

## State Land Board - Recent and Relatively Recent Meetings with **Direct K12 Impact**

Summarize by Google Notebook LM AI

### April 2024 Meeting:

This YouTube transcript details the State Land Board's public meeting, where they **reviewed investment portfolio performance**, noting significant gains driven by equity markets. Discussions covered **rebalancing strategies**, long-term investment outlook, and the impact of past interest rate hikes on fixed income. The board also received updates on the **BEST grant program** for school construction and funding priorities, as well as an overview of the **Natural Areas Program** partnership. Lastly, they revisited the definition of **community stability** in the context of agricultural leases and touched upon **renewable energy** initiatives and cultural resource preservation.

**April 2024 More Detail:** The April 2024 State Land Board Public Meeting included discussions on various topics, presentations, and action items.

The meeting began with an announcement that the Commissioners had been in **executive session** to discuss noticed matters but had not completed those discussions and would return later. The board then moved to Open Session matters.

**Performance of the Public School Permanent Fund:** Treasurer Young and Janet Deer from an investment advisory firm provided an update on the performance of the Public School Permanent Fund. The goal is to prudently invest the funds from the Land Board on behalf of Colorado's public school children. The firm has been advising on diversifying the portfolio beyond fixed income since 2017. They presented the **asset allocation** as of December 31st and the target allocation, explaining the difference between the two. The Land Board uses quarterly contributions to rebalance the assets as needed. There was a discussion about the **\$21 million annual commitment** from the fund to public education and the challenges and political sensitivities around potentially changing that commitment. There was also a discussion about the **waterfall structure** that dictates where the fund's money goes after the initial \$21 million. The long-term goal is potentially a **percent of market value distribution policy** to better keep pace with inflation and student population growth. Collaboration with legislators and stakeholders on educating them about the fund and potential changes was discussed. Treasurer Young expressed a willingness to be a champion for these efforts but noted capacity limitations within the treasury.

**Capital Construction Assistance Board (BEST Program):** Andy Stein, Executive Director of Capital Construction for the Colorado Department of Education, presented on the BEST grant program. He provided an overview of the various grant types and the application review process. The demand for funding significantly outweighs the available resources, with **\$650 million requested against approximately \$150 million available in cash**. The total statewide capital need for schools is estimated at **\$20 billion**. The State Land Board is the largest contributor to the Capital Construction Assistance Fund. There was a discussion about finding a **consistent and steady funding source** for the BEST program, potentially through a fixed percentage of the Permanent Fund's value, similar to university endowments. Collaboration between the State Land Board, BEST, and the Treasurer's Office to advocate for such a change was discussed.

**DNR Report:** Tim Brass, Assistant Director for Parks, Wildlife, and Lands at DNR, provided legislative and budget updates. This included information on various bills related to parks and wildlife, invertebrates and rare plants, wolverine restoration, carbon sequestration, oil and gas, nonfunctional turf ban, dredge and fill permits, noxious weed management, pesticides, and renewable energy siting. There were also federal and tribal updates, including comments on BLM initiatives and continued dialogue with the Southern Ute Tribe, particularly regarding wolf and wolverine reintroduction and renewable energy siting concerns. CPW updates

included the first confirmed wolf livestock depredation cases and the acquisition of the Card Ranch State Wildlife Area. The discussion on **renewable energy sighting** highlighted the efforts to find common ground for a statewide framework for consultation and mitigation.

**Colorado Natural Areas Program (CNAP):** Raquel Wordspot from CPW provided an overview of CNAP and its partnership with the State Land Board. The program aims to protect Colorado's rare and significant natural features through voluntary conservation agreements. The State Land Board has **24 designated natural areas** on its lands, representing about a quarter of the program's portfolio. CNAP relies heavily on **volunteer stewards** for annual monitoring. The program also plays a crucial role in rare plant conservation. Specific State Land Board-owned natural areas, including Owl Canyon Pinion Grove, Erery State Natural Area, Chalk Bluff State Natural Area, and Four Mile Creek State Natural Area, were highlighted. The Colorado Natural Areas Council's reauthorization was noted.

**Definition of Local Community Stability:** Elliot Hoy, Assistant Director for Sustainability and Working Lands, revisited the topic of community stability in the context of agricultural leasing. The key message is that **community stability is created by the continued agricultural use of the land**, not necessarily the specific user. Staff considers this along with income and stewardship when reviewing agricultural lease applications. The definition used is: "the benefit of continued agricultural and grazing use of the land contributes to the purpose of the trust by preservation of the stability of the local community". There was a discussion about the wording and interpretation of the statute, emphasizing that all decisions should benefit the trust beneficiaries.

**Staff Report and Announcements:** Bill Ryan highlighted Mindy Gott's work in cultural resource preservation, noting an upcoming award. He also mentioned a new approach to growing the **renewables business** by proactively listing parcels for bid. An update on the Badger Creek acreage and progress on collecting customer email addresses were also provided. The staff leasing report, detailing the regular monthly transactions, was noted. There was a brief discussion about modeling something related to **renewable development**.

**Action Item: Archaeological Project Funding (Pine Creek Property):** Mindy Gott presented a request for up to **\$125,000 in Investment and Development Funds (IDF)** for an archaeological project on the Pine Creek property. The goal is to resolve potential development constraints related to historic structures (a cabin remnant and a root cellar) and a segment of historic US 24 to expand revenue opportunities through recreation leasing. An initial cultural resources survey identified several potentially eligible sites for the National Historic Register. Further study, including limited excavation, is needed to determine their eligibility. Staff believes the revenue from a potential recreation lease with Ramble Outdoors would offset the cost within four years. The board expressed concerns about the single bid received for the work and the overall cost, and the item was **tabled** to allow staff to gather more information and present a flowchart of potential next steps.

**Action Item: Water Infrastructure Maintenance Funding (Bret Gray Ranch):** Mariah Parker and Justin Bar presented a request for up to **\$320,000 of IDF** for important maintenance of water infrastructure on the Bret Gray Ranch, specifically to remove trees and restabilize the Bret Gray and Douglas Reservoirs dams. The presence of large, old trees on the downstream side of the dams poses a structural risk. The reservoirs are located within a Nature Conservancy conservation easement, which required communication and approval for the vegetation removal. There was a discussion about the responsibility for maintenance under the agricultural lease with The Nature Conservancy and the sublease with Round River Resources. Concerns were raised about the cost and whether the lessees should bear some responsibility. The board also **tabled** this item to allow staff to review the lease, clarify maintenance responsibilities with TNC and Round River, and explore potential alternative solutions.

**Board Leasing Agenda:** The board reviewed the April 2024 board leasing agenda, which included four bids (one agriculture, three recreation) and six new Right-of-Way leases. Item number five was removed at the applicant's request. The remaining **10 items on the leasing agenda were approved**.

**Public Comment:** No public comment was received on non-agenda items.

**Adjournment:** The meeting was adjourned after the approval of the leasing agenda. The next board meeting is scheduled for **Wednesday, May 15th** .

Youtube Video: <https://youtu.be/LH2Mhbw60KM?si=C0Mp-30uzV2m-XUO>

Packet: [April Board Packet](#)

#### **May 2024 Meeting:**

- **Packet:** [May Board Packet \(Revised 5/13/24\)](#)
  - Info about changing policy regarding oil/gas – biggest revenue generator of SLB over recent years
  - Revenue decline anticipated as move towards green energy occurs

#### **June 2024 Meeting:**

The June 2024 State Land Board Public Meeting covered a range of topics, including updates, staff reports, and several final action items requiring board approval.

- **Legislative Session and Colorado River:** The DNR provided an update on the legislative session, which was considered "hugely helpful". Regarding the Colorado River interim guidelines, the Bureau of Reclamation is expected to finalize analysis options in the coming fall or winter, with a final decision likely six or more months before 2026 to allow time for interim steps. A recent "very congenial" public meeting about the negotiations was held in Boulder with state principal negotiators and the Bureau of Reclamation; the Wyoming negotiator was absent due to illness.
- **Staff Report:** The staff report, summarized as indicating that the staff is "very, very busy," included a financial update. **For the nine-month period ending March 31st, 2024, revenues totaled \$139 million, a 20% decrease primarily due to lower natural gas prices.** The DNR highlighted the participation of two staff members, Marah Parker and Ben Tesner, in a leadership program at the University of Denver. An announcement was made for a three-day intensive grazing seminar for lessees scheduled for July 10th through 12th at Lowry Ranch.
- **Final Action Item A: Surface Use Agreement - Bison for Properties Colorado:** Steve Freeze, Minerals Field Specialist, presented a proposed surface use agreement with Bison for Properties Colorado for oil and gas development. The agreement pertains to state land board-owned surface in Weld County, approximately 17 miles east of Eaton. Bison plans to develop 100% private minerals from this surface using horizontal development. Because less than 10% of the developed minerals are state-owned, board approval was required per the oil and gas development policy. The location was chosen partly to avoid mapped high-priority mule deer severe and critical winter range. The state land board minerals in the area have already been completely developed by horizontal wells by another operator, and the existing oil and gas lessee had no objections. The proposed upfront disturbance payment is \$183,500, with a potential additional \$100,000 payment upon the spud of each of the proposed ten wells. The annual rental payment would initially be \$16,600. Wildlife stipulations regarding mule deer habitat and a ferruginous hawk nest will be included, along with a requirement for a class three cultural survey. A wetland survey found no wetlands within 1000 feet of the proposed pad. Staff recommended approval. The board approved the surface use agreement.

- Final Action Item B: No Surface Occupancy Agreement - Pueblo County:** Ben Tesner, Solid Minerals Manager, presented a proposed no surface occupancy (NSO) agreement in Pueblo County with SAR Ranch, an agricultural lessee, for the benefit of a solar project by AES Solar. The purpose of an NSO is to monetize mineral-only estate by the mineral owner agreeing not to exercise their right to access the surface for development, with the surface owner providing compensation. This particular NSO is in an area with significant solar development. The board only enters into NSO agreements when it owns only the minerals. In this case, AES and SAR Ranch want to mitigate the risk of future mineral development interfering with their proposed solar panels. While there is no oil and gas or metals/coal potential, there is substantial limestone and some sand and gravel potential on the property. Developing limestone typically requires surface operations. Staff believes the existing GCC Limestone lease to the west has ample resources. The pricing for this 30-year NSO on 2240 acres would be \$784,000 paid upfront. This pricing includes a premium for the limestone and sand and gravel potential, as well as an increased rate for years beyond 20. Staff recommended approval. Commissioner Heath clarified that the premium rate applies after the first 20 years, not 10 as initially stated. The board approved the 30-year NSO agreement.
- Final Action Item C: Solid Minerals Lease - Logan County:** Ben Tesner also presented a proposed short-term solid minerals lease in Logan County with Castle Rock Construction for a sand and gravel mining operation to support highway work on I-76. The mining is expected to last less than a year, with reclamation taking an additional year or two. The location is a strategically located 640-acre section with an exit off I-76. The proposed pit would disturb less than 10 acres. The agricultural lessee was okay with the project, and Parks and Wildlife had no concerns. A class three cultural resources survey will be required. The standard rent is \$3,200 per year, with a royalty of 74 cents per ton and an advanced minimum royalty (AMR) of \$12,000 per year, resulting in a minimum revenue of \$15,200 in year one, potentially reaching over \$330,000. In subsequent years, the lease would likely move to Reclamation only status with rent payments continuing and the leased area potentially decreasing. Staff recommended approval. The board approved the solid minerals production lease.
- Final Action Item D: Excel Power Pathway Segment 4 Right-of-Way - Kiowa County:** David Rodenberg, Right-of-Way Program Manager, presented a final action item to approve a revision affecting one parcel of a previously approved right-of-way (approved in April 2024) for segment four of Excel's Power Pathway project in Kiowa County. The revision was necessary because the routing on one state trust land section is in lesser prairie chicken habitat, which the board should have been aware of before the initial approval. The recommendation includes approving the existing route but requiring a supplemental mitigation consideration payment. The board's Lesser Prairie Chicken Stewardship Action Plan generally precludes new rights-of-way in focal area habitat unless specific conditions are met or a waiver is approved. In this case, the conservation services manager review was not fully completed before the April approval. Staff acknowledged this oversight and will be making recommendations for policy changes to prevent this in the future. The specific parcel in question is located in Kiowa County. The Power Pathway project is a significant investment to improve the state's electrical grid and enable renewable energy development. Mindy Gottan, Conservation Services Manager, detailed the requirements of the stewardship action plan, emphasizing that it's a board-approved directive for leasing decisions in specific areas. The focal area habitat is the most important for lesser prairie chickens. The proposed right-of-way is located within this focal area. The stewardship action plan allows rights-of-way in focal areas only under specific conditions, which Colorado Parks and Wildlife (CPW) energy liaisons felt were not met, as they had recommended an alternative route. Despite this, staff recommended approval, albeit reluctantly, as relocating the right-of-way at this stage would be exceptionally challenging and could result in lost revenue without necessarily avoiding impacts. Staff proposed a supplemental mitigation consideration to offset the impact on 278 acres of lesser prairie chicken habitat on state land. This mitigation would involve a payment, recommended at \$360 per acre for the 278 acres, totaling approximately \$100,000, to be

used by CPW for lesser prairie chicken habitat in Colorado. This is in addition to any mitigation required by federal agencies. Excel Energy expressed concerns about double-paying for mitigation, as they are also voluntarily mitigating with the Fish and Wildlife Service in Kansas due to the lack of approved banks in Colorado. They also requested more clarity on how the \$100,000 would be used. The board discussed options and concerns. Commissioner Heath proposed approving the board order pending a report from staff on how and where CPW intends to use the mitigation funds. The board approved the Excel power pathway segment 4 right-of-way with the supplemental mitigation consideration, requesting that staff report to Excel on how and where the mitigation will be done in support of prairie chickens.

- **Final Action Item E: Right-of-Way Policy Review and Pricing Guidelines:** David Rodenberg presented a final action item recommending approval of the revised right-of-way policy and pricing guidelines. The proposed changes aim to ensure a more thorough review process and align with other DNR program policies. The current policy was adopted in 2013 and last reviewed in 2021. The board currently has 3,47 rights-of-way across various subtypes, with transportation, energy, and power being the most common. Over the past five years, 175 right-of-way contracts were issued, with the majority being approved by staff under delegated authority and reported to the board. The remaining 27 required board approval. The recommended policy change involves **requiring all right-of-way applications to be reviewed by all program managers, the stewardship trust manager, and the appropriate district manager** to ensure potential conflicts are identified. Regarding pricing, rights-of-way are typically charged on a per-rod basis or at 100% of land value in higher-value areas, with additional charges for multiple uses, not following property lines, and assignments. Staff believes the current pricing guidelines are appropriate and recommended no changes. Commissioner Chavez inquired about the process for renewing 30-year leases. Staff explained the notification process and the use of current pricing guidelines for renewals. Staff also confirmed that the new policy would have likely prevented the issue with the Excel right-of-way from proceeding to the board before the conservation review was complete. The board approved the revised right-of-way policy and pricing guidelines.
- **Board Leasing Agenda:** Nick Massie, Assistant Director for Records, presented the June board leasing agenda with 13 items: eight competitive bids and five new leases. These items fall outside of delegated staff authority but do not typically require individual action. Commissioner Heath questioned item five regarding a competitive bid where the existing lessee's bid rate was lower than the competitor, but staff still recommended the existing lessee. William Won explained that the competitive bid was for only one of four sections in the existing lease. The existing lessee scored higher in continuing education and stewardship during the competitive bid process, outweighing the higher bid rate from the competitor. The board approved the June 2024 board leasing agenda.
- **Approval of May Board Meeting Minutes:** The minutes from the May board meeting were approved by acclamation.
- **Adjournment:** The meeting was adjourned.

Youtube Video: <https://youtu.be/pDZ0c8IHLr0?si=el66fS0a67J9KmP3>

Packet: [June Board Packet](#)

#### **August 2024 Meeting:**

Here is a summary of the August 2024 State Land Board Public Meeting based on the provided transcript.



### **Opening and Administrative Items:**

- The meeting commenced after an executive session regarding the trial of the application of Rang View Metropolitan District, F Cycle Corporation, and the State Board of Land Commissioners. No decisions or board actions were taken during the executive session.
- Commissioner Scanland noted that all five Commissioners were present, although Commissioner Clark stepped away temporarily.
- Public comment on items not on the agenda was opened, and it was noted that email comments had been received and would be included in the record.
- Director Ryan had no announcements.
- Tim Brass from the Department of Natural Resources (DNR) provided updates.

### **DNR Updates:**

- DNR is developing wildly important goals (WIGs) for 2024-2025 and outlining policy and budget priorities for 2025-2026.
- Elliot Hoy presented the State Land Board's work on renewable energy development to the Water Resources and Agricultural Review Committee.
- Draft WIGs are expected to reflect balancing conservation and recreation, increasing CPW revenues, and advancing the state water plan, with a new WIG related to renewable energy development on land board lands, aiming for 750 megawatts in three years, up from 550.
- Updates on federal policy included work with the BLM on Wildlife Focus planning processes (big game, Gunnison Sage grouse, greater Sage grouse, UFO RMAPs, solar PEIS, and Grand Junction in Colorado River Valley supplemental EIS). DNR is also a cooperating agency on the US Forest Service National oil growth amendment.
- Energy updates included ECMC's approval of the Lowry comprehensive area plan (CAP) for oil and gas development on state land board property. ECMC and CPW are implementing Senate Bill 212, which provides resources for renewable energy project development. ECMC also wrapped up its rulemaking process for deep geothermal energy development.
- Water updates mentioned a new Bureau of Reclamation grant program for environmental and watershed restoration in the Upper Colorado River Basin and another upcoming grant program for multi-year water conservation projects. The Water Resources and Agricultural Review Committee is considering a bill regarding revegetation requirements upon dry-up land. There is significant interest in the Wildfire Ready Watersheds program, with \$6.6 million awarded.
- Forestry updates noted two CoSWAP-supported wildfire risk reduction projects on state land board lands using Conservation Youth Corp crews. A third Workforce Development Grant release is expected in September.
- Tribal updates highlighted DNR's tracking of legislative concepts discussed by the American Indian Affairs interim study committee, including State Park entry, bison classification, tribal water rights, and hunting/fishing license waivers. DNR and the State Land Board are working with tribes on natural resource issues.
- CPW updates included public comment periods for conservation and recreation plans (Colorado Outdoor Strategy, State Wildlife Action Plan, and State Comprehensive Outdoor Recreation Plan) and new commercial use regulations. CPW is coordinating with the Forest Service on the Sweetwater State Park development plan. Zebra mussel veligers were discovered in the Government Highline Canal and the Colorado River above Grand Junction. CPW formed a wolf working group to address wolf and livestock conflicts.

### **Staff Report:**

- Staff completed 63 lease actions in the past month under delegated authority.

- The State Land Board made **\$230 million this year**, the second highest in history, although 7% below last year due to lower natural gas prices.
- A three-day adaptive grazing management seminar was held at the Chico Basin Ranch for lessees.
- The Lowry CAP was approved by ECMC by a 3-to-1 vote, but further approvals are needed.
- Visits and Q&A sessions were held for interested lessees for the Williams Ranch RFP, with bids due the following day.

#### Discussion Items:

- Director Ryan discussed a meeting with BEST (Building Excellent Schools Today) to address the volatility of their funding, proposing a more predictable distribution policy, but the BEST board was silent on the idea. Changes would require legislative and gubernatorial action. A joint meeting with BEST was suggested for the future after their board turnover.
- The board discussed a situation in Park County where tenants sold their water rights to Aurora, impacting the land's grass growth after Aurora terminated the short-term leaseback of those rights. The State Land Board did not own these water rights. Staff will research the history of this situation.

#### Final Action Items:

- **Bird Banding Station and Trust Hut Proposal at Chico Basin Ranch:**
  - A Medina presented a proposal to replace the existing, dilapidated bird banding station at Chico Basin Ranch with a new "Trust Hut".
  - The project aims to support the long-standing bird banding research conducted by the Bird Conservancy of the Rockies and generate revenue through short-term recreational rentals outside of the banding seasons.
  - The Colorado Building Workshop at the University of Colorado Denver, a design-build program for architecture students, is proposed as the partner for the design and construction. Rick Summerfelt from the program provided details on their experience with similar remote projects.
  - The proposed facility would include space for bird banding activities, equipment storage, and basic overnight accommodation for researchers and potential rental guests (envisioned as a small bunkhouse).
  - The estimated building cost is \$200,000, with an additional \$25,000 for furniture and equipment.
  - Staff requested **\$185,000 from the Investment and Development Fund and \$40,000 from insurance proceeds from a past fire loss** on the property to fund the project.
  - The board discussed the design aesthetic to ensure it fits the ranch model and the details of the housing component.
  - The timeline presented by Rick Summerfelt anticipates research in the fall, design in the spring, prefabrication in March-April, on-site assembly in May 2025, and completion by June 2025.
  - Public comment was received in support of the project, highlighting the need for a better structure for banding equipment and inquiring about kitchen and toilet facilities, which are being considered in the design.
  - **The board unanimously approved the board order to fund the Trust Hut and bird banding station project at Chico Basin Ranch.**
- **Dowd Junction Phase One Development:**
  - Elliot Hoy provided an update on the Dowd Junction annexation and rezoning process, which is moving forward.
  - The focus was on the Phase One Development Area (3.63 acres), intended to be a catalyst for the larger project.

- COT is expected to vacate the site by September 1st.
- A timeline of the project was presented, from the original MOU in 2022 to the current stage of selecting a developer.
- Three teams responded to the RFP for Phase One development: Quorum Real Estate Group, Gorman Company, and Triumph Development West.
- Evaluation criteria included financial return, work plan and timeline, track record (especially in mountain communities and affordable housing), financing strategy, collaboration with public partners, maximizing density, unit mix and affordability (AMI), creative approach, and team capacity.
- **Staff recommended Quorum Real Estate Group** for several reasons, including their history in the region, creative approach with higher density options, strong local design and engineering team, the best mix of unit types and AMI range (including units down to 30% AMI and up to 140% resident-occupied), an aggressive but achievable timeline, and a financing strategy involving municipal bonds with the Town of Avon.
- The proposed financing with municipal bonds through the Avon Housing Authority could support a higher construction cost and include adjacent park space improvements.
- The current thinking is for all rental units in this phase.
- The board discussed the potential tenant demographics (workforce housing, families) and the need for community space, which the Town of Avon is considering.
- **The board unanimously approved a motion to proceed with creating a memorandum of understanding with the Town of Avon and Quorum Real Estate Group for the Dowd Junction Phase One development.**
- **Policy Review - Real Estate Acquisition and Disposition:**
  - Matt La Fontaine presented proposed modifications to the acquisition and disposition policy, which is under its regular three-year review.
  - Changes include clarifying that all appraisals must be under agency-approved instructions and that the board must be a client, co-client, or certified intended user of all appraisal reports. This addresses nuances related to federal government requirements and the client-appraiser relationship.
  - A limited delegation of authority to the Director to acquire parcels of land valued at \$10,000 or less without further board approval was proposed to facilitate simple transactions for access and other small, low-value parcels beneficial to existing state trust land.
  - Commissioner Franz expressed a preference for a higher delegation limit. Staff explained the \$10,000 limit aligns with past board orders for access acquisitions and is intended for very minor transactions, with larger acquisitions still requiring board approval.
  - **The board unanimously approved the modifications to the Real Estate Acquisition and Disposition Policy.**
- **Board Leasing Agenda for August 2024:**
  - Nick Massie presented the consent agenda with five leasing items.
  - Special attention was drawn to item number five, an assignment of lease related to a recently established water lease, which was anticipated due to the nature of water transactions. Staff had no concerns regarding the items.
  - **The board unanimously approved the Board Leasing Agenda for August 2024.**
- **Minutes from July Meeting:**
  - **The minutes from the July meeting were approved by acclamation.**
- **Board Officer Elections:**
  - The current chair noted the completion of a three-year term and opened nominations for Chair.
  - Commissioner Franz nominated **Deborah Ford for Chair**, who agreed to serve. The motion was seconded. **Deborah Ford was unanimously elected as Chair.**



- The Chair opened nominations for Vice Chair and nominated **Jessie Keith to continue in that role**. The motion was seconded. **Jessie Keith was unanimously elected as Vice Chair**.

#### Calendar Announcements:

- At the September meeting, the board will set meeting dates for 2025, intending to keep the second Wednesday and Thursday of each month.
- The September tour is scheduled for Wednesday, September 11th.
- The October tour is scheduled for Wednesday, October 16th, with Thursday, October 17th also blocked.
- The date for the big December meeting (Wednesday or Thursday the 11th) is to be determined, with staff to confirm the reservation.

Youtube Video: <https://youtu.be/ODdkE7GCMag?si=LHKxt0OOViC9PyVk>

Packet: [August Board Packet](#)

#### October 2024 Meeting:

The October 2024 State Land Board Public Meeting covered a variety of topics, including policy updates, carbon capture and sequestration initiatives, lease assignments, a beneficiary use agreement with State Parks, broadband deployment, dam maintenance, and the annual stewardship and financial reports.

- **Call to Order and Roll Call:** The meeting was called to order with Commissioners Chavez, Heath, Scanlan, and the Chair present; Commissioner Clark was absent. No non-agenda items were raised by the public.
- **Director Ryan's Announcements:** Director Ryan provided several updates:
  - **Policy Updates:** Tracking bills related to the protection of personal information of livestock depredation claimants and the American Indian Affairs study committee, including a bill to continue the committee's work for five more years and a bill to classify bison as a big game species.
  - **Federal Policy Updates:** Monitoring several pieces of legislation in Congress, including the Good Samaritan legislation, the Fix R Forest Act, and others, with Congress expected to resume business on these in November.
  - **Energy and ECMC Updates:** The ECMC adopted cumulative impact and enhanced systems and practice rules for oil and gas operators. They also noticed rulemakings for carbon capture and storage (starting December 2nd) and produced water (starting December 11th).
  - **Forestry Update:** The KAP's third round of Workforce Development grants is open for application.
  - **CPW Updates:** Colorado Parks and Wildlife (CPW) formed a new Beaver working group and captured depredating wolves from the Copper Creek pack, while also securing a new source of wolves from British Columbia for future release.
  - **Severance Tax:** Commissioner Chavez inquired about the history and distribution of severance tax revenue, a major source for water projects, and Director Ryan agreed to follow up.
  - **Agenda Change:** The request for review with Clean Canyons was postponed to the November meeting at their request.

- **Carbon Sequestration Update:** Mark Cely and Michael Rigby from the ECMC provided an update on the Class VI Primacy application for carbon capture utilization and storage (CCUS) in Colorado.
  - Cely discussed the regulatory and permitting requirements for CCUS, highlighting the multi-stage permitting process and the need for specific subsurface site data.
  - Key definitions were explained, including "geologic storage resource," "sequestration estate," "geologic storage unit," and "geologic storage area of review".
  - Notification and consultation processes with surface owners, mineral owners, sequestration estate owners, and the State Land Board were outlined.
  - Specific Environmental Justice (EJ) and Cumulative Impact (CI) siting requirements were detailed, including a 2,000 ft setback from residential schools or commercial buildings and the requirement for a neutral or positive cumulative impact for application approval.
  - The formation of geologic units for CO<sub>2</sub> storage, requiring a 75% threshold (excluding the State Land Board), and the potential for unit boundary adjustments were discussed.
  - Rigby noted the similarity of unitization to enhanced oil recovery unitization.
  - The rulemaking process timeline was presented, with final draft rules released on October 9th, a hearing set for December 2nd, EPA Primacy application expected in the first quarter of 2025, and potential EPA approval by late 2025 or 2026.
  - Commissioner He inquired about carbon accounting and reporting, which is primarily handled by CDPH and others, not ECMC.
- **Final Action Item: Exploration Lease Assignment (Carbon America to BKV):** Crystal Canda, Minerals Director, presented a request to assign an exploration lease for geologic carbon sequestration from Carbon America to BKV in Washington County (DeNova Project).
  - The lease is for exploration only, granting exclusive rights to negotiate an injection lease, and does not permit CO<sub>2</sub> injection.
  - Carbon America drilled a test well in May 2023 and applied for a Class VI permit with the EPA in December 2023. They have contracts with ethanol plants for CO<sub>2</sub> capture and secured pipeline corridors.
  - Staff supported the assignment due to BKV's CCS experience, resources as a large oil and gas operator, and commitment to reducing greenhouse gas emissions. BKV has an active CCS project (Barnet Zero) and is pursuing others.
  - BKV representatives (Spencer Crouch, Mike Lurch, Jamie Lille) provided information about their company and CCS experience, including working with Project Canary for monitoring and pursuing revenue streams from 45Q tax credits and the California Low Carbon Fuel Standard.
  - The board approved the exploration lease assignment.
- **Final Action Item: State Parks Beneficiary Use Agreement:** Medina, Recreation Program Manager, presented a proposed no-cost 50-year beneficiary use agreement with Colorado Parks and Wildlife (CPW) for continued use of State Trust Lands within the existing state park system.
  - The agreement consolidates previous MOUs and renews a 2013 agreement that expired.
  - It covers 85,107 acres across various state parks. San Luis Lake was removed as it's now a State Wildlife Area.
  - The agreement requires State Land Board consent for modifications or improvements, coordination on beneficiary reassignment, and annual meetings between the parties.
  - It allows for the addition or removal of lands and requires consultation before sale, exchange, or disposition.
  - Public comments from Western Resource Advocates and Sierra Club were acknowledged in support.
  - The CPW Parks and Wildlife Commission also reviewed and approved the agreement.
  - The board approved the 50-year beneficiary use agreement.

- **Final Action Item: MVBA Fiber Optic Right-of-Way Requests:** David Rodenberg, Right-of-Way Program Manager, recommended approval of two right-of-way applications from Mountain View Electric Association (MVEA) to install fiber within their existing rights-of-way in El Paso and Elbert Counties, along with a 50% reduction in the standard consideration charge for these and future similar MVEA applications.
  - This supports the Governor's broadband deployment goal.
  - MVEA is undertaking a Fiber to the Home Project to provide broadband to its members.
  - Scott Simmons from MVEA presented on the project, highlighting the extensive miles of fiber to be installed, including on state trust land, and the low visual impact of overhead installation.
  - The board approved the two right-of-way applications and the 50% discount for portions hung on existing MVEA poles, extending the discount to future similar applications.
- **Final Action Item: Bret Gray Ranch INDD Fund Request (Dam Maintenance):** Justin Bar, Water Program Manager, and Mariah Parker, South Central District Manager, provided an update on dam maintenance at the Bret Gray Ranch and requested approval of investment and development funds.
  - Two reservoirs on the ranch require maintenance due to tree growth on the dams.
  - The Nature Conservancy (TNC), the land board's lessee, is voluntarily contributing over \$42,000 to the project and will be responsible for future dam maintenance.
  - The total project budget is \$332,500, and staff requested approval to spend up to \$290,500 from the IND fund. This is lower than a previous request due to TNC's contribution.
  - Removed trees will be placed near the dams on the ranch.
  - The board approved the Bret Gray Ranch INDD fund request.
- **Final Action Item: Cropland Leasing Policy Review:** William Wilston, Field Operations Team Leader, presented the policy review for the cropland leasing policy (300-6).
  - Staff believes the policy is working well and recommends minor language updates for consistency and clarity, but no substantive changes to the cropland rate formula.
  - The board approved the revisions to the cropland leasing policy.
- **Final Action Item: October 2024 Board Leasing Agenda:** Annie Miller from the Transactions and Record Services team presented the October 2024 board leasing agenda, including three bids for agriculture and one for recreation.
  - Commissioner Heath inquired about a competitive bid with a significant discrepancy in AUM and a low rating, and William Wilston suggested potential stewardship and community issues.
  - The board approved the October 2024 board leasing agenda.
- **Final Action Item: Approval of September Board Meeting Minutes:** The minutes from the September board meeting were approved by acclamation.
- **Information Item: Fiscal Year 2024 Annual Stewardship Report:** Mindy Gotta, Conservation Services Manager, presented the annual stewardship report, highlighting stewardship programs, tools, and accomplishments.
  - The history of stewardship efforts at the State Land Board was reviewed.
  - Various land management tools, including the stewardship trust, natural areas program, lease stipulations, asset management plans, stewardship action plans, and regenerative grazing, were discussed.
  - Accomplishments within the stewardship trust (monitoring, management plans, surveys) and asset management plans (Badger Creek plan completion) were detailed.
  - Stewardship action plans for greater sage-grouse, lesser prairie chicken, and Rio Grande cutthroat trout were reviewed, including foregone revenue estimates due to these plans.

- Staff inspections, regenerative grazing initiatives, Colorado State Forest Service work on forested lands, temporary access permits, and stewardship funding were summarized.
- Highlighted projects included the Chancellor Ranch field camps and the expansion of stewardship reviews for proposed leases and rights-of-way.
- Future initiatives include hiring a biodiversity manager and a regenerative grazing manager.
- **Information Item: Fiscal Year 2024 Financial Report and Fiscal Year 2025 Forecast:** Nick Massie, Assistant Director, presented the financial report for FY24 and the revenue forecast for FY25.
  - FY24 revenue was approximately \$320 million.
  - Distributions to BEST (over \$144 million in FY24, nearing \$1.25 billion total) and the School Finance Act (\$21 million in FY24, nearing \$550 million total) were highlighted.
  - Property changes in the School Trust were noted, including the Williams Park acquisition and the Eerie and Bohart dispositions.
  - The FY25 revenue forecast projects approximately \$264 million.
- **Information Item: Business Plan Readouts:** Program managers provided highlights from their business plans.
  - **Ecosystem Services (Mindy Gotta):** Significant revenue increase due to mitigation bank credit sales and progress in developing a voluntary carbon program.
  - **Field Operations (William Wilston):** Acquisition of Williams Park Ranch, initiation of a grazing rates roundtable, and robust competitive bid system for grazing leases.
  - **Outdoor Recreation (Stacey Dino):** Program growth in number of leases and revenue, success of competitive bidding, and partnerships like the one at Mount Blanca State Wildlife Area.
  - **Renewable Energy (David Rodenberg):** Upward trend in the program, expectation of bringing a solar production lease next month, and progress towards the Governor's "WIG" goal of 750 megawatts by 2027.
  - **Solid Minerals (Ben Tesner):** Collaboration across business lines and the inclusion of emerging businesses within the program.
  - **Water (Justin Bar):** Focus on protecting water assets, managing regulatory matters, and proactively leasing water, highlighting opposition filings in Water Court that led to collaboration opportunities.
- **Closing Remarks and Adjournment:** Nick Massie announced that the next board meeting is scheduled for Wednesday, November 13th, and is expected to be a shorter, virtual meeting. The meeting was then adjourned.

Youtube Video: <https://youtu.be/MhkuMKLEQVU?si=fwVmjOB1boTRAktW>

Packet: [October Board Packet](#)

### December 2024 Meeting:

This transcript captures a State Land Board meeting where discussions ranged from a **proposed canal project** potentially impacting trust land to updates on the **Colorado River negotiations** and tribal engagement efforts by the DNR. The board also reviewed and approved several **agricultural lease renewals** and discussed improvements for ecosystem revenue generation through a potential partnership with Land Life for **reforestation of burned areas**. Land Life presented their proposed project, outlining its phases, ecological benefits, and revenue potential, seeking initial feedback on new lease terms related to grazing and revenue sharing.

More Detail:

Here is a summary of the December 2024 State Land Board Public Meeting based on the provided transcript:

The meeting began with roll call confirming a quorum. Public comments were acknowledged, with staff directed to follow up with two individuals regarding a proposed Right-of-Way. An opportunity was given for online listeners to comment on items not on the agenda, during which Derrik McKI from the Bureau of Reclamation discussed the Arkansas Valley Conduit (ABC) project and its potential impact on state trust land, specifically concerning the standard 30-year Right-of-Way term for a large federal project. Staff indicated the need for a formal application to proceed.

Kelly Romero-Heaney, DNR Policy Director, provided updates on various DNR initiatives. These included preparations for the upcoming legislative session, tracking of federal policy (utility-scale solar PEIS, greater sage grouse RMAPs, UNCA GR field office RMAPs), and the recent passage of the Good Samaritan Remediation of Abandoned Hard Rock Mines Act. Updates were also given on the reauthorization of the Upper Colorado River and San Juan River Basin Endangered Fish Recovery Program, energy-related work by the Energy Carbon Management Commission (ECMC) on Class VI and produced water rulemakings, pipeline safety, underground injection programs, and geothermal development opportunities. Romero-Heaney also touched upon Forest Health initiatives through the CoSWAP program and the Forest Health Council's 30-year vision, biodiversity and conservation efforts including the East Mountain Lion study and commercial use regulations for state parks, climate resiliency work related to water (CDPHE dredge and fill regulations, Colorado River negotiations, Bureau of Reclamation IRA funds), and tribal engagement efforts regarding State Park entry, the CPW state wildlife action plan, and the Colorado Outdoor Strategy framework.

Director Ryan reported on staff actions, noting 77 lease actions taken within delegated authority in the last month and provided updates on HR and recruiting efforts. Commissioners then asked questions about leasing matters, including bankruptcies and revenue sharing for land enrolled in CRP grassland programs.

The main discussion item was a presentation by Mindy Gottsegen, Conservation Services Manager, on a proposed ecosystem services production lease with **Landlife** for reforestation on approximately 1,000 acres of burned State trust land across five properties. The project aims to generate revenue and improve stewardship. Gottsegen highlighted key feedback areas: a **40-year required lease term** (due to carbon registry requirements), the impact on grazing, potential lease revenue, and the opportunity for the board to own carbon credits starting in year 41. She detailed the project phases and timeline, emphasizing the urgency for ordering tree seedlings. The responsibilities of the State Land Board, Landlife, and the State Forest Service were outlined. The concept of "additionality" for carbon sequestration projects was explained. The potential impact on grazing leases and the need for lessee notification and potential waivers were discussed. Snapshots of the properties and proposed lease terms, including an upfront payment estimated at \$887,000, were presented. The potential benefits, such as private investment, ecological restoration, and future carbon credit ownership, were highlighted.

**Clara Rowe, Director of Strategic Partnerships at Landlife**, provided background on the voluntary carbon market, explaining how companies purchase carbon credits to offset emissions. She clarified that the proposed model involves an upfront payment from an investor in exchange for the rights to future carbon credits, with the investor taking on the risk. The role of **Vera**, an international carbon certification body, was explained. Rowe also presented Landlife's history, mission, and experience in Colorado, including projects on private land after wildfires. She emphasized Landlife's approach using science and technology, integrated land use planning, collaboration, and transparency. The potential for a significant ecological and social impact through a partnership with the State Land Board was highlighted, along with the opportunity to build a reforestation industry in Colorado. Commissioners asked questions about the 40-year lease term, grazing and recreational restrictions, payment fairness, Vera, Landlife's operations, nursery infrastructure, and the minimum and maximum acreage for such projects. Commissioners expressed excitement about the project, seeing it as a creative revenue and asset enhancement strategy with minimal risk.

Matt La Fontaine and Ben Tesner provided an update on the **Readiness and Environmental Protection Integration (REPI) program** and requested **authorization for \$65,000 in IDD funds for a mineral appraisal at the Table Mountain property**. They reviewed the REPI program and the ongoing disposal of the Bohart Ranch. Concerns with a previous surface appraisal of Table Mountain were noted. Tesner detailed the significant mineral assets at Table Mountain, including active gypsum and stone mining leases, and the potential for lease expansions into the proposed surface disposal area. Revenue generated and projected from these leases was presented. The mineral appraisal is needed to understand the value of these resources under the proposed disposal area, informing discussions about a potential non-development agreement. The board **unanimously approved the \$65,000 IDD request**.

Wilbur Strecker presented an **IDD fund request of \$385,000 for irrigation improvements at the Curious Lease Farm in Yuma County**. This included replacing pivots, repairing an alignment system, and reworking wells. The age and condition of the pivots and wells were discussed, along with the mechanics of the pumps and the importance of nozzle replacement. The high cost for one well (#55) was explained due to sanding issues. The board discussed well and pump depths and then **unanimously approved the \$385,000 IDD request**.

Andy Bennett presented the **Permits Policy for its three-year review**, with redlines primarily reflecting changes in the Solid Minerals Development Policy. A recommendation to include academic institutions in a provision was noted. The board **unanimously approved the proposed modifications**. Bennett also presented the **December 2024 Board Leasing Agenda**, which included two competitive agriculture bids and one new recreation lease. The board **unanimously approved the leasing agenda**.

The minutes from the November meeting were approved by acclamation. The January meeting was tentatively scheduled for Wednesday, January 15th, likely as a virtual meeting. Information was provided about an upcoming event in Pennsylvania. The meeting was then adjourned.

Youtube Video: <https://www.youtube.com/watch?v=youjgF3YvJ4>

Packet: [December Board Packet](#)

### **January 2025 Meeting:**

This State Land Board meeting began with updates on the **search process for a new State Land Board Director**. Commissioners and staff reflected on the outgoing director's tenure and the organization's progress. The board then discussed a **carbon sequestration market program** for agricultural lands, exploring potential revenue streams and partnerships, including with Mil Ponderosa. Presentations covered the program's structure, agreements, and anticipated benefits for both the Land Board and lessees, addressing questions about lease terms and environmental improvements. The meeting also included updates on **solid mineral leases**, a request for funding for **water infrastructure repairs** on a ranch, and a proposal for funding **residential home upgrades** on the Chico Basin Ranch, with modifications and partial approval granted.

### **More Detail:**

The January 2025 State Land Board Public Meeting began with logistical comments acknowledging the departure of the director and the use of Zoom. The meeting was co-hosted by several staff members due to continuity concerns, and extra patience was requested. The executive session was moved to the end of the agenda. A roll call confirmed the attendance of all Commissioners: Chavez, Clark, Heath, Scanland, and the Chair.

**Dan Gibbs, Director of Natural Resources**, offered remarks, wishing Director Bill Ryan well upon his departure after 14 years of service and noting the agency's growth and innovation under his leadership. Gibbs looked forward to collaborating with President Frobe and the Commissioners on filling the director role,



mentioning a national search. He thanked Nick for stepping up as acting director. Gibbs also noted his impending attendance at Smart Act hearings and apologized for not being able to stay for the entire meeting.

**President Frobe** welcomed Wendy Padilla and noted initial conversations about an efficient process for selecting a new director, with an in-person meeting planned. Frobe shared a personal perspective on Bill Ryan's departure, contrasting the State Land Board of 2022 with the organization she first engaged with from 2008 to 2010, highlighting significant improvements in staff professionalism and leadership.

Director Gibbs then provided **legislative updates**, mentioning various bills being run, including those to strengthen wildlife trafficking prevention, provide free state parks access to Southern Ute and Ute Mountain Ute tribal members, facilitate reclamation of abandoned mine waste piles, create a water supply forecasting and mapping program, improve carbon management and geothermal regulation, and implement process improvements within the Division of Water Resources. He also mentioned the annual water projects bill and the species conservation trust fund bill. A legislative placeholder in the governor's budget included language on sports betting and tax deduction changes for water projects to potentially generate additional revenue for water plan implementation grants. Gibbs noted the Smart Act hearings taking place that day and the following day.

Regarding **program updates**, Gibbs mentioned the Water Conservation Board's Wildfire Ready Watersheds program, which is partnering with municipalities and counties to analyze potential water resource impacts from wildfires, with five entities applying for large-scale projects. In **energy**, the Energy and Carbon Management Commission adopted rules for carbon sequestration wells, forming the basis for the state's EPA regulatory primacy application. For **water**, the Republican River Compact Administration certified that Colorado met the 10,000-acre threshold for retired farmland due to work by farmers and a \$30 million contribution from the DNR team, with efforts underway to meet the next benchmark. Colorado River issues continue to be a focus, with the Bureau of Reclamation analyzing upper and lower basin proposals as the 2026 deadline for new operating agreements for Lake Powell and Lake Mead approaches. Lastly, Gibbs addressed the **petition regarding wolf reintroduction** from 26 agriculture-related organizations, noting that Parks and Wildlife had met all seven requested items, leading the Commissioners to vote down the petition, and that wolf reintroduction efforts were ongoing in collaboration with British Columbia.

The meeting then moved to **public comment on non-agenda items**. **Rick Williams**, an enrolled member of the Oglala Lakota Tribe and a Cheyenne descendant, inquired about the status of the 2023 working group recommendation regarding Sovereign Nations tribes and the historic ties to the state of Colorado, specifically the examination of state trust lands transferred by the federal government and the wealth built from those lands. He also raised concerns about the legality of land transfers never ceded by treaty. Commissioner Frobe and Nick confirmed that meetings were scheduled between staff and the DNR on this topic, and information would be brought to the Commissioners. Mr. Williams offered to give a presentation to the board. **Terry Binet**, also working with Rick Williams, asked about public notification for updates on this issue. Staff explained the various methods of public notification, including staff reports, meeting packets, and direct contact for those who registered.

**Assistant Director Hoy** stated that his legislative announcement had been covered by Director Gibbs but mentioned that details of staff work would be in the staff report.

Moving to **business**, Assistant Director Hoy presented the **staff report**, highlighting recent team growth, the holiday luncheon and awards ceremony, new credentials for David Rodenberg, a productive oil and gas auction (\$2.7 million), Ben Tesner's presentation at a stone and gravel conference, details on oil and gas inspections, statistics on digital interactions with customers, and the staff leasing report with 55 approved lease actions. Commissioners welcomed new staff and congratulated those with promotions.

Commissioner Heath requested moving the director selection process earlier on the agenda due to the Smart Act hearings. However, the chair indicated that Dan Gibbs was not планировал to be part of that conversation

and the current order seemed appropriate, with staff input to be captured in a different way. Other Commissioners were comfortable with the existing order.

**Mindy Gotan, Conservation Services Manager**, provided a program update on the **biological carbon program**, formerly called grassland carbon. The name change was to better encompass the program alongside the geologic carbon program. Mil Pont was hired to help develop the program, and significant progress had been made since the last update in February 2024. The program aims to generate a new revenue stream, enhance stewardship of state trust lands, and meet climate goals through increased carbon sequestration. Gotan explained the market structure, essential legal documents (Master Services Agreement, AG lease, AG lease rider with Payment for Ecosystem Services (PES)), and revenue flow. Commissioner Chavez inquired whether the program would be lessee-driven or proactively promoted by the State Land Board. Gotan indicated a combination of both, with information meetings planned for lessees and a dedicated webpage. She also discussed the need to amend lease terms for long-term carbon sequestration programs. William Gston added that regenerative grazing management practices would be a significant component, with interest already expressed by lessees. Mil Pont's selection was based on their expertise in the voluntary carbon market, commodity markets, agricultural community understanding, and existing geospatial platform. Dominic Sutton Vernon from Mil Pont then provided an overview of their company's experience in carbon markets and the process used to evaluate and recommend carbon project developers. He noted the diverse portfolio of options being considered for carbon sequestration.

The board then took a brief recess.

Following the recess, **Ben Tesner, Solid Minerals Manager**, presented a **solid minerals mining production lease** for sand and gravel in Kit Carson County with Midstates Materials as the lessee. The lease would provide building material for eastern Colorado and western Kansas. Tesner highlighted that a portion of the property was enrolled in the Conservation Reserve Program (CRP), which would be excluded from mining. He outlined outreach to Kit Carson County, CPW, and landboard stewardship staff, incorporating stipulations for burrowing owls, swift fox, and wetlands (Spring Creek). A class three cultural resources survey would also be required for planned disturbances. The financial terms included rent, royalty, and an advanced minimum royalty. Staff recommended approval. Commissioner Clark inquired about the management of the 40-acre maximum disturbance area and communication with the agricultural lessee. Tesner explained the pro-rated reduction of grazable acres and notification to the lessee. The board **unanimously approved** the solid minerals mining production lease.

**Abe Medina, Recreation Program Manager**, presented on a **new 10-year lease to Colorado Parks and Wildlife (CPW) for state wildlife areas**. The lease allows state trust land to be used for wildlife and habitat purposes, providing revenue to beneficiaries. The CPW Commission had already approved the lease. Medina explained the definition of state wildlife areas and the different types of lease agreements with CPW. This new lease adds approximately 6,500 acres, including recently acquired School Trust land in Kiowa County (Queen State Wildlife Area), requires State Land Board approval for improvements or projects, and includes an annual rent escalator based on the Consumer Price Index. Staff recommended approval. Commissioner Chavez asked whether CPW or the State Land Board pays for improvements, and Medina confirmed CPW pays. Commissioner Chavez also inquired about the rental rate setting for these leases. Medina explained that agricultural rates are based on standard county pricing and AUM ratings, while recreation rates are reviewed every 10 years based on property use, context, and values, with tier pricing adjustments. The board **unanimously approved** the new 10-year lease to CPW for state wildlife areas.

**Mariah Parker, South Central District Manager**, requested board approval for the expenditure of \$600,000 of Investment and Development Funds (IDD) for necessary upgrades and repairs on five residential homes and Reservoir maintenance on the **Chico Basin Ranch**. The previous 25-year lease ended, and two new 10-year leases (agriculture and recreation) began. The five homes are vital for on-site personnel. Staff inspected the

houses and consulted with contractors. Reservoir dams and spillways also need maintenance. Flying Diamond Ranch's lease includes a dam embankment maintenance requirement after the proposed maintenance. Commissioner Clark inquired about the intended use of the five properties. Parker explained that four are for agricultural personnel, and one is for recreation activities. Commissioner Clark also raised concerns about the Land Board being in the landlord business and the condition of the properties between lease terms. Commissioner Scanland expressed discomfort with the large ticket items with unknown costs, specifically the Finch and May Camp houses. After discussion, a motion was made and seconded to approve a **modified board order allocating \$250,000** from IDD funds to address necessary Reservoir maintenance and to upgrade and repair **three** board-owned houses (excluding the Finch and May Camp houses) on the Chico Basin Ranch. The motion **carried unanimously**.

**David Rodenberg, Renewable Energy Program Manager**, presented the **policy review for solar and wind renewable energy leasing**. Proposed modifications to policy 300-3 were part of the regular three-year review process. Many redline changes were formatting to align with current policies. A key objective change was to revise "promote renewable energy development that is compatible with other current and future uses" to "promote renewable energy development that is done in **coordination** with other current and future uses". Rodenberg outlined the three phases of renewable energy leasing (pre-application, planning lease, production lease) and the board's existing portfolio. Key recommended revisions included:

- **Crop Land:** Only avoiding solar planning leases on land considered "excellent" for dryland crop production, as determined by the district manager.
- **Grazing Lands:** Allowing district managers flexibility to consider the overall range condition (quality and variety of grasses, soil quality, management) rather than solely relying on forage value.
- **Proximity to Infrastructure:** Removing the criterion that state trust land must be within five miles of electrical infrastructure.
- **Planning Lease Rental Rates:** Updating the minimum annual rental rates to a range of \$15 to \$70 per acre, with the actual rate negotiated.
- **Assignment Rate:** Changing the calculation to 50% of the then-current annual rent.
- **Planning Leases Brought to the Board:** Clarifying that a planning lease will be brought to the board if the agricultural lessee formally requests to speak to the board.

Commissioner Chavez raised concerns about performance bonds and the removal of minimum acreage requirements for solar leases on agricultural land. William Gston defended the change regarding rangeland condition, emphasizing management quality. Commissioner Scanland suggested that all production lease assignments should come to the board for approval. After discussion, a motion was made and seconded to approve the board order with the clarification that **all production lease actions (assignments, extensions, and new leases) will require board approval**, with the chair to review the language for intent. The motion **carried unanimously**.

**Assistant Director Hoy** presented the **policy modification for trust asset management (policy 100-Z1)**. This was a modification, not a full review. The proposed changes were to adjust the per-project limit for staff-approved IDD fund expenditures from \$75,000 to **\$50,000** and increase the annual total from \$500,000 to **\$750,000**. Analysis showed that most projects were under \$50,000, and the increased annual total would cover more requests. Staff recommended approval. The board **unanimously approved** the policy modification.

Andy Betet presented the **January 2025 Board Leasing Agenda**, which included four competitive bids and one new AG lease, with no particular highlights. Staff recommended approval. The board **unanimously approved** the January 2025 Board Leasing Agenda.

The **board minutes from December were approved by acclamation**.

A board order for the **appointment of Nick Massie as interim director** was presented. The board **unanimously approved** the appointment.

The final item was an **open discussion on the qualifications, competencies, and attributes for the director of the State Land Board recruitment**. President Frobe provided initial thoughts on the complex responsibilities of the director, including fiduciary duties, financial acumen, stakeholder relations, complex business operations management, and political awareness. She also listed current organizational priorities for consideration. Commissioners shared their perspectives, emphasizing the need for a leader who can build upon the current strengths of the organization rather than implementing drastic changes. There was discussion on the importance of experience with complex organizations, financial acumen (including real estate and asset management), management and leadership skills, and a strong understanding of the State Land Board's mission, particularly regarding agriculture and education. The importance of maintaining relationships with diverse stakeholders and the need to consider staff perspectives in the hiring process were also highlighted. The discussion touched upon the salary range, with acknowledgment that it is being determined by DNR within the context of other division director salaries. Commissioners voiced their desire for the unique nature of the State Land Board to be considered in the compensation. Finally, there was a discussion on whether a real estate or land use background is a requirement or desirable for the new director. Commissioners were encouraged to send their specific thoughts on the desired qualifications to Wendy Padilla at the Department of Natural Resources.

The meeting then moved into executive session.

Youtube Video: [January 2025 State Land Board Public Meeting](#)

Packet: [January Board Packet - Revised 1/14/25](#)

#### **February 2025 Meeting:**

This State Land Board meeting addressed several key items, including an update on the **search for a new director**. The board also discussed the establishment of a new **Sentinel Landscape** designation around Colorado Springs. A significant portion of the meeting was dedicated to a final decision on a proposed **reforestation and livestock management lease** with Land Life for wildfire-damaged trust lands, which was ultimately approved. Additionally, the board voted to **repeal its unmanned aircraft system (drone) policy**, deeming it no longer necessary due to existing federal regulations. The meeting concluded with a review of the upcoming board meeting and tour schedule.

**More Detail:** The February 2025 State Land Board Public Meeting convened virtually, with all Commissioners present except Commissioner Clark.

The meeting began with a roll call and confirmation of quorum. There were no items for **executive session**. The board then opened the floor for **public comment on non-agenda items**, but no members of the public raised their hands to speak.

Nick Massie stated he had no immediate **announcements** but mentioned the possibility of discussing the staff's touring season plans at the end of the meeting.

Tim Brass provided **DNR staff updates**:

- The **State Land Board Director position** has been posted, with applications due on March 24th.
- An exciting effort is underway for a new **Sentinel Landscape designation** around the Colorado Springs area, involving a partnership between the state, NGOs (including The Nature Conservancy, Trust for Public Lands, Palmer Land Conservancy, El Pomar), community organizations, and the Department of Defense. This builds on the Security Open Space and Agricultural Resilience Effort

(SOAR) and aims to ensure military readiness while conserving wildlife habitat and agricultural land. The Bohart Ranch deal was cited as a good example. A formal application is planned for the spring. The Sentinel Landscape concept aligns objectives of multiple federal agencies. This effort involves coordination and potential funding alignment rather than specific zoning changes.

- **Legislative and budget updates** included plans to run bills on wildlife trafficking prevention, free state park access for enrolled members of the Southern Ute and Ute Mountain Ute tribes, abandoned mine waste reclamation, a new water supply forecasting and mapping program, improved ECMC regulation, and process improvements for the Division of Water Resources. Funding legislation for water projects and the Species Conservation Trust Fund will also be pursued.
- **Federal updates** highlighted Executive Director Dan Gibbs' trip to Washington DC to share the state's priorities for bipartisan natural resource management and conservation, including balancing recreation and energy development, shared stewardship agreements (like with the US Forest Service), place-based agreements, and advancing the Recovering America's Wildlife Act, the Wildlife Corridors Act, and the Public Lands and Public Hands Act.
- **Energy updates** covered an ECMC public hearing on the Crestone State Llata South oil and gas development plan (the first under the Lori cap), the upcoming annual high priority habitat map update rulemaking, a produced water rulemaking to increase recycling, and the ongoing study of renewable energy siting directed by Senate Bill 24-12 (draft report in May, final in September).
- **CPW updates** mentioned their support for a bill to protect livestock owner personal information and Governor Polis' announcement of a new partnership with CPW and local communities to advance recreation resources around Pikes Peak.

Nick Massie then provided highlights from the **staff report**, noting significant activity in **staffing** (new positions, turnover, promotions) and public interface. He announced William Gston's upcoming retirement at the end of April and the ongoing transition plans. Updates on the director position will be provided by Commissioner Frobe and DNR leadership.

The board then moved to **final action** on the **Landlife Forest Carbon Ecosystem Services Lease** presented by Mindy God Sagan. This proposed a lease with Landlife Company USA PBC for reforestation on approximately 1,000 acres across five state trust land properties affected by wildfires.

- The project aims to generate revenue through the **voluntary carbon market**.
- The expected revenue for the State Land Board is approximately **\$87,000**, paid upfront at a rate of \$87 per acre planted.
- The **lease term** is 40 years, starting after the last tree is planted.
- Landlife will invest approximately **\$1 million** in the project.
- The project includes three phases: pre-planting, planting (expected in year one), and post-planting (up to 40 years).
- Landlife will handle planting, validation, registration with the Vera carbon registry, monitoring, and verification. The State Land Board will have an oversight role, and the State Forest Service will act in an advisory capacity.
- The five properties are Silver Mountain, Milk Creek, Young's Gulch, Loone, and Eagle Canyon.
- Lessee notification and comments were received, with concerns about impacts on grazing AUMs and billing, all affected grazing lessees agreed to waive the 12-month notice for land removal.
- Grazing will be restricted on planted sites for up to 10 years, with various fencing solutions planned.
- Carbon rights will revert to the State Land Board in year 41, with an expectation for the land to remain forested for 100 years.
- The board **unanimously approved** the Landlife Forest Carbon Lease and delegated authority to staff to finalize the lease language.



The next final action was the **Policy Repeal of the Unmanned Aircraft System (UAS) Policy 200-7**, presented by Abe Medina.

- The staff recommended repealing the policy, enacted in 2018, because the State Land Board now operates its drones under existing **Federal Aviation Administration (FAA) Part 107 regulations**.
- Pursuing a Certificate of Waiver or Authorization (COA) was not deemed necessary.
- Repealing the policy would avoid duplicity in regulations.
- The board **unanimously approved** the repeal of the UAS Policy 200-7.

Andy Betet presented the **February 2025 Board Leasing Agenda**, which included two competitive bids from Lincoln County (one agriculture and one recreation). William Gston provided context for the significant difference between the standard rate and the winning bid for the agriculture lease, attributing it to neighboring landowners' strong interest and the future reversion to the standard rate with renewal rights. The board **unanimously approved** the February 2025 Board Leasing Agenda.

The **minutes from the previous meeting were approved by acclamation**.

Finally, Nick Massie outlined the **schedule for upcoming board meetings and tours**. Key points included:

- A proposed six-month touring schedule from April to September.
- The May meeting is likely to be heavily focused on **interviews for the State Land Board Director position** in Denver, potentially impacting the ability to hold a tour that month.
- Discussion about prioritizing a tour to the **Chancellor Ranch in Trinidad** in April, given the upcoming RFP, and the Commissioners' interest in visiting that area and potentially Durango.
- A suggestion to visit **Northern Water** facilities during a potential April tour focusing on water.
- Commissioners expressed their priorities for tours, including Trinidad and Durango.
- The March meeting is scheduled for Thursday, March 13th.
- An overview of the **Director search process** was provided: applications due March 24th, Commissioner review, panel interviews in May, and potential candidates forwarded to the Governor.
- Commissioners were encouraged to promote both the Executive Director position and future Commissioner opportunities. Commissioner Chavez announced his intention to reapply. Commissioner Aaron is not planning to reapply.

The meeting was then adjourned.

Youtube Video: [February 2025 State Land Board Public Meeting](#)

Packet: [February Board Packet](#)

### **March 2025 State Land Board Public Meeting:**

The meeting began with Assistant Attorney General Ed Hamr stating that the board had been in executive session to discuss four agenda items, and no decisions or board actions were taken during that time. Commissioner Heath conducted a roll call confirming the attendance of all commissioners present.

The first item on the agenda was an **open comment period for non-agenda items**, with a specific note of appreciation for written comments received regarding the **Maxwell Park geothermal lease**. The board allocated approximately 10 minutes for public comment, acknowledging the full agenda ahead and mentioning a future session dedicated to Maxwell Park and geothermal lease issues.

During the public comment period:



- **Mike Krueger**, President and CEO of the Colorado Solar and Storage Association, expressed appreciation for the land board's work supporting renewable energy development on state trust land and highlighted the industry's desire to partner with the board to meet state decarbonization goals. He suggested exploring ways to expedite the leasing process and ensuring equitable treatment for new entrants to the state's renewable energy development sector.
- **Bla Clark**, representing Saar Arkansas Valley, voiced strong opposition to the location of the Maxwell Park geothermal lease with Mount Princeton Geothermal, citing concerns from over a thousand signers regarding the watershed, potential Army Corps of Engineers involvement, and suggesting alternative geothermal locations.
- **Karen Pate**, a resident of Chaffee County and former environmental engineer, expressed concerns about placing a geothermal plant at Maxwell Park, a known wildlife area, and suggested exploring alternative income-generating and land preservation options like a state wildlife area, hiker trails with fees, or a conservancy.
- **Ben Tesner**, the State Land Board's Solid Minerals Manager, acknowledged the comments and mentioned attending a well-attended meeting the previous evening in Buena Vista regarding the geothermal permitting process in Chaffee County, which included discussions about the Mount Princeton project.

Following the public comment period, **announcements** were brief, and the meeting moved to a **legislative and budget update** provided by Aaron Ray from the Executive Director's Office of the DNR. The update covered several bills moving through the legislature:

- Senate Bill 25-168: focused on the prevention of **wildlife trafficking**, aiming to strengthen CPW's abilities to tackle this issue, research its impacts, increase penalties, and add enforcement capacity.
- House Bill 25-163: proposed **free access to all Colorado state parks for enrolled members of the Southern Ute and Ute Mountain Ute Indian tribes**.
- CER Bill 25-54: aimed to **facilitate the cleanup of abandoned mines** by creating a new permit suited for waste pile reclamation projects.
- House Bill 25-115: a **water supply and mapping bill** that would position the Colorado Water Conservation Board as the lead agency for statewide snowpack measurement.
- House Bill 25-1014: focused on **process improvements and streamlining administrative responsibilities** within the Division of Water Resources related to well permits and water rights.
- House Bill 25-165: intended to create a process for the **long-term stewardship of carbon dioxide storage sites** and included recommendations from the ECMC's geothermal regulatory study to **streamline geothermal energy deployment while adding new protections for historic Hot Springs**.

Mr. Ray also provided updates on federal policy regarding NEPA regulations, new investments by the Colorado Strategic Wildlife Action Program (KOSWAP) into forestry and landscape resilience projects, the Energy and Carbon Management Commission's approval of updated high-priority habitat maps and a produced water rulemaking, the publication of the Colorado carbon management roadmap by the energy office, new appointees to the Colorado Water Conservation Board, and the upcoming Ute Day at the Colorado State Capitol.

Nick Massie provided a brief **staff report**, highlighting the good progress in filling vacant and new positions and acknowledging the significant activity detailed in the staff leasing report due to delegated responsibilities.

The board then moved to **final action**, beginning with a presentation by David Rodenberg, Renewable Energy Program Manager, recommending approval of a **renewable energy battery storage facility production lease to Weld Energy Storage LLC (a subsidiary of NextEra Energy Resources)** for 25 acres in Weld County. The project is projected to generate \$1.3 million for the state school trust over a 22-year lease term. Representatives from NextEra addressed questions regarding the size of the battery storage units

(approximately 20-30 feet long and 12 feet tall, with around 176 units) and potential dust issues (not expected to be significant due to existing vegetation and graveling). The board **unanimously approved** the battery storage production lease.

Next, Mala Fonan, Acquisition Disposition Manager, and Mindy Gotan, Conservation Services Manager, presented a final action item for **The Fountain Creek extension replacement property acquisition**. The proposal was to acquire approximately 120 acres in El Paso County to enhance the potential for a stream and wetland mitigation bank, improving access to an existing 80-acre board parcel. The acquisition was seen as a key step in ecosystem services and had potential for future Homesite development and grazing. The board **unanimously approved** the acquisition, including the expenditure of up to \$50,000 in INND funds for property improvements.

The board then considered the **board leasing agenda for March 2025**, presented by Andy Bennett. The agenda included three competitive bids for recreation leases, two Front Range area commercial new leases, and two Right-of-Way new leases. The staff recommended approval, and the board **unanimously approved** the agenda.

The **minutes from the previous meeting were approved by acclamation**.

Finally, Nick Massie reviewed the **schedule for upcoming meetings**, including a tour of the Chancellor Ranch in Trinidad on April 9-10, state land board director interviews and a business meeting in May on May 7-8, and a tour around Fort Morgan followed by a business meeting on June 11-12. Details regarding the director search process were also shared.

Youtube Video: [March 2025 State Land Board Public Meeting](#)

Packet: [March Board Packet - 3/7/25](#)