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Replace lines 123 through 131 on page 5 with the following:

(g) In considering approving a storage facility to be used for the storage and sequestration of carbon dioxide pursuant to this division, the board shall consider both of the following:

(1) Any competing rights of all separately owned estates in lands potentially affected by the storage facility, giving due consideration of competing rights as to existing or future uses by pore space, surface, and mineral owners that may be affected.

(2) The distance of the storage facility from any current or future underground mining operation or other underground operation designed and operated for the extraction of minerals and the potential impact on the safety of these operations.

(h) Other than as may regard a claim to an ownership interest in pore space, nothing in this division shall be construed to change, alter, diminish, or in any way affect the statutory or common law as of October 1,



25 2024, as it relates to the rights belonging to surface
26 and mineral estates.

27
28 Replace line 143 on page 6 with the following:

29 persons that own not less than 66 and
30 two-thirds percent of a storage

31
32 Replace line 146 on page 6 with the following:

33 persons that own not less than 66 and
34 two-thirds percent of a storage

35
36 Replace line 155 on page 6 with the following:

37 fairly and equitably compensated.

38 (6) A storage operator shall use commercially
39 reasonable efforts to limit the adverse surface-use
40 impact upon the lands of non-consenting owners of a
41 storage facility's pore space and storage rights.

42 (7) A storage operator seeking approval to operate in
43 the Blue Creek or Mary Lee coal seams in Jefferson,
44 Tuscaloosa, or Walker counties or within a 10-mile
45 radius of any coal mine operation shall obtain the
46 written consent of the coal mine operator and mineral
47 owner with an operation or mineral interest in such
48 seams or within such radius; provided, however, that



49 such consent shall not be unreasonably withheld or
50 delayed.

51
52 Replace line 214 on page 8 with the following:

53 obtain the highest return possible while
54 preserving the