

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-1047.01 Jennifer Berman x3286

HOUSE BILL 25-1332

HOUSE SPONSORSHIP

McCormick,

SENATE SPONSORSHIP

Roberts and Wallace,

House Committees

Agriculture, Water & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A WORK GROUP TO STUDY THE USES**
102 **OF STATE TRUST LANDS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The state board of land commissioners (state board) serves as the trustee for lands granted to the state in public trust for the support of public schools (state trust lands). The state board is responsible for the management and protection of the state trust lands, including by protecting and enhancing the natural features, open space, and wildlife habitat of the state trust lands.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

The bill requires the executive director of the department of natural resources (department) to convene a state trust lands conservation and recreation work group (work group) to study opportunities to advance conservation and recreation activities on state trust lands as part of the state board's long-term stewardship of the state trust lands while maintaining the state board's fiduciary responsibilities regarding its management of the state trust lands. On or before July 1, 2026, the work group is required to make recommendations to the state board, the governor, the general assembly, and the executive director of the department based on the study.

On or before December 15, 2026, the state board is required to take into consideration the work group's recommendations and adopt an administrative policy or rules to establish a process and policy regarding the state board's implementation of conservation leases while balancing such conservation efforts with the requirement to generate revenue from the state trust lands.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The state board of land commissioners serves as the trustee of
5 lands granted to the state in public trust by the federal government, lands
6 acquired in lieu thereof, and additional lands held by the state board in
7 public trust, which lands are commonly referred to as "state trust lands";

8 (b) The state board of land commissioners manages 2.8 million
9 surface acres and 4 million subsurface acres, making it the second largest
10 landowner in the state behind the federal government;

11 (c) As trustee of the state trust lands, the state board of land
12 commissioners' management of state trust lands provides vital funding for
13 public schools;

14 (d) Under federal law and under section 10 of article IX of the
15 state constitution, state trust lands shall be managed exclusively for the
16 benefit of the designated beneficiaries of the trusts;

1 (e) Conservation; outdoor recreation; contributions to reducing
2 emissions and addressing climate change through the development of
3 transmission and renewable energy generation on state trust lands; and
4 housing for teachers, educators, school employees, and families with
5 children may all be identified as forms of benefits to the trust
6 beneficiaries;

7 (f) In 1996, the registered voters of this state approved
8 amendments to sections 3, 9, and 10 of article IX of the state constitution
9 to make changes to the state board of land commissioners' composition
10 and mandate. Among other matters, the amendments to section 10 of
11 article IX did the following:

12 (I) Clarified the state board's authority to manage and promote the
13 long-term yields of state trust lands by changing the state board's mandate
14 to "produc[ing] reasonable and consistent income over time";

15 (II) Articulated a vision for the state board's management of all
16 state trust lands, stating that "the economic productivity of all lands held
17 in public trust is dependent on sound stewardship, including protecting
18 and enhancing the beauty, natural values, open space[,] and wildlife
19 habitat thereof, for this and future generations";

20 (III) To fulfill in part the direction to "protect and enhance the
21 long-term productivity and sound stewardship" of all state trust lands,
22 directed the state board to, among other activities:

23 (A) Establish and maintain "a long-term stewardship trust of up
24 to 300,000 acres of land";

25 (B) Manage the development and utilization of natural resources
26 "in a manner which will conserve the long-term value of such resources,
27 as well as existing and future uses"; and

1 (C) Sell or lease "conservation easements, licenses[,] and other
2 similar interests in land".

3

4 (2) The general assembly further finds and declares that:

5 (a) As the state approaches its 150th anniversary on August 1,
6 2026, there are opportunities to further implement the intent of section 10
7 of article IX of the state constitution by continuing to diversify revenue
8 streams to the benefit of the trust beneficiaries, both through revenue and
9 in-kind, in a way that protects Colorado's great outdoors, wildlife, and
10 recreational opportunities, which are among the state's most treasured
11 resources, thus enhancing Coloradans' quality of life, bringing prosperity
12 to the state and its residents, and representing the fabric of the state;

13

14 (b) It is reasonable to encourage the state board of land
15 commissioners, in exercising the state board's discretion to determine the
16 best interests of its beneficiaries, to pursue additional revenue-generating,
17 non-revenue-generating, and in-kind contributions, including
18 conservation and recreational opportunities, renewable energy siting and
19 energy transmission, housing, and broadband infrastructure;

20 (c) Furthermore, the state board of land commissioners should
21 explore opportunities to expand conservation, restoration, and sustainably
22 managed public access to state trust lands, including for communities that
23 face systemic barriers to accessing nature, renewable energy siting and
24 energy transmission, and housing, while:

- 25 (I) Protecting natural and conservation values;
- 26 (II) Maintaining the state board's fiduciary duties; and
- 27 (III) Respecting the rights of existing lessees; and

1 (d) The state board of land commissioners can meet its
2 constitutional mandates to provide reasonable and consistent revenue to
3 trust beneficiaries and to preserve the future economic potential of the
4 treasured underlying asset base by both protecting and enhancing the
5 natural values of state trust lands and providing high-quality, sustainable,
6 and equitable public recreational access, renewable energy and energy
7 transmission siting, and housing, where appropriate.

8 **SECTION 2.** In Colorado Revised Statutes, 36-1-100.3, **amend**
9 the introductory portion; and **add** (1.5), (1.7), (2.4), (2.5), (2.6), (2.7),
10 (5.5), and (8) as follows:

11 **36-1-100.3. Definitions.** As used in this ~~article~~ ARTICLE 1, unless
12 the context otherwise requires:

13 (1.5) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL
14 RESOURCES CREATED IN SECTION 24-33-101 (1).

15 (1.7) "DIVISION OF PARKS AND WILDLIFE" MEANS THE DIVISION OF
16 PARKS AND WILDLIFE CREATED IN SECTION 33-9-104 (1).

17 (2.4) "LONG-TERM BENEFITS AND RETURNS TO THE STATE" MEANS,
18 WITH REGARD TO THE LONG-TERM STEWARDSHIP TRUST:

19 (a) BENEFITTING FUTURE GENERATIONS IN RECOGNITION OF THE
20 PERPETUAL, INTERGENERATIONAL PUBLIC TRUST OBLIGATIONS;

21 (b) PROTECTING THE UNDERLYING NATURAL RESOURCE BASE AND
22 ASSET VALUE TO ENSURE RETURNS FOR FUTURE GENERATIONS OF
23 BENEFICIARIES AND ACHIEVE INTERGENERATIONAL EQUITY; AND

24 (c) UTILIZING SOUND STEWARDSHIP TO MAINTAIN LONG-TERM
25 VALUE OVER SHORT-TERM REVENUE GAINS.

26 (2.5) "LONG-TERM PRODUCTIVITY" MEANS SUSTAINABLE
27 ECONOMIC POTENTIAL, PRODUCTIVITY, AND VALUE OF STATE TRUST

1 LANDS.

2 (2.6) "LONG-TERM STEWARDSHIP TRUST" OR "STEWARDSHIP
3 TRUST" MEANS THE LONG-TERM STEWARDSHIP TRUST ESTABLISHED BY
4 THE STATE BOARD OF LAND COMMISSIONERS PURSUANT TO SECTION 10
5 (1)(b)(I) OF ARTICLE IX OF THE STATE CONSTITUTION AND SECTION
6 36-1-107.5 (1).

7 (2.7) "LONG-TERM VALUE" MEANS THE ABILITY TO PRESERVE A
8 NATURAL BENEFIT FOR A FUTURE ECONOMIC USE OR PRODUCTIVITY, EVEN
9 IF THE NATURAL BENEFIT IS NOT CURRENTLY IN USE OR BEING MONETIZED
10 OR IF THE LIKELIHOOD OF FUTURE USE OR MONETIZATION IS UNKNOWN.

11 (5.5) "SOUND STEWARDSHIP" MEANS THE USE OF NATURAL
12 RESOURCES ON STATE TRUST LANDS IN A MANNER THAT WILL PROTECT THE
13 LONG-TERM ECONOMIC VALUE AND LONG-TERM PRODUCTIVITY OF THE
14 STATE TRUST LANDS FOR FUTURE GENERATIONS OF BENEFICIARIES.

15 (8) "WORK GROUP" MEANS THE STATE TRUST LANDS
16 CONSERVATION AND RECREATION WORK GROUP CONVENED PURSUANT TO
17 SECTION 36-1-152.3.

18 **SECTION 3.** In Colorado Revised Statutes, **add** 36-1-152.3,
19 36-1-152.5, and 36-1-152.7 as follows:

20 **36-1-152.3. State trust lands conservation and recreation work**
21 **group - creation - membership - study - interim report.** (1) THE
22 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL CONVENE A STATE
23 TRUST LANDS CONSERVATION AND RECREATION WORK GROUP TO
24 CONDUCT A STUDY TO IDENTIFY OPPORTUNITIES TO ADVANCE
25 CONSERVATION; CLIMATE RESILIENCE; BIODIVERSITY; AND SUSTAINABLE,
26 EQUITABLE, AND LOW-CONFLICT RECREATION ON STATE TRUST LANDS IN
27 ACCORDANCE WITH COLORADO'S OUTDOORS STRATEGY STEWARDED BY

1 THE DIVISION OF PARKS AND WILDLIFE. THE WORK GROUP SHALL CONDUCT
2 THE STUDY IN A MANNER CONSISTENT WITH THE STATE BOARD OF LAND
3 COMMISSIONERS' FIDUCIARY RESPONSIBILITY TO PRODUCE REASONABLE
4 AND CONSISTENT REVENUE FOR TRUST BENEFICIARIES.

5 (2) (a) THE WORK GROUP SHALL:

6 (I) MEET AS OFTEN AS NECESSARY, BUT NO FEWER THAN FOUR
7 TIMES, TO EVALUATE THE STATE TRUST LANDS AND THE OPPORTUNITIES
8 FOR RECREATION, CONSERVATION, AND AGRICULTURE;

9 (II) MAKE RECOMMENDATIONS ON OR BEFORE SEPTEMBER 1, 2026,
10 TO THE GOVERNOR; THE HOUSE OF REPRESENTATIVES AGRICULTURE,
11 WATER, AND NATURAL RESOURCES COMMITTEE AND THE SENATE
12 AGRICULTURE AND NATURAL RESOURCES COMMITTEE, OR THEIR
13 SUCCESSOR COMMITTEES; THE STATE BOARD OF LAND COMMISSIONERS;
14 AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT;

15 (III) BE ASSISTED BY A PROFESSIONAL FACILITATOR;

16 (IV) ENGAGE SPECIALISTS OR SUBJECT MATTER EXPERTS AS
17 NEEDED, INCLUDING EXPERTS ON THE ECONOMY, LANDSCAPE ECOLOGY,
18 AGRICULTURE, AND CLIMATE RESILIENCE; AND

19 (V) MAKE ALL REASONABLE EFFORTS TO REDUCE THE FISCAL
20 IMPACT OF THE WORK GROUP, INCLUDING BY ALLOWING REMOTE
21 PARTICIPATION.

22 (b) ON OR BEFORE MARCH 16, 2026, THE WORK GROUP SHALL
23 PROVIDE AN INTERIM REPORT TO THE PARTIES LISTED IN SUBSECTION
24 (2)(a)(II) OF THIS SECTION, WHICH INTERIM REPORT INCLUDES, AT A
25 MINIMUM, INFORMATION ON POTENTIAL RECOMMENDATIONS FOR THE
26 LONG-TERM STEWARDSHIP TRUST AND THE INTERNAL IMPROVEMENTS AND
27 SALINE TRUSTS.

1 (3) (a) BY SEPTEMBER 5, 2025, APPOINTING AUTHORITIES
2 SHALL APPOINT VOTING MEMBERS OF THE WORK GROUP PURSUANT TO
3 SUBSECTION (3)(b) OF THIS SECTION. IN MAKING THE APPOINTMENTS, THE
4 APPOINTING AUTHORITIES SHALL ENDEAVOR TO ACHIEVE GEOGRAPHIC
5 DIVERSITY ON THE WORK GROUP. IN CONDUCTING THE STUDY, THE WORK
6 GROUP SHALL SOLICIT PUBLIC INPUT, INCLUDING INPUT REGARDING
7 IDENTIFICATION OF PARTICULAR PROPERTIES TO CONSIDER AND
8 MANAGEMENT RECOMMENDATIONS TO INCLUDE IN THE STUDY.

9 (b) (I) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
10 APPOINT TO THE WORK GROUP:

11 (A) ONE MEMBER OF THE PUBLIC SCHOOL CAPITAL CONSTRUCTION
12 ASSISTANCE BOARD CREATED IN SECTION 22-43.7-106;

13 (B) ONE REPRESENTATIVE OF AN ENVIRONMENTAL ORGANIZATION
14 WITH EXPERTISE IN LAND CONSERVATION AND STEWARDSHIP; AND

15 (C) ONE REPRESENTATIVE OF A WILDLIFE AND HABITAT
16 CONSERVATION ORGANIZATION.

17 (II) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES
18 SHALL APPOINT TO THE WORK GROUP:

19 (A) ONE COUNTY COMMISSIONER;

20 (B) ONE REPRESENTATIVE OF NONMOTORIZED RECREATION; AND

21 (C) ONE REPRESENTATIVE OF A COMMERCIAL REAL ESTATE ENTITY
22 WITH EXPERIENCE LEASING PROPERTY ON STATE LANDS.

23 (III) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES
24 SHALL APPOINT TO THE WORK GROUP:

25 (A) ONE REPRESENTATIVE OF MOTORIZED RECREATION; AND

26 (B) ONE MEMBER WHO IS AN AGRICULTURAL PRODUCER OR
27 REPRESENTATIVE OF A STATEWIDE AGRICULTURAL ORGANIZATION.

1 (IV) THE PRESIDENT OF THE SENATE SHALL APPOINT TO THE WORK
2 GROUP:

3 (A) ONE MEMBER WITH A BACKGROUND IN OUTDOOR EQUITY;

4 (B) ONE REPRESENTATIVE FROM THE RENEWABLE ENERGY
5 INDUSTRY WITH EXPERIENCE LEASING RENEWABLE ENERGY FACILITIES ON
6 STATE TRUST LANDS; AND

7 (C) ONE REPRESENTATIVE OF A HUNTING OR ANGLING
8 ORGANIZATION.

9 (V) THE MAJORITY LEADER OF THE SENATE SHALL APPOINT TO THE
10 WORK GROUP:

11 (A) ONE EDUCATIONAL STAKEHOLDER REPRESENTING RURAL
12 SCHOOLS;

13 (B) ONE REPRESENTATIVE OF THE MINING INDUSTRY WITH
14 EXPERIENCE LEASING PROPERTY ON STATE TRUST LANDS; AND

15 (C) ONE ELECTED REPRESENTATIVE OF A MUNICIPALITY.

16 (VI) THE MINORITY LEADER OF THE SENATE SHALL APPOINT TO
17 THE WORK GROUP:

18 (A) ONE OIL AND GAS OPERATOR WITH EXPERIENCE LEASING
19 PROPERTY ON STATE TRUST LANDS; AND

20 (B) ONE MEMBER WHO IS AN AGRICULTURAL PRODUCER OR
21 REPRESENTATIVE OF A STATEWIDE AGRICULTURAL ORGANIZATION.

22 (VII) THE GOVERNOR SHALL APPOINT TO THE WORK GROUP:

23 (A) ONE MEMBER WITH ECONOMIC EXPERTISE RELATED TO ISSUES
24 THE WORK GROUP WILL STUDY, INCLUDING OPTION VALUE, AS DESCRIBED
25 IN SECTION 36-1-152.5 (1)(a)(V), AND CONSERVATION LEASING;

26 (B) ONE MEMBER WITH LEGAL EXPERTISE, INCLUDING KNOWLEDGE
27 OF THE STATE CONSTITUTION, FIDUCIARY DUTIES, AND STATUTES

1 GOVERNING THE ISSUES THE WORK GROUP WILL STUDY; AND

2 (C) ONE MEMBER WITH WATER RESOURCE MANAGEMENT
3 EXPERIENCE.

4 (VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL,
5 THROUGH THE COLORADO COMMISSION OF INDIAN AFFAIRS CREATED IN
6 SECTION 24-44-102, PRESENT TO THE UTE MOUNTAIN UTE TRIBE AND THE
7 SOUTHERN UTE INDIAN TRIBE ON THE WORK GROUP AND ITS OBJECTIVES
8 AND INVITE THE UTE MOUNTAIN UTE TRIBE AND THE SOUTHERN UTE
9 INDIAN TRIBE TO PARTICIPATE IN THE WORK GROUP. THE UTE MOUNTAIN
10 UTE TRIBE AND THE SOUTHERN UTE INDIAN TRIBE MAY ACCEPT OR
11 DECLINE THE INVITATION TO PARTICIPATE AND, IF EITHER TRIBE ELECTS TO
12 PARTICIPATE, THE TRIBE SHALL APPOINT A REPRESENTATIVE TO SERVE ON
13 THE WORK GROUP.

14 (IX) THE COLORADO COMMISSION OF INDIAN AFFAIRS CREATED IN
15 SECTION 24-44-102 SHALL APPOINT TO THE WORK GROUP ONE MEMBER
16 WHO IS A MEMBER OF THE AMERICAN INDIAN COMMUNITY IN COLORADO

17 (c) THE NONVOTING MEMBERS OF THE WORK GROUP ARE:

18 (I) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S
19 DESIGNEE;

20 (II) THE DIRECTOR OF THE DIVISION OF PARKS AND WILDLIFE OR
21 THE DIRECTOR'S DESIGNEE;

22 (III) THE DIRECTOR OF THE STATE BOARD OF LAND
23 COMMISSIONERS OR THE DIRECTOR'S DESIGNEE;

24 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE
25 EXECUTIVE DIRECTOR'S DESIGNEE;

26 (V) THE COMMISSIONER OF AGRICULTURE OR THE COMMISSIONER'S
27 DESIGNEE; AND

1 (VI) THE STATE HISTORIC PRESERVATION OFFICER OR THE
2 OFFICER'S DESIGNEE.

3 **36-1-152.5. Work group study - requirements.** (1) (a) AS PART
4 OF THE STUDY CONDUCTED PURSUANT TO SECTION 36-1-152.3 (1), THE
5 STATE TRUST LANDS CONSERVATION AND RECREATION WORK GROUP
6 SHALL PROVIDE RECOMMENDATIONS TO THE PARTIES IDENTIFIED IN
7 SECTION 36-1-152.3 (2)(a)(II) REGARDING HOW TO BETTER IMPLEMENT
8 THE MANDATE OF SECTION 10 OF ARTICLE IX OF THE STATE CONSTITUTION,
9 INCLUDING RECOMMENDATIONS ON HOW TO:

10 (I) FURTHER THE LONG-TERM PRODUCTIVITY AND SOUND
11 STEWARDSHIP OF ALL STATE TRUST LANDS, NOT ONLY THOSE IN THE
12 LONG-TERM STEWARDSHIP TRUST;

13 (II) PRESERVE AND ENHANCE THE BEAUTY, NATURAL VALUES,
14 OPEN SPACE, AND WILDLIFE OF THE STATE FOR CURRENT AND FUTURE
15 GENERATIONS;

16 (III) PROMOTE LONG-TERM PRODUCTIVITY FOR AGRICULTURE;

17 (IV) PROVIDE FOR SUSTAINABLE, EQUITABLE, AND LOW-CONFLICT
18 RECREATIONAL OPPORTUNITIES ON STATE TRUST LANDS, TAKING INTO
19 ACCOUNT THE CHALLENGES ASSOCIATED WITH RECREATIONAL ACCESS ON
20 STATE TRUST LAND PARCELS WITH EXISTING AGRICULTURAL LEASES; AND

21 (V) MANAGE THE UTILIZATION OF NATURAL RESOURCES ON STATE
22 TRUST LANDS TO CONSERVE THE LONG-TERM VALUE, INCLUDING THE
23 OPTION VALUE, WHICH REPRESENTS THE WILLINGNESS TO PAY TO
24 GUARANTEE THE CONTINUED AVAILABILITY OF A RESOURCE FOR
25 POTENTIAL FUTURE USE, OF THE STATE TRUST LANDS WHILE THE STATE
26 BOARD OF LAND COMMISSIONERS CARRIES OUT ITS FIDUCIARY DUTIES.

27 (b) THE WORK GROUP'S RECOMMENDATIONS SHALL NOT BE

1 CONSTRUED TO ALTER OR IMPAIR THE VALIDITY OF ANY EXISTING LEASES
2 ON STATE TRUST LANDS.

3 (2) THE WORK GROUP'S STUDY MUST INCLUDE, AT A MINIMUM:

4 (a) SOLICITING REGIONAL PARTNERSHIP INITIATIVES AND COUNTIES
5 TO IDENTIFY STATE TRUST LAND PARCELS THAT HOLD UNIQUE
6 OPPORTUNITIES FOR REGIONAL RECREATION, CONSERVATION ACTIVITIES,
7 AND AGRICULTURAL OPPORTUNITIES;

8 (b) A REVIEW OF STATE TRUST LAND PARCELS FOR OPPORTUNITIES
9 TO ADVANCE CONSERVATION, CLIMATE RESILIENCY, WATER RESOURCES,
10 OR HABITAT CONNECTIVITY, INCLUDING CONSERVATION OR
11 AGRICULTURAL LEASES OR PERMANENT PROTECTION, INCLUDING
12 THROUGH SALES AND INTERTRUST SWAPS;

13 (c) IDENTIFICATION OF STATE TRUST LAND PARCELS THAT
14 PRESENT UNIQUE OPPORTUNITIES FOR CONSERVATION AND EDUCATIONAL
15 PURPOSES, WHICH IDENTIFICATION MAY INCLUDE RECOMMENDATIONS AS
16 TO WHETHER AND HOW LONG-TERM DISPOSITION OF PARCELS SHOULD
17 OCCUR, INCLUDING LEASE, EASEMENT, OR FEE TITLE ACQUISITION FOR
18 CONSERVATION PURPOSES SUCH AS HABITAT RESTORATION OR ECOSYSTEM
19 SERVICES. IDENTIFICATION OF PARCELS MUST INCLUDE CONSIDERATION
20 OF:

21 (I) STATE PARK AND STATE WILDLIFE AREA CREATION OR
22 EXPANSION, INCLUDING THROUGH THE USE OF THE INTERNAL
23 IMPROVEMENTS AND SALINE TRUSTS;

24 (II) FUTURE LONG-TERM MANAGEMENT SOLUTIONS FOR PARKS
25 AND WILDLIFE AREAS CURRENTLY LEASED OR UTILIZED BY THE DIVISION
26 OF PARKS AND WILDLIFE, INCLUDING LONE MESA STATE PARK AND
27 QUEENS STATE WILDLIFE AREA;

1 (III) CURRENT AND FUTURE PUBLIC USE BY SCHOOLCHILDREN FOR
2 OUTDOOR RECREATION AND EDUCATIONAL PURPOSES; AND

3 (IV) HIGH-VALUE LANDS USED TO IMPROVE CLIMATE-RESILIENT
4 CONSERVATION AND RECREATION OPPORTUNITIES, INCLUDING THOSE
5 LANDS WITH:

6 (A) IMPORTANT HABITAT FOR SPECIES OF GREATEST
7 CONSERVATION NEEDS;

8 (B) HIGH-PRIORITY HABITATS, AS DEFINED IN SECTION 34-60-132
9 (1)(n), IDENTIFIED BY THE DIVISION OF PARKS AND WILDLIFE;

10 (C) WETLANDS AND RIPARIAN AREAS;

11 (D) HABITAT CONNECTIVITY; AND

12 (E) AGRICULTURAL OPPORTUNITIES;

13 (d) RECOMMENDATIONS REGARDING ACTIONS TO ADVANCE
14 CONSERVATION AND RECREATION ON STATE TRUST LANDS BASED IN PART
15 ON AN ANALYSIS OF CONSERVATION MEASURES AND PUBLIC RECREATION
16 ACCESS AND MANAGEMENT SOLUTIONS ON STATE TRUST LANDS IN OTHER
17 STATES AND CONSIDERATION OF PRIVATE PROPERTY RIGHTS OF LESSEES
18 AND ADJACENT LANDOWNERS, INCLUDING:

19 (I) AN EVALUATION OF THE CHALLENGES AND OPPORTUNITIES
20 ASSOCIATED WITH PUBLIC RECREATIONAL ACCESS ON STATE TRUST LANDS,
21 INCLUDING WAYS TO REDUCE CONFLICTS WITH AND IMPACTS TO EXISTING
22 LESSEES AND CONSIDERATION OF ANY APPLICABLE LESSONS FROM OTHER
23 STATES REGARDING MANAGEMENT OF RECREATION ON STATE TRUST
24 LANDS;

25 (II) OPPORTUNITIES FOR THE STATE BOARD OF LAND
26 COMMISSIONERS TO UTILIZE NONPERPETUAL CONSERVATION LEASES IN
27 ACCORDANCE WITH SECTION 10 OF ARTICLE IX OF THE STATE

1 CONSTITUTION; AND

2 (III) METHODS FOR IMPLEMENTING THE TOOLS DESCRIBED IN
3 SUBSECTION (2)(d)(II) OF THIS SECTION, INCLUDING VALUATION OF
4 CONSERVATION LEASING OPPORTUNITIES AND CONSIDERATION OF
5 LONG-TERM VALUE;

6 (e) CONSIDERATION OF POTENTIAL NET REVENUE CHANGES OR
7 MANAGEMENT CHANGES WHEN IDENTIFYING STATE TRUST LAND PARCELS
8 FOR EXAMINATION;

9 (f) CONSIDERATION OF THE INTERNAL IMPROVEMENTS AND SALINE
10 TRUSTS, INCLUDING THE DEVELOPMENT OF RECOMMENDATIONS FOR USE
11 OF THE INTERNAL IMPROVEMENTS AND SALINE TRUSTS TO ENSURE
12 MAXIMUM PUBLIC BENEFIT FOR ADVANCEMENT OF THE DIVISION OF PARKS
13 AND WILDLIFE'S MISSION, INCLUDING CONSIDERATION OF:

14 (I) OUTDOOR RECREATION AND WILDLIFE CONSERVATION; AND

15 (II) TRANSFERRING TITLE OF LAND WITHIN THE INTERNAL
16 IMPROVEMENTS AND SALINE TRUSTS TO THE DIVISION OF PARKS AND
17 WILDLIFE;

18 (g) AN ASSESSMENT OF OPPORTUNITIES TO CONTINUE AND EXPAND
19 UPON SOUND STEWARDSHIP AND LAND MANAGEMENT PRACTICES
20 THROUGH AGRICULTURAL LEASES AND OPPORTUNITIES TO ADVANCE
21 LONG-TERM MANAGEMENT FOR AGRICULTURAL LEASES ON STATE TRUST
22 LAND PARCELS, INCLUDING THOSE PARCELS IN THE LONG-TERM
23 STEWARDSHIP TRUST;

24 (h) AN ASSESSMENT OF STATE TRUST LAND PARCELS IN THE
25 LONG-TERM STEWARDSHIP TRUST, WHICH ASSESSMENT INCLUDES THE
26 IDENTIFICATION OF STEWARDSHIP TRUST PROPERTIES WITH EXISTING USES
27 OR LONG-TERM IMPACTS THAT ARE INCOMPATIBLE WITH PRIMARILY

1 PROTECTING AND ENHANCING BEAUTY, NATURAL VALUES, OPEN SPACE,
2 AND WILDLIFE HABITAT. SOME LEASES MAY BE PRESUMED COMPATIBLE,
3 SUCH AS COLORADO NATURAL AREAS PROGRAM LEASES, THE DIVISION OF
4 PARKS AND WILDLIFE LEASES, CONSERVATION LEASES, ECOSYSTEM
5 SERVICES LEASES, AND AGRICULTURAL LEASES.

6 (i) RECOMMENDATIONS TO:

7 (I) EVALUATE LONG-TERM STEWARDSHIP TRUST PROPERTIES OR
8 PORTIONS OF STEWARDSHIP TRUST PROPERTIES IN WHICH THE EXISTING
9 USE OR USES CREATE LONG-TERM IMPACTS THAT ARE INCOMPATIBLE WITH
10 PRIMARILY PROTECTING AND ENHANCING BEAUTY, NATURAL VALUES,
11 OPEN SPACE, AND WILDLIFE HABITAT; AND

12 (II) DEVELOP A PROPOSED PROCESS TO TIMELY ADDRESS ANY
13 INCOMPATIBILITY, INCLUDING BY THE REMOVAL AND NOMINATION OF
14 OTHER STATE TRUST LAND PROPERTIES AS REPLACEMENT PARCELS WITH
15 QUALIFYING VALUES AND EQUIVALENT ACREAGE;

16 (j) EVALUATION AND REPORTING ON THE LONG-TERM VALUE,
17 INCLUDING THE OPTION VALUE, OF LONG-TERM STEWARDSHIP TRUST
18 ASSETS;

19 (k) RECOMMENDATIONS REGARDING RIGOROUS REVIEW
20 STANDARDS OF FUTURE LEASES OF STEWARDSHIP TRUST PARCELS TO
21 BETTER PRESERVE LONG-TERM BENEFITS AND RETURNS TO THE STATE,
22 INCLUDING REQUIREMENTS TO EVALUATE THE DIVISION OF PARKS AND
23 WILDLIFE'S HIGH-PRIORITY HABITATS, AS DEFINED IN SECTION 34-60-132
24 (1)(n); HABITAT CONNECTIVITY; WETLAND AND RIPARIAN RESOURCES; THE
25 PRESENCE OF CONSERVATION EASEMENTS; EXISTING LAND STEWARDSHIP
26 PRACTICES; RARE PLANTS AND PLANT COMMUNITIES; IMPORTANT WILDLIFE
27 SPECIES; CULTURAL RESOURCES; PALEONTOLOGICAL RESOURCES; AND

1 GEOLOGIC RESOURCES; AND

2 (1) RECOMMENDATIONS ON HOW TO IMPROVE PUBLIC ENGAGEMENT
3 OF APPROPRIATE STAKEHOLDERS, INCLUDING LOCAL GOVERNMENTS,
4 STATE AGENCIES, FEDERAL AGENCIES, AND TRIBAL NATIONS, IN THE
5 CONSULTATION AND NOTIFICATION PROCESS USED FOR NEW LEASES OR
6 USES OF LONG-TERM STEWARDSHIP TRUST PARCELS.

7 (3) ON OR BEFORE FEBRUARY 1, 2026, THE STATE BOARD OF LAND
8 COMMISSIONERS SHALL:

9 (a) REVIEW ALL EXISTING LEASES ON LONG-TERM STEWARDSHIP
10 TRUST PARCELS TO DETERMINE WHETHER THE LANDS ARE MANAGED
11 PRIMARILY TO PRESERVE LONG-TERM RETURNS AND BENEFITS TO THE
12 STATE, INCLUDING TO PROTECT AND ENHANCE THE LANDS' BEAUTY,
13 NATURAL VALUES, OPEN SPACE, AND WILDLIFE HABITAT AND PROVIDE A
14 REPORT OF THE SAME MATTERS TO THE WORK GROUP;

15 [REDACTED]

16 (b) PROVIDE TO THE WORK GROUP, TO THE EXTENT THE
17 INFORMATION IS AVAILABLE, A REPORT REGARDING ALL OCCASIONS SINCE
18 1996 IN WHICH A LEASE PROPOSED FOR A STEWARDSHIP TRUST PARCEL
19 WAS DENIED AS INCOMPATIBLE WITH PRIMARILY PROTECTING AND
20 ENHANCING BEAUTY, OPEN SPACE, NATURAL VALUES, AND WILDLIFE
21 HABITAT;

22 (c) PROVIDE TO THE WORK GROUP, TO THE EXTENT POSSIBLE,
23 DOCUMENTATION OF LEASE STIPULATIONS THAT HIGHLIGHT MEASURES TO
24 PROTECT AND ENHANCE BEAUTY, OPEN SPACE, NATURAL VALUES, AND
25 WILDLIFE HABITAT WHEN LEASING STEWARDSHIP TRUST LANDS; AND

26 (d) PROVIDE TO THE WORK GROUP AN ANALYSIS OF PUBLIC
27 RECREATIONAL ACCESS AND MANAGEMENT SOLUTIONS ON STATE TRUST

1 LANDS IN OTHER STATES, INCLUDING HUNTING, FISHING, WATER ACCESS
2 SITES, MOTORIZED AND NONMOTORIZED TRAILS, CAMPING, AND WILDLIFE
3 VIEWING, AND AN ANALYSIS OF HOW THOSE STATES MINIMIZE IMPACTS TO
4 CURRENT LEASES ON THE SAME PARCEL.

5 **36-1-152.7. State board consideration of work group**
6 **recommendations - conservation lease policies - rules.** (1) ON OR
7 BEFORE FEBRUARY 15, 2027, THE STATE BOARD OF LAND COMMISSIONERS
8 SHALL CONSIDER THE WORK GROUP'S RECOMMENDATIONS IN THE STUDY
9 CONDUCTED PURSUANT TO SECTION 36-1-152.3 AND ADOPT AN
10 ADMINISTRATIVE POLICY OR RULES TO ESTABLISH, AT A MINIMUM:

11 (a) A PROCESS GOVERNING THE IMPLEMENTATION OF
12 CONSERVATION LEASES AND RELATED INSTRUMENTS ON STATE TRUST
13 LANDS, INCLUDING A FRAMEWORK FOR THE STRUCTURE, PRICING, AND
14 DURATION OF SUCH INSTRUMENTS;

15 (b) A SPECIFIC PROCESS TO SUBSTANTIATE HOW THE STATE BOARD
16 BALANCES REVENUE GENERATION WITH CONSERVING THE LONG-TERM
17 VALUE OF STATE TRUST LANDS;

18 (c) ANY OTHER POLICIES OR RULES THE STATE BOARD, IN ITS
19 DISCRETION, DEEMS NECESSARY TO IMPLEMENT SECTION 10 OF ARTICLE IX
20 OF THE STATE CONSTITUTION; AND

21 (d) A SCHEDULE TO REVIEW AND UPDATE BY DECEMBER 2028, IF
22 NECESSARY, ALL EXISTING STEWARDSHIP TRUST MANAGEMENT PLANS OR
23 OTHER APPLICABLE PLANS TO ACHIEVE CONSERVATION PURPOSES AND
24 REQUIRE CORRECTIVE MANAGEMENT ACTIONS IN ACCORDANCE WITH THE
25 EXISTING STEWARDSHIP TRUST POLICY AND LEASE TERMS.

26 **SECTION 4. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly; except
2 that, if a referendum petition is filed pursuant to section 1 (3) of article V
3 of the state constitution against this act or an item, section, or part of this
4 act within such period, then the act, item, section, or part will not take
5 effect unless approved by the people at the general election to be held in
6 November 2026 and, in such case, will take effect on the date of the
7 official declaration of the vote thereon by the governor.