Superseding and Rescinding Executive Orders D 2022 016 and D 2019 016 Concerning the Greening of State Government**

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution, I, Jared Polis, Governor of the State of Colorado, issue this Executive Order amending and restating Executive Order D 2023 018 and superseding and rescinding Executive Orders D 2022 016 and D 2019 016 concerning the greening of State government to reflect the State's new goals and directives coordinated through the Office of Sustainability to ensure the State's commitment to efficient and sustainable government operations.

#### **I. Background and Purpose**

For over two decades, Colorado has practiced what we preach and demonstrated a sustained commitment to sustainability and energy efficiency in government operations through a series of 11 Executive Orders issued by four different Governors. These Greening Government Executive Orders have directed State agencies to pursue energy performance contracts, generate renewable energy, reduce water consumption, implement LED lighting retrofits, adopt environmentally preferred purchasing practices, and transition to electric and alternative fuel vehicles.

State agencies have made significant progress toward the goals outlined in previous Executive Orders. Accomplishments include a 26% reduction in greenhouse gas emissions from State operations, a 15% reduction in greenhouse gas emissions from regular use State fleet vehicles (and 7.5% for special use vehicles), and a 15% reduction in potable water consumption. State agencies have undergone significant LED retrofits, installation of solar photovoltaic systems, and water efficient landscape conversions. Our progress on sustainability across the State fleet and operations not only reduces emissions and saves taxpayer dollars—it also demonstrates that government can lead by example in building a cleaner, more efficient future.

Most recently, Executive Order D 2023 018 created the Office of Sustainability, which reports to the Executive Director of the Department of Personnel and Administration (DPA). The Office of Sustainability is tasked to work across State government to advise and support State capital planning, procurement, and operations to achieve Colorado's greening government efforts

and the updated goals outlined in Executive Order D 2023 018. The Office of Sustainability also leads the Greening Government Leadership Council (GGLC) to report yearly on our State's progress toward meeting statewide sustainability goals.

Building on the accomplishments to date, this Executive Order sets new, ambitious goals to drive continued progress and consolidate the State's greening government efforts. By continuing to deploy greening government measures, the State will lead by example, save taxpayer money, and reduce the impact of State operations on our environment and public health.

This Executive Order amends Executive Order D 2023 018 and supersedes and rescinds previous Greening Government Executive Orders D 2022 016 and D 2019 016. To accomplish these new goals and directives, each agency and department managed by Governor-appointed executives (collectively, "Agency or Agencies") shall develop and implement plans, programs, and policies that incorporate the sustainability practices outlined in this Executive Order within existing budgets and authorities.

## **II. Greening Government Goals**

I direct Agencies to:

- a) Reduce greenhouse gas emissions by at least 50% in State Operations by FY 2034 over the FY 2019 baseline.
- b) Reduce greenhouse gas emissions by at least 32% in the State Fleet by FY 2034 over the FY 2019 baseline.
- c) Reduce energy use per square foot in State Facilities by at least 20% by FY 2034 over the FY 2019 baseline.
- d) Reduce potable water consumption across Agencies by at least 20% by FY 2034 over the FY 2015 baseline.

Each Agency should consider creating a Greening Government Executive Order (GGEO) management team to include a: (1) facility manager, (2) fleet coordinator, (3) budget director and (4) GGLC representative. The GGEO management teams of each Agency shall develop and implement plans, programs, and policies that incorporate the sustainability practices outlined in this Executive Order within existing budgets and authorities. The GGEO management teams should have knowledge on building maintenance and funding needs, building operations and usage, EV acquisition and utilization, and EV charging planning.

The Office of Sustainability will provide leadership to and require accountability from Agencies regarding the ongoing sustainability directives in this Executive Order outlined below, which apply to all Agencies.

A. Agency Sustainability Plans

- a) DPA will develop a Sustainability Plan template in coordination with the GGLC. Each Agency should prepare an annual Sustainability Plan to include the topics of Waste Diversion, Energy Management, Water Management, Petroleum Management, and other topics outlined in the Sustainability Plan template. Sustainability Plans will be due on or before May 1st of each year starting in May 2026.

B. Facility Management Directives to Reduce Greenhouse Gas Emissions and Energy Usage

- a) Identify and pursue energy performance contracts (EPCs) where feasible and cost effective. Agencies shall pursue feasibility studies for any facility that has not undergone an energy performance contract by January 1, 2029. The asset owner or facility manager is responsible for undergoing the EPCs unless otherwise established by an interagency agreement.
- i. Facilities that may be exempt from this requirement include:
    1. Any building without a heating, ventilation, or air conditioning system.
    2. Buildings with a conditioned space smaller than 5,000 square feet; conditioned space is defined as a space with both heating and cooling (i.e. a shop building or garage that only has heating or a facility that only has cooling would not be considered conditioned space).
    3. Temporary structures.
  - ii. Where EPCs are not feasible, Agencies shall explain why EPCs are not suitable during the capital construction and capital renewal budget process and why additional funding cannot be secured to support such budget requests.
- b) Identify and evaluate options that maximize cost-effective energy efficiency Heating, Ventilation, and Air Conditioning (HVAC) systems, including the use of geothermal (i.e., passive geothermal or ground-source heat pump) systems for any major capital investments, as defined by the Office of State Architect (OSA); however, the Executive Director of DPA may grant a waiver for Agencies to install high-efficiency electric equipment (e.g., air source heat pumps) if the relevant Agency evaluates geothermal systems and establishes that geothermal will not work.
- c) Ensure contractors' evaluation of HVAC technology includes consideration of the social costs of carbon and methane consistent with cost principles identified in § 40-3.2-106(4), C.R.S.
- d) Identify and pursue water heating systems changes for State buildings that are cost-effective, to include electric instant hot water heaters, heat pump water heaters, or a combined air and water geothermal/thermal energy network system. The cost should include the analysis of any applicable and associated energy costs from heating water.

C. Energy Use Reporting Directives

- a) To comply with internal statewide sustainability tracking, ensure accurate tracking and reporting of utility data monthly in EnergyCAP, the statewide energy and sustainability management software, or another Office of Sustainability-approved utility tracking database.
- b) Agencies must report on State-owned buildings 5,000 square feet and above in the utility reporting database. If the buildings exist in a campus setting, on a single meter, and the total gross square footage exceeds 5,000 square feet, they should be included in the utility reporting database.

D. Capital Construction and Capital Renewal Request Directives

Include the following in capital construction or capital renewal requests submitted to the OSA and the Governor's Office of State Planning and Budgeting (OSPB) for new construction or substantial renovations<sup>1</sup> to existing buildings. Consultation between OSA and OSPB may be necessary for such requests:

- a) Documentation of how requested projects conform with the State's High Performance Certification Program as outlined in OSA's Capital Construction Budget Instructions, Section I.
- b) Pursue onsite renewable energy generation or renewable clean energy purchases.
  - i. Include documentation of renewable energy generation or the infeasibility of using renewable energy sources at the facility.
  - ii. Explore, as part of any renewable energy system procurement, whether the installation of energy storage systems is feasible and cost-effective. If found to be feasible and cost-effective, renewable energy systems shall include energy storage.
  - iii. Evaluation of cost-effectiveness shall include the value of resilience during power outages or natural disasters utilizing the value of lost load or a similar calculation and shall take into account the benefits of continuity of government services during power outages.
- c) Provide analysis of public-private partnership opportunities for financing projects, such as the use of energy performance contracts (EPC). Agencies shall make their best efforts to include EPC funding wherever possible and include projects with energy and water improvements.

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<sup>1</sup> C.R.S. § 24-30-1305.5 8(c) "Substantial renovation" means any renovation with a cost that exceeds twenty-five percent of the value of the building.

- d) Join, as available, utility programs such as time-of-use billing and other demand management programs.
- e) Document Agency plans to meet requirements under § 24-30-1305.5, C.R.S., for reporting building utility performance data to OSA through either a nationally recognized building certification program, a Colorado Energy Office (CEO)-approved utility tracking database or software, or another OSA-accepted procedure;
- f) If parking is part of the proposed project and the site has electricity, provide documentation or plans that at least 28%, rounding up to the nearest whole space, of parking will be pre-wired (electric panel capacity, conduit, wiring, and receptacle/junction box) for Level 2 charging or Direct Current Fast Charger, and that at least 2%, rounding up to the nearest whole space, will have Level 2 chargers or DCFC chargers installed to comply with the Colorado Model Electric Ready and Solar Ready Code. Existing parking that is left alone but serving a new building is exempt from this requirement.
- g) Provide documentation that the Agency reviewed options for the full electrification of building systems, including consideration of geothermal heating and cooling, and such review shall include a full life-cycle cost analysis of the impact of electrification, including the social cost of carbon and methane consistent with § 40-3.2-106(4), C.R.S.; and
- h) For new construction, document that the building is built to net zero, near net zero greenhouse gas emissions standards, all electric, or meets the State's High Performance Certification Policy.

**E. State Fleet Management Directives to Reduce Greenhouse Gas Emissions**

- a) Agencies shall develop, in partnership with DPA and CEO, an annual fleet electrification plan to include the Agency's current and planned fleet, use cases of vehicles, and locations for needed EV charging stations and planned EV charging stations.
- b) Ensure accurate tracking and reporting of State fleet fuel use on the Colorado Automotive Reporting System (CARS), or successor system, as administered by State Fleet Management (SFM). The Colorado Department of Transportation (CDOT) shall use established reporting for all on-road and off-road vehicles that are not reported in CARS. On-road vehicles for CDOT shall be measured in miles per gallon and off-road vehicles for CDOT shall be measured by gallons per hour.
- c) Purchase battery electric vehicles (BEVs) in cases where BEVs meet the Agency's operational needs and infrastructure is in place or is planned to be in place prior to vehicles arriving. Agencies may continue to purchase plug-in hybrid electric vehicles (PHEV) in cases where PHEVs better match the operational needs or charging infrastructure is planned for installation after arrival of the vehicles.

- d) Ensure that EVs (BEVs and PHEVs) are the default vehicle type for all light-duty vehicles for future vehicle purchases. If an electric model is available to the State that is the same vehicle type approved for replacement, DPA, with input from CEO, shall select the EV. In cases where an Agency believes that the selected EV will not meet the operational need, Agencies may request reconsideration of the selection by DPA. Agencies may appeal DPA's decision for final determination by the Governor.
- e) Work in partnership with DPA when DPA selects medium and heavy-duty Zero Emission Vehicles for Agency fleets where medium and heavy-duty Zero Emission Vehicles are cost-effective, meet operational needs, and are available in the marketplace.
- f) Ensure that any EV added to the fleet shall be used as an opportunity to provide education and outreach to the public and State employees. This can include vehicle wraps, bumper stickers, brochures, and other information within the vehicle, as well as training for vehicle users.
- g) Install charging stations at State facilities. Where additional infrastructure is needed, including at leased facilities, Agencies shall identify funding and pursue grants and rebates to install sufficient charging infrastructure. Explore, where cost-effective, the integration of bidirectional functionality for charging stations, including where vehicles can be utilized for vehicle-to-building services to reduce utility bills and utility demand charges. Where bidirectional functionality is considered, cost-effectiveness shall include the value of resilience during power outages or natural disasters.
- h) Agencies shall report the installation of charging stations to the Office of Sustainability.
- i) Pursue planning and implementation of electric vehicle charging stations and expansion of alternative fuel vehicle technologies in partnership with agency facility management teams.
- j) DPA shall optimize take-home EVs by replacing take-home vehicles with EVs in each vehicle procurement cycle, with a goal of increasing the number of take-home EVs ordered in each successive round.
- k) DPA and CDOT shall establish policies and procedures to promote cost-effective use of Alternative Fuel Vehicles (AFVs) and other fleet efficiency improvements wherever feasible.

F. Lawn Equipment Electrification Directives to Reduce Greenhouse Gas Emissions

As equipment reaches the end of its useful life, Agencies will purchase electric lawn equipment to meet the Air Quality Control Commissions' rule prohibiting gas powered equipment from June 1 to August 31, beginning 2025.

- a) Beginning June 1, 2025, Agencies cannot use gasoline-powered push and hand-held lawn and garden equipment with an internal combustion engine smaller than 19kw (25 horsepower) from June 1 to August 31 of the current year. Agencies should phase out gas-powered push and handheld lawn and garden equipment with internal combustion engines that are less than 25 horsepower to the maximum extent possible with current funds. Excluded equipment includes equipment used for abating or preventing damage during a declared disaster emergency, equipment used by first responders to provide emergency services, for the purpose of fire hazard reduction activities in or near wildland areas or wildland-urban interface, or riparian, forest or grassland management.
- b) Agencies procuring landscape services and contracts should include an evaluation factor to prefer vendors who utilize solely or primarily electrified lawn equipment.

G. Water Efficient Practices to Reduce Water Usage

- a) Any new construction or substantial renovation projects at a State-owned facility that begins a design solicitation or where landscaping is being modified, shall incorporate regional climatic and ecosystem considerations as well as water efficient irrigation and follow the Statewide Water Efficient Landscape Policy.
  - i. The water efficient criteria shall require the installation of sustainable, drought-tolerant, and ecoregion-appropriate landscaping, including drought-tolerant lawn grasses and forbs, prioritizing native species and pollinators and excluding invasive-non-native plants.
  - ii. High-efficiency irrigation infrastructure shall be utilized 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) Pursue water-efficient landscaping and water-efficient improvements for State real property to the extent funding is available to support the Colorado Water Plan.

H. Office of Sustainability Directives

I direct the Office of Sustainability to:

- a) Develop waste diversion goals and best practices for waste diversion and improved recycling and organics collection at Agencies. Agencies' facilities management units should prepare waste prevention and diversion plans annually.
- b) Develop, in consultation with the State Purchasing and Contracting Office, environmentally preferred purchasing goals and standards for office paper, office supplies, facility maintenance supplies, and single-use supplies. The Office of

Sustainability may choose to create environmentally preferred purchasing goals and standards for any other State supplies in partnership with Agency procurement teams.

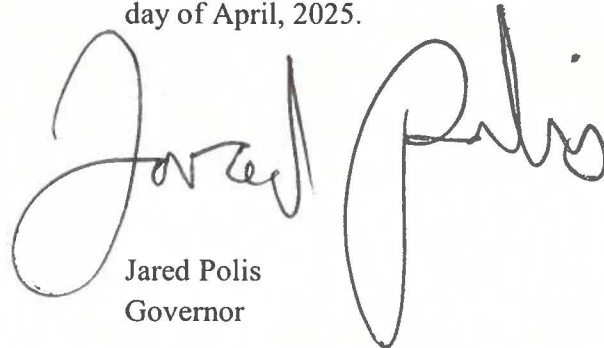
- c) Review and implement green commuting opportunities for all Agencies to decrease the environmental impact of State government operations.
- d) Provide regular reporting on all greening government goals and metrics to the Executive Director of DPA and the Governor's Office.

### **III. Duration**

Executive Order D 2023 018 is hereby amended and restated by this Executive Order. Executive Orders D 2022 016 and D 2019 016 are superseded and rescinded by this Executive Order. This Executive Order shall remain in effect unless modified or rescinded by a future Executive Order of the Governor.



GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this twenty-second  
day of April, 2025.

A handwritten signature in black ink, which reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis  
Governor