

CHAPTER 184

NATURAL RESOURCES

HOUSE BILL 25-1332

BY REPRESENTATIVE(S) McCormick, Bacon, Boesenecker, Brown, Duran, Garcia, Mauro, Paschal, Smith, Stewart K., Story, Velasco, Willford, Froelich, Joseph, Lieder, Lindsay, Woodrow, McCluskie;
also SENATOR(S) Roberts and Wallace, Bridges, Cutter, Kipp.

AN ACT

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

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

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

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

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

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

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

(e) Conservation; outdoor recreation; contributions to reducing emissions and addressing climate change through the development of transmission and renewable energy generation on state trust lands; and housing for teachers, educators, school

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

employees, and families with children may all be identified as forms of benefits to the trust beneficiaries;

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

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

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

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

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

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

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

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

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

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

(c) Furthermore, the state board of land commissioners should consider opportunities to expand conservation, restoration, and sustainably managed public access to state trust lands, including for communities that face systemic barriers to

accessing nature, renewable energy siting and energy transmission, and housing, while:

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

(d) The state board of land commissioners has generated significant and important revenue for the public beneficiaries of the state trust lands. The state board of land commissioners can meet its constitutional mandates to provide reasonable and consistent revenue to trust beneficiaries and to preserve the future economic potential of the treasured underlying asset base by continuing existing uses and protecting and enhancing the natural values of state trust lands and providing high-quality, sustainable, and equitable public recreational access, renewable energy and energy transmission siting, and housing, where appropriate.

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

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

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

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

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

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

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

(c) UTILIZING SOUND STEWARDSHIP TO MAINTAIN LONG-TERM VALUE.

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

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

(2.7) "LONG-TERM VALUE" MEANS THE OPTION TO PRESERVE A NATURAL BENEFIT

FOR A FUTURE ECONOMIC USE OR PRODUCTIVITY, EVEN IF THE NATURAL BENEFIT IS NOT CURRENTLY IN USE OR BEING MONETIZED OR IF THE LIKELIHOOD OF FUTURE USE OR MONETIZATION IS UNKNOWN.

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

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

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

36-1-152.3. State trust lands conservation and recreation work group - creation - membership - study - interim report. (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL CONVENE A STATE TRUST LANDS CONSERVATION AND RECREATION WORK GROUP TO CONDUCT A STUDY TO IDENTIFY OPPORTUNITIES TO ADVANCE CONSERVATION; CLIMATE RESILIENCE; BIODIVERSITY; AND SUSTAINABLE, EQUITABLE, AND LOW-CONFLICT RECREATION ON STATE TRUST LANDS IN ACCORDANCE WITH COLORADO'S OUTDOORS STRATEGY STEWARDED BY THE DIVISION OF PARKS AND WILDLIFE. THE WORK GROUP SHALL CONDUCT THE STUDY IN A MANNER CONSISTENT WITH THE STATE BOARD OF LAND COMMISSIONERS' FIDUCIARY RESPONSIBILITY TO PRODUCE REASONABLE AND CONSISTENT REVENUE FOR TRUST BENEFICIARIES.

(2) (a) THE WORK GROUP SHALL:

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

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

(III) BE ASSISTED BY A PROFESSIONAL FACILITATOR;

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

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

(b) ON OR BEFORE MARCH 16, 2026, THE WORK GROUP SHALL PROVIDE AN INTERIM REPORT TO THE PARTIES LISTED IN SUBSECTION (2)(a)(II) OF THIS SECTION,

WHICH INTERIM REPORT INCLUDES, AT A MINIMUM, INFORMATION ON POTENTIAL RECOMMENDATIONS FOR THE LONG-TERM STEWARDSHIP TRUST AND THE INTERNAL IMPROVEMENTS AND SALINE TRUSTS.

(3)(a) By September 5, 2025, appointing authorities shall appoint voting members of the work group pursuant to subsection (3)(b) of this section. In making the appointments, the appointing authorities shall endeavor to achieve geographic diversity on the work group. In conducting the study, the work group shall solicit public input, including input regarding identification of particular properties to consider and management recommendations to include in the study.

(b)(I) The speaker of the house of representatives shall appoint to the work group:

(A) One member of the public school capital construction assistance board created in section 22-43.7-106;

(B) One representative of an environmental organization with expertise in land conservation and stewardship;

(C) One member with water resource management experience; and

(D) One member who is an agricultural producer or representative of a statewide agricultural organization.

(II) The majority leader of the house of representatives shall appoint to the work group:

(A) One county commissioner;

(B) One representative of a wildlife and habitat conservation organization; and

(C) One representative of a commercial real estate entity with experience leasing property on state lands.

(III) The minority leader of the house of representatives shall appoint to the work group:

(A) One oil and gas operator with experience leasing property on state trust lands; and

(B) One member who is an agricultural producer or representative of a statewide agricultural organization.

(IV) The president of the senate shall appoint to the work group:

(A) One member with a background in outdoor equity;

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

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

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

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

(A) ONE EDUCATIONAL STAKEHOLDER REPRESENTING RURAL SCHOOLS;

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

(C) ONE ELECTED REPRESENTATIVE OF A MUNICIPALITY.

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

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

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

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

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

(B) ONE REPRESENTATIVE OF MOTORIZED RECREATION;

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

(D) ONE REPRESENTATIVE OF NONMOTORIZED RECREATION.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(III) PROMOTE LONG-TERM PRODUCTIVITY FOR AGRICULTURE;

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

(V) IDENTIFY MANAGEMENT OPTIONS FOR THE UTILIZATION OF NATURAL RESOURCES ON STATE TRUST LANDS TO CONSERVE THE LONG-TERM VALUE OF THE

STATE TRUST LANDS WHILE THE STATE BOARD OF LAND COMMISSIONERS CARRIES OUT ITS FIDUCIARY DUTIES.

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

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

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

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

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

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

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

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

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

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

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

(C) WETLANDS AND RIPARIAN AREAS;

(D) HABITAT CONNECTIVITY; AND

(E) AGRICULTURAL OPPORTUNITIES;

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

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

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

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

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

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

(I) OUTDOOR RECREATION AND WILDLIFE CONSERVATION; AND

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

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

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

(i) RECOMMENDATIONS TO:

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

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

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

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

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

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

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

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

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

(d) PROVIDE TO THE WORK GROUP AN ANALYSIS OF PUBLIC RECREATIONAL ACCESS AND MANAGEMENT SOLUTIONS ON STATE TRUST LANDS IN OTHER STATES,

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

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

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

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

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

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

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

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

Approved: May 13, 2025