

Senate Local Government & Housing

02/20/2025 01:30 PM

HB25-1029 Municipal Authority over Certain Land

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Jeany Rush Against themselves	TO: House Committee for Transportation & Local Government RE: HB25-1029 Municipal Authority over Certain Land Sponsors: Boesenecker, Kipp 2-21-25 FROM: Jeany Rush, Colorado Springs, Constituent VOTE: NO With the authority of a municipality to police and control land it acquires outside of its limits, extending even more authority to land that it would acquire for open space, natural areas, and such, it makes me really nervous that these authorities extend to open or closed to the PUBLIC" lands. With the recent reversals of the Chevron Doctrine, and the Over/reach/use of EPA and USDA and BLM and the major mismanagement of our public lands nationwide, I feel this needs a much bigger scrutiny and look. This feels GULAG like in overreach of our state. There is entirely too too much over reach already. This should be put to pasture until the public gets to look closer at the massive inundation and abuse of legislative powers over the general populace. Over 458 bills in a month. Come on Man" STOP!



Western Colorado Contractors Association

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February 4, 2025

Colorado State Judiciary Committee:

Re: Opposing HB25-1029: [Municipal Authority over Certain Land](#)

Western Colorado Contractors Association members have concerns over the regulations proposed in HB25 -1029 concerning the scope of municipal authority over land that a municipality acquires that is outside its municipal limits.

While Coloradans do want to preserve their natural lands as much as possible in the most responsible manor, there are other designations and uses that this bill could hinder previously established relations within rural areas of Colorado. In Western Colorado, there are several overlapping jurisdictions in multi-use areas that are sorted through collaboration between municipalities, property owners, and businesses that use the land. For example, in Mesa County, reservoirs on the Grand Mesa go into flow lines for irrigation supply are owned by the City of Grand Junction and maintained by GJ Water Services. Water Shed in Mesa County, the use of water is a collaboration between partners including the U.S. Forest Service, the State Water Commissioner, Kannah Creek area ranchers, Grand Mesa Reservoir owners and the Powderhorn Ski Area.

Western Colorado Contractors Association (WCCA) members oppose House Bill 25-1029 for the possible unintended consequences this bill could procure including but not limited to:

- Conflicting codes and uses between municipalities. This bill gives municipal entities the authority to enforce their codes, regulations, stormwater regs and contracting requirements not only on property they own, but also property within 10 miles above the dam or diversion, even though that property could be hundreds of miles away from the municipality.
- Changes hierarchy of control and the possibility of limiting already established mixed land uses in different areas based on the municipal owner.
- The 300 setbacks from a municipal property could affect multiuse land in the fact that ranchers and utilities share land.
- Memos of Understanding and other collaborations could be forfeited by a single municipality who will have the ability to manage and control the land and could use it for personal reasons.
- Dilutes authority where open land in rural Colorado is managed as a whole area, this bill will give the authority in part to different parties.
- This bill goes beyond just police authority for the land but establishes a guaranteed arm of policy reaching from one municipal area into sections of another.
- This bill “declares that this act is necessary for the immediate preservation of the

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public peace, health, or safety” (S2, 13) when area rural area collaborations already established consistent regulations for those areas with those preservations in mind mostly regarding the management of water. This bill gives authority to control water sources as far as 10 miles above the diversion (dam) owned by the entity. That would give Grand Junction, Fruita, Palisade, Delta, and more virtual control over all water sources and anything being constructed that could potentially affect water quality. Denver would now control construction within 10 miles of Winter Park, Dillon Reservoir, etc. Colorado Springs could control vast swathes of South Park and the Arkansas River drainage as they have bought property for the water rights to divert for municipal needs.

Collaborations between the construction community, ranchers, businesses and the municipalities have done a commendable job of managing multiuse areas without excess regulations. However, what could be good for one community in Colorado might be burdensome for others that use the land for more than just open space. Changing the responsibility and regulations of one municipality over the already established regulations for certain lands is unnecessary in parts of Western Colorado.

The members of WCCA believe in fair regulations that are consistent and understandable by all parties without the transfer of control over the lands to separate, and sometimes conflicting, entities. However, this bill has the ability of single power authority over land, public or private, and has the ability to jeopardize multi use lands. WCCA urges the Senate Local Government and Housing Committee to oppose HB25-1029 in the interest of protecting rural communities and the collaborations within them.

Thank you for your time and consideration.

Shawna Grieger, Executive Director

On behalf of Western Colorado Contractors Association

Western Colorado Contractors Association (WCCA) is a not-for-profit member association with the mission to protect and promote construction related businesses across 27 counties of Western Colorado.

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