

Commission Energy Policies-Overview

Brian Magee
CPW Southwest Region
Energy Liaison
(970) 375-6707

CPW Commission Meeting
July 18th, 2024

brian.magee@state.co.us



Energy Development and Land Use

- Regionally based staff
- CPW does not have regulatory authority in land use
- Consultation role with regulatory agencies, federal land managers, state and local governments, industry
- Provide project review and recommendations
- Avoid, Minimize, and Mitigate



LIVE LIFE
OUTSIDE

Commission Energy Policies

Title: ENERGY DEVELOPMENT IN COLORADO

Effective Date: September 13, 2007

Title: ENERGY DEVELOPMENT ON STATE WILDLIFE AREAS

Effective Date: June 7, 2007

COLORADO WILDLIFE COMMISSION POLICY

Title: ENERGY DEVELOPMENT IN COLORADO
Effective Date: September 13, 2007
Revised Date:

POLICY STATEMENT

It is the intent of the Commission to uphold the legislative declaration under Colorado Revised Statutes, Title 33 Wildlife and Parks and Outdoor Recreation Article 1 "Wildlife - General Provisions" that wildlife and their environment are to be protected, preserved, enhanced and managed for the use, benefit and enjoyment of the people of this state and its visitors. Therefore, in the planning and management of energy development operations the Commission encourages an approach that balances development with wildlife conservation and the hunting, fishing, and recreation traditions and economies they support.

Hunting, angling and wildlife viewing contribute significantly to the economy of the State of Colorado, benefiting local economies and providing jobs in such fields as manufacturing, retail sales, and wildlife related service industries such as, outfitting and guiding, etc. In addition to these extrinsic economic benefits, the wildlife of the State of Colorado also provide intrinsic, positive enhancement to all types of wildlife-related recreational experiences for both residents and visitors to the State of Colorado.

The Commission recognizes that significant energy development of all types, including mineral, solar, wind, geothermal, hydroelectric and others, has occurred and will continue in habitats where important wildlife species exist in Colorado. Disturbance to the landscape resulting from energy exploration and development as well as the related increased level of human activities and transmission infrastructure, will result in greater impacts to wildlife and its habitat, and may create habitat fragmentation. The Commission is concerned that these impacts could affect some of our most important big game herds and ultimately the quality of hunting, the ability of the Division of Wildlife to effectively manage these herds, local economies, and the revenue that the Division depends on from hunting licenses. The Commission is also concerned about the potential loss of species and impacts that could result in federal listing under the Endangered Species Act.

However, the Commission does recognize the important role energy companies play in providing clean, safe and efficient energy for America's homes and businesses as well as the substantial economic contribution resulting from jobs, taxes, mineral royalties, etc.

Therefore, the Commission encourages responsible development of the State's energy resources through the use of the best technology available to first avoid and minimize impacts and then to mitigate remaining unavoidable environmental impacts to Colorado's wildlife and wildlife habitat. The Commission pledges to assist the Colorado Oil and Gas Conservation Commission in their efforts to minimize adverse impacts to wildlife resources affected by oil and gas development as outlined in Title 34 Mineral Resources, Article 60 Oil and Gas Conservation. The Commission will strongly advocate that energy development occur in an ecologically



COLORADO WILDLIFE COMMISSION POLICY

Title: ENERGY DEVELOPMENT ON STATE WILDLIFE AREAS
Effective Date: June 7, 2007
Revised Date:

POLICY STATEMENT

It is the intent of the Wildlife Commission that State Wildlife Areas be managed to minimize the impact of energy development to the extent possible. Energy development includes the 1) exploration for mineral, solar, wind, geothermal, hydroelectric or other resources, 2) the development/extraction of those resources and 3) related transmission infrastructure (e.g. transmission lines, pipelines, service roads).

The Wildlife Commission shall consider the costs and benefits of energy-related development on State Wildlife Areas relative to impacts on the quality of habitat, wildlife populations, or recreational uses for which the State Wildlife Area was originally acquired.

In instances where the Wildlife Commission maintains sole ownership of surface and subsurface mineral rights, the Wildlife Commission may grant leasing rights for energy-related purposes provided the lessee agrees to no surface occupancy and/or mitigation stipulations developed by the Division of Wildlife and approved by the Wildlife Commission.

The Wildlife Commission recognizes that the Division may not possess the exclusive ownership of subsurface mineral rights associated with State Wildlife Areas. Ownership of the subsurface mineral rights may be distributed among a combination of private, Federal, and State entities. The Commission opposes the leasing of subsurface rights under State Wildlife Areas to any other entity unless mitigation and/or surface-occupancy stipulation measures exist to protect the quality of habitat and wildlife within the State Wildlife Area.

State Wildlife Areas incurring significant negative impacts to wildlife as a result of the activities above should be identified and given consideration for remedial funding.

COLORADO WILDLIFE COMMISSION POLICY

Title: ENERGY DEVELOPMENT IN COLORADO

Effective Date: September 13, 2007

Changes to O&G Statutes:

HB 07-1298 Repealed

Replaced with SB 19-181, mission change

SB 23-285- COGCC renamed Energy and Carbon Management Commission, added responsibilities for geothermal, carbon sequestration



COLORADO WILDLIFE COMMISSION POLICY

Title: ENERGY DEVELOPMENT IN COLORADO

Effective Date: September 13, 2007



Energy related Statutes :

Renewable Energy - statutory responsibilities

- Public Utility Commission
- Local Governments: County 1041 and other permitting processes
- CPW responsibilities under SB 24-212

Statutory responsibilities regarding energy-related mining, critical minerals