

**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, Bacon, Boesenecker, Brown, Duran, Garcia, Mauro, Paschal, Smith, Stewart
K., Story, Velasco, Willford

SENATE SPONSORSHIP

Roberts and Wallace,

House Committees

Agriculture, Water & Natural Resources
Appropriations

Senate Committees

Agriculture & Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A WORK GROUP TO STUDY THE USES**
102 **OF STATE TRUST LANDS, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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

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.

HOUSE
3rd Reading Unamended
April 30, 2025

HOUSE
Amended 2nd Reading
April 29, 2025

habitat of the state trust lands.

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 consider additional
17 revenue-generating, non-revenue-generating, and in-kind contributions,
18 including conservation and recreational opportunities, renewable energy
19 siting and energy transmission, housing, and broadband infrastructure;

20 (c) Furthermore, the state board of land commissioners should
21 consider opportunities to expand conservation, restoration, and
22 sustainably managed public access to state trust lands, including for
23 communities that face systemic barriers to accessing nature, renewable
24 energy siting and 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 has generated
2 significant and important revenue for the public beneficiaries of the state
3 trust lands. The state board of land commissioners can meet its
4 constitutional mandates to provide reasonable and consistent revenue to
5 trust beneficiaries and to preserve the future economic potential of the
6 treasured underlying asset base by continuing existing uses and protecting
7 and enhancing the natural values of state trust lands and providing
8 high-quality, sustainable, and equitable public recreational access,
9 renewable energy and energy transmission siting, and housing, where
10 appropriate.

11 **SECTION 2.** In Colorado Revised Statutes, 36-1-100.3, **amend**
12 the introductory portion; and **add** (1.5), (1.7), (2.4), (2.5), (2.6), (2.7),
13 (5.5), and (8) as follows:

14 **36-1-100.3. Definitions.** As used in this ~~article~~ ARTICLE 1, unless
15 the context otherwise requires:

16 (1.5) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL
17 RESOURCES CREATED IN SECTION 24-33-101 (1).

18 (1.7) "DIVISION OF PARKS AND WILDLIFE" MEANS THE DIVISION OF
19 PARKS AND WILDLIFE CREATED IN SECTION 33-9-104 (1).

20 (2.4) "LONG-TERM BENEFITS AND RETURNS TO THE STATE" MEANS,
21 WITH REGARD TO THE LONG-TERM STEWARDSHIP TRUST:

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

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

27 (c) UTILIZING SOUND STEWARDSHIP TO MAINTAIN LONG-TERM

1 VALUE.

2 (2.5) "LONG-TERM PRODUCTIVITY" MEANS SUSTAINABLE
3 ECONOMIC POTENTIAL, PRODUCTIVITY, AND VALUE OF STATE TRUST
4 LANDS.

5 (2.6) "LONG-TERM STEWARDSHIP TRUST" OR "STEWARDSHIP
6 TRUST" MEANS THE LONG-TERM STEWARDSHIP TRUST ESTABLISHED BY
7 THE STATE BOARD OF LAND COMMISSIONERS PURSUANT TO SECTION 10
8 (1)(b)(I) OF ARTICLE IX OF THE STATE CONSTITUTION AND SECTION
9 36-1-107.5 (1).

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

14 (5.5) "SOUND STEWARDSHIP" MEANS THE USE OF NATURAL
15 RESOURCES ON STATE TRUST LANDS IN MANNERS THAT PRODUCE
16 REASONABLE AND CONSISTENT INCOME OVER TIME AND THAT WILL
17 PROTECT THE LONG-TERM ECONOMIC VALUE AND LONG-TERM
18 PRODUCTIVITY OF THE STATE TRUST LANDS FOR FUTURE GENERATIONS OF
19 BENEFICIARIES.

20 (8) "WORK GROUP" MEANS THE STATE TRUST LANDS
21 CONSERVATION AND RECREATION WORK GROUP CONVENED PURSUANT TO
22 SECTION 36-1-152.3.

23 **SECTION 3.** In Colorado Revised Statutes, **add** 36-1-152.3,
24 36-1-152.5, and 36-1-152.7 as follows:

25 **36-1-152.3. State trust lands conservation and recreation work**
26 **group - creation - membership - study - interim report.** (1) THE
27 EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL CONVENE A STATE

1 TRUST LANDS CONSERVATION AND RECREATION WORK GROUP TO
2 CONDUCT A STUDY TO IDENTIFY OPPORTUNITIES TO ADVANCE
3 CONSERVATION; CLIMATE RESILIENCE; BIODIVERSITY; AND SUSTAINABLE,
4 EQUITABLE, AND LOW-CONFLICT RECREATION ON STATE TRUST LANDS IN
5 ACCORDANCE WITH COLORADO'S OUTDOORS STRATEGY STEWARDED BY
6 THE DIVISION OF PARKS AND WILDLIFE. THE WORK GROUP SHALL CONDUCT
7 THE STUDY IN A MANNER CONSISTENT WITH THE STATE BOARD OF LAND
8 COMMISSIONERS' FIDUCIARY RESPONSIBILITY TO PRODUCE REASONABLE
9 AND CONSISTENT REVENUE FOR TRUST BENEFICIARIES.

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

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

14 (II) MAKE RECOMMENDATIONS ON OR BEFORE SEPTEMBER 1, 2026,
15 TO THE GOVERNOR; THE HOUSE OF REPRESENTATIVES AGRICULTURE,
16 WATER, AND NATURAL RESOURCES COMMITTEE AND THE SENATE
17 AGRICULTURE AND NATURAL RESOURCES COMMITTEE, OR THEIR
18 SUCCESSOR COMMITTEES; THE STATE BOARD OF LAND COMMISSIONERS;
19 AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT;

20 (III) BE ASSISTED BY A PROFESSIONAL FACILITATOR;

21 (IV) ENGAGE SPECIALISTS OR SUBJECT MATTER EXPERTS AS
22 NEEDED, INCLUDING EXPERTS ON THE ECONOMY, LANDSCAPE ECOLOGY,
23 AGRICULTURE, MINERAL LEASING AND DEVELOPMENT, RECLAMATION, AND
24 CLIMATE RESILIENCE; AND

25 (V) MAKE ALL REASONABLE EFFORTS TO REDUCE THE FISCAL
26 IMPACT OF THE WORK GROUP, INCLUDING BY ALLOWING REMOTE
27 PARTICIPATION.

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

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

15 (b) (I) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
16 APPOINT TO THE WORK GROUP:

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

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

21 (C) ONE MEMBER WITH WATER RESOURCE MANAGEMENT
22 EXPERIENCE; AND

23 (D) ONE MEMBER WHO IS AN AGRICULTURAL PRODUCER OR
24 REPRESENTATIVE OF A STATEWIDE AGRICULTURAL ORGANIZATION.

25 (II) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES
26 SHALL APPOINT TO THE WORK GROUP:

27 (A) ONE COUNTY COMMISSIONER;

1 (B) ONE REPRESENTATIVE OF A WILDLIFE AND HABITAT
2 CONSERVATION ORGANIZATION; AND

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

5 (III) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES
6 SHALL APPOINT TO THE WORK GROUP:

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

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

11 (IV) THE PRESIDENT OF THE SENATE SHALL APPOINT TO THE WORK
12 GROUP:

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

14 (B) ONE REPRESENTATIVE FROM THE RENEWABLE ENERGY
15 INDUSTRY WITH EXPERIENCE LEASING RENEWABLE ENERGY FACILITIES ON
16 STATE TRUST LANDS;

17 (C) ONE REPRESENTATIVE OF A HUNTING OR ANGLING
18 ORGANIZATION; AND

19 (D) ONE MEMBER WITH EXPERIENCE IN THE AFFORDABLE HOUSING
20 SECTOR.

21 (V) THE MAJORITY LEADER OF THE SENATE SHALL APPOINT TO THE
22 WORK GROUP:

23 (A) ONE EDUCATIONAL STAKEHOLDER REPRESENTING RURAL
24 SCHOOLS;

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

27 (C) ONE ELECTED REPRESENTATIVE OF A MUNICIPALITY.

1 (VI) THE MINORITY LEADER OF THE SENATE SHALL APPOINT TO
2 THE WORK GROUP:

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

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

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

8 (A) ONE MEMBER WITH ECONOMIC EXPERTISE RELATED TO ISSUES
9 THE WORK GROUP WILL STUDY;

10 (B) ONE REPRESENTATIVE OF MOTORIZED RECREATION;

11 (C) ONE MEMBER WITH LEGAL EXPERTISE, INCLUDING KNOWLEDGE
12 OF THE STATE CONSTITUTION, FIDUCIARY DUTIES, AND STATUTES
13 GOVERNING THE ISSUES THE WORK GROUP WILL STUDY; AND

14 (D) ONE REPRESENTATIVE OF NONMOTORIZED RECREATION.

15 (VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL,
16 THROUGH THE COLORADO COMMISSION OF INDIAN AFFAIRS CREATED IN
17 SECTION 24-44-102, PRESENT TO THE UTE MOUNTAIN UTE TRIBE AND THE
18 SOUTHERN UTE INDIAN TRIBE ON THE WORK GROUP AND ITS OBJECTIVES
19 AND INVITE THE UTE MOUNTAIN UTE TRIBE AND THE SOUTHERN UTE
20 INDIAN TRIBE TO PARTICIPATE IN THE WORK GROUP. THE UTE MOUNTAIN
21 UTE TRIBE AND THE SOUTHERN UTE INDIAN TRIBE MAY ACCEPT OR
22 DECLINE THE INVITATION TO PARTICIPATE AND, IF EITHER TRIBE ELECTS TO
23 PARTICIPATE, THE TRIBE SHALL APPOINT A REPRESENTATIVE TO SERVE ON
24 THE WORK GROUP.

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

1 (c) THE TECHNICAL ADVISORY MEMBERS OF THE WORK GROUP ARE:

2 (I) THE COMMISSIONER OF EDUCATION OR THE COMMISSIONER'S
3 DESIGNEE;

4 (II) THE DIRECTOR OF THE DIVISION OF PARKS AND WILDLIFE OR
5 THE DIRECTOR'S DESIGNEE;

6 (III) THE DIRECTOR OF THE STATE BOARD OF LAND
7 COMMISSIONERS OR THE DIRECTOR'S DESIGNEE;

8 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE
9 EXECUTIVE DIRECTOR'S DESIGNEE;

10 (V) THE COMMISSIONER OF AGRICULTURE OR THE COMMISSIONER'S
11 DESIGNEE;

12 (VI) THE STATE HISTORIC PRESERVATION OFFICER OR THE
13 OFFICER'S DESIGNEE;

14 (VII) THE DIRECTOR OF THE OUTDOOR RECREATION INDUSTRY
15 OFFICE CREATED IN SECTION 24-48.5-129 (2) OR THE DIRECTOR'S
16 DESIGNEE;

17 (VIII) THE DIRECTOR OF THE COLORADO TOURISM OFFICE
18 CREATED IN SECTION 24-49.7-103 (1), AS APPOINTED BY THE DIRECTOR OF
19 THE OFFICE OF ECONOMIC DEVELOPMENT, OR THE DIRECTOR'S DESIGNEE;

20 AND

21 (IX) THE STATE FORESTER IN THE COLORADO STATE FOREST
22 SERVICE, AS DESCRIBED IN SECTION 23-31-302, OR THE STATE FORESTER'S
23 DESIGNEE.

24 (X) THE STATE HISTORIC PRESERVATION OFFICER OR THE OFFICER'S
25 DESIGNEE.

26 **36-1-152.5. Work group study - requirements.** (1) (a) AS PART
27 OF THE STUDY CONDUCTED PURSUANT TO SECTION 36-1-152.3 (1), THE

1 STATE TRUST LANDS CONSERVATION AND RECREATION WORK GROUP
2 SHALL PROVIDE RECOMMENDATIONS TO THE PARTIES IDENTIFIED IN
3 SECTION 36-1-152.3 (2)(a)(II) REGARDING HOW TO IMPLEMENT THE
4 MANDATE OF SECTION 10 OF ARTICLE IX OF THE STATE CONSTITUTION,
5 INCLUDING RECOMMENDATIONS ON HOW TO:

6 (I) FURTHER THE LONG-TERM PRODUCTIVITY AND SOUND
7 STEWARDSHIP OF ALL STATE TRUST LANDS, NOT ONLY THOSE IN THE
8 LONG-TERM STEWARDSHIP TRUST;

9 (II) PRESERVE AND ENHANCE THE BEAUTY, NATURAL VALUES,
10 OPEN SPACE, AND WILDLIFE OF THE STATE FOR CURRENT AND FUTURE
11 GENERATIONS;

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

13 (IV) PROVIDE FOR SUSTAINABLE, EQUITABLE, AND LOW-CONFLICT
14 RECREATIONAL OPPORTUNITIES ON STATE TRUST LANDS, INCLUDING AN
15 EVALUATION OF HOW TO MINIMIZE IMPACTS OF RECREATIONAL ACCESS ON
16 EXISTING AGRICULTURAL LEASES OF STATE TRUST LANDS; AND

17 (V) IDENTIFY MANAGEMENT OPTIONS FOR THE UTILIZATION OF
18 NATURAL RESOURCES ON STATE TRUST LANDS TO CONSERVE THE
19 LONG-TERM VALUE OF THE STATE TRUST LANDS WHILE THE STATE BOARD
20 OF LAND COMMISSIONERS CARRIES OUT ITS FIDUCIARY DUTIES.

21 (b) THE WORK GROUP'S RECOMMENDATIONS SHALL NOT BE
22 CONSTRUED TO ALTER OR IMPAIR THE VALIDITY OF ANY EXISTING LEASES
23 ON STATE TRUST LANDS OR TO LIMIT THE STATE BOARD'S ABILITY TO
24 CONTINUE USING A MULTIPLE-USE MANAGEMENT APPROACH FOR
25 CONSIDERATION OF FUTURE LEASES ON STATE TRUST LANDS.

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

27 (a) SOLICITING REGIONAL PARTNERSHIP INITIATIVES AND COUNTIES

1 TO IDENTIFY STATE TRUST LAND PARCELS THAT HOLD UNIQUE
2 OPPORTUNITIES FOR REGIONAL RECREATION, CONSERVATION ACTIVITIES,
3 AND AGRICULTURAL OPPORTUNITIES;

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

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

17 (I) STATE PARK AND STATE WILDLIFE AREA CREATION OR
18 EXPANSION, INCLUDING THROUGH THE USE OF THE INTERNAL
19 IMPROVEMENTS AND SALINE TRUSTS;

20 (II) FUTURE LONG-TERM MANAGEMENT SOLUTIONS FOR PARKS
21 AND WILDLIFE AREAS CURRENTLY LEASED OR UTILIZED BY THE DIVISION
22 OF PARKS AND WILDLIFE, INCLUDING LONE MESA STATE PARK AND
23 QUEENS STATE WILDLIFE AREA;

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

26 (IV) HIGH-VALUE LANDS USED TO IMPROVE CLIMATE-RESILIENT
27 CONSERVATION AND RECREATION OPPORTUNITIES, INCLUDING THOSE

1 LANDS WITH:

2 (A) IMPORTANT HABITAT FOR SPECIES OF GREATEST
3 CONSERVATION NEEDS;

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

6 (C) WETLANDS AND RIPARIAN AREAS;

7 (D) HABITAT CONNECTIVITY; AND

8 (E) AGRICULTURAL OPPORTUNITIES;

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

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

21 (II) OPPORTUNITIES FOR THE STATE BOARD OF LAND
22 COMMISSIONERS TO UTILIZE NONPERPETUAL CONSERVATION LEASES IN
23 ACCORDANCE WITH SECTION 10 OF ARTICLE IX OF THE STATE
24 CONSTITUTION; AND

25 (III) METHODS FOR IMPLEMENTING THE TOOLS DESCRIBED IN
26 SUBSECTION (2)(d)(II) OF THIS SECTION, INCLUDING VALUATION OF
27 CONSERVATION LEASING OPPORTUNITIES AND CONSIDERATION OF

1 LONG-TERM VALUE;

2 (e) CONSIDERATION OF POTENTIAL NET REVENUE CHANGES OR
3 MANAGEMENT CHANGES WHEN IDENTIFYING STATE TRUST LAND PARCELS
4 FOR EXAMINATION;

5 (f) CONSIDERATION OF THE INTERNAL IMPROVEMENTS AND SALINE
6 TRUSTS, INCLUDING THE DEVELOPMENT OF RECOMMENDATIONS FOR USE
7 OF THE INTERNAL IMPROVEMENTS AND SALINE TRUSTS TO ENSURE
8 MAXIMUM PUBLIC BENEFIT FOR ADVANCEMENT OF THE DIVISION OF PARKS
9 AND WILDLIFE'S MISSION, INCLUDING CONSIDERATION OF:

10 (I) OUTDOOR RECREATION AND WILDLIFE CONSERVATION; AND

11 (II) TRANSFERRING TITLE OF LAND WITHIN THE INTERNAL
12 IMPROVEMENTS AND SALINE TRUSTS TO THE DIVISION OF PARKS AND
13 WILDLIFE;

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

20 (h) AN ASSESSMENT OF STATE TRUST LAND PARCELS IN THE
21 LONG-TERM STEWARDSHIP TRUST, WHICH ASSESSMENT INCLUDES THE
22 IDENTIFICATION OF STEWARDSHIP TRUST PROPERTIES WITH EXISTING USES
23 OR LONG-TERM IMPACTS THAT ARE INCOMPATIBLE WITH PRIMARILY
24 PROTECTING AND ENHANCING BEAUTY, NATURAL VALUES, OPEN SPACE,
25 AND WILDLIFE HABITAT. SOME LEASES MAY BE PRESUMED COMPATIBLE,
26 SUCH AS COLORADO NATURAL AREAS PROGRAM LEASES, THE DIVISION OF
27 PARKS AND WILDLIFE LEASES, CONSERVATION LEASES, ECOSYSTEM

1 SERVICES LEASES, AND AGRICULTURAL LEASES.

2 (i) RECOMMENDATIONS TO:

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

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

12 (j) EVALUATION AND REPORTING ON THE LONG-TERM VALUE,
13 INCLUDING THE OPTION VALUE, OF LONG-TERM STEWARDSHIP TRUST
14 ASSETS;

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

25 (l) RECOMMENDATIONS ON HOW TO IMPROVE PUBLIC ENGAGEMENT
26 OF APPROPRIATE STAKEHOLDERS, INCLUDING LOCAL GOVERNMENTS,
27 STATE AGENCIES, FEDERAL AGENCIES, AND TRIBAL NATIONS, IN THE

1 CONSULTATION AND NOTIFICATION PROCESS USED FOR NEW LEASES OR
2 USES OF LONG-TERM STEWARDSHIP TRUST PARCELS.

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

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

11 [REDACTED]
12 (b) PROVIDE TO THE WORK GROUP, TO THE EXTENT THE
13 INFORMATION IS AVAILABLE, A REPORT REGARDING ALL OCCASIONS SINCE
14 1996 IN WHICH A LEASE PROPOSED FOR A STEWARDSHIP TRUST PARCEL
15 WAS DENIED AS INCOMPATIBLE WITH PRIMARILY PROTECTING AND
16 ENHANCING BEAUTY, OPEN SPACE, NATURAL VALUES, AND WILDLIFE
17 HABITAT;

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

22 (d) PROVIDE TO THE WORK GROUP AN ANALYSIS OF PUBLIC
23 RECREATIONAL ACCESS AND MANAGEMENT SOLUTIONS ON STATE TRUST
24 LANDS IN OTHER STATES, INCLUDING HUNTING, FISHING, WATER ACCESS
25 SITES, MOTORIZED AND NONMOTORIZED TRAILS, CAMPING, AND WILDLIFE
26 VIEWING, AND AN ANALYSIS OF HOW THOSE STATES MINIMIZE IMPACTS TO
27 CURRENT LEASES ON THE SAME PARCEL.

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

7 (a) A PROCESS GOVERNING THE IMPLEMENTATION OF
8 CONSERVATION LEASES AND RELATED INSTRUMENTS ON STATE TRUST
9 LANDS, INCLUDING A FRAMEWORK FOR THE STRUCTURE, PRICING, AND
10 DURATION OF SUCH INSTRUMENTS;

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

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

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

22 **SECTION 4. Appropriation.** For the 2025-26 state fiscal year,
23 \$393,506 is appropriated to the department of natural resources for use
24 by the state board of land commissioners. This appropriation is from the
25 state land board trust administration fund created in section 36-1-145
26 (2)(a), C.R.S., and is based on an assumption that the board will require
27 an additional 1.6 FTE. To implement this act, the board may use this

1 appropriation for program costs.

2 **SECTION 5. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly; except
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V
6 of the state constitution against this act or an item, section, or part of this
7 act within such period, then the act, item, section, or part will not take
8 effect unless approved by the people at the general election to be held in
9 November 2026 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.