

Senate Agriculture & Natural Resources

04/03/2024 Upon Adjournment

SB24-185 Protections Mineral Interest Owners Forced Pooling

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Rosemarie Russo For themselves	<p>EPA’s Environmental Justice (EJ) screen ranks Commerce City (C3) in the 90th percentile for seven of the 12 EJ variables, including indices for PM. 2.5, 2017 diesel PM, air toxic cancer risks, respiratory risk, Super Fund site proximity, hazardous waste proximity, and Risk Management Plan facility proximity. In addition to the multiple industrial facilities, three major highways are located within Suncor boundaries. C3 ranks one of the highest per capita GHG footprints in the region:</p> <ul style="list-style-type: none">• Commerce City (C3) - 34.5 CO2e• Fort Collins – 12 CO2e• Denver - 11.5 CO2e• Longmont - 10.3 CO2e <p>Unfortunately, 57% of the GHG sources are from industrial pollution with Suncor accounting for 87% so addressing other strategies to protect community health within the community’s control is essential.</p> <p>As the Sustainability Manager for the Energy, Equity and Environmental (E3) Division of C3, I strongly support the provisions related to requiring an affidavit that to declare that the applicant has the requisite ownership or obtained the requisite consent. C3 recently received unsolicited lease offers for minerals in Township 2 South, Range 66 West, Section 6. The letters were not sent as certified. Nor was the letter from ECMC about the hearing. The correspondence went to different departments delaying any response. One of my duties as Sustainability Managing is serving as the Oil and Gas Liaison. I have registered multiple times. ECMC has hosted community meetings in C3 and I was not notified. Given the transparency and notifications issues, it is imperative that local governments be granted “at least 60 days’ notice prior to the hearing date as being proposed. Additionally, local governments are in a unique situation because we may have acquired mineral rights using public expenditures and must be responsive and responsible for</p>

	<p>those funds. Therefore, E3 strongly supports the provision: "Prohibiting the commission from entering a pooling order that pools the mineral interests of an unleased owner if the unleased owner is a local government that has rejected an offer to lease and the minerals".</p>
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