

MINUTES
CONSERVATION EASEMENT OVERSIGHT COMMISSION MEETING
JUNE 27, 2025
COLORADO DIVISION OF CONSERVATION
1560 BROADWAY, SUITE 1550
DENVER, CO 80202

Commissioners in Attendance

Nick Jacobson, representing a certified conservation easement holder, appointed by the Governor; Carmen Farmer, representing a certified conservation easement holder, appointed by the Governor; Kelly Romero-Heaney, representing the Department of Natural Resources; Maggie Hanna, a member of the general public, appointed by the President of the Senate; Cindy Lair, representing the Department of Agriculture; Matthew Heimerich, an individual qualified to analyze conservation purpose, appointed by the Governor; and Emelin Martinez, an individual representing socially disadvantaged farmers or ranchers, appointed by the Governor.

Staff in Attendance

Aaron Welch, Director, Beatrice Lawson, Compliance Specialist, and Madeleine Green, Compliance Specialist.

Notice of the meeting was timely published and the meeting was held pursuant to the Colorado Sunshine Laws, Title 24, Article 6, C.R.S., as amended.

ORDER OF BUSINESS

The meeting was called to order at 9:32 a.m.

Approval of Minutes - April 4, 2025

It was moved by Commissioner Romero-Heaney and seconded by Commissioner Lair to approve the April 4, 2025 minutes.

Motion carried.

Public Comment

None.

Commissioner Romero-Heaney announced she will be leaving DNR and, therefore, leaving the Commission. Additionally, Commissioner Lair announced that she will also be leaving the Commission and Evanne Caviness will be taking her place as Commissioner representing the Department of Agriculture.

POLICY MATTERS

Applications Update

Madeleine summarized application activity since the last meeting. The Division has 23 tax credit certificate applications pending review. The Division has issued 11 applications since the last Conservation Easement Oversight Commission meeting in April. The CEs involved encumber 13,000 acres in 10 counties. The rate of incoming applications suggests the Division can anticipate 50 to 55 tax credit applications this year meeting the average number of applications the past four years. The Division is currently issuing tax credits from the 2028 cap because the 2027 was recently fully reserved. Director Welch made a note that the Division is heading towards a record year for applications received (a record number of applications came in in May and June). The Division expects to hit the 2028 cap sometime around the end of the year.

Bea and Madeleine then shared a brief update about their attendance at the 2025 Keep It Colorado Summit and the ASFMRA conference. Lastly, Director Welch gave an update on the Commission's position on syndicated conservation easements and noted that the position has been published on the Division's website. Director Welch then thanked the Commissioners for adopting an official position on syndicated conservation easements.

Certified Holder Application 202501

Director Welch updated the Commissioners about an inquiry the Division received from Pheasants Forever about becoming a certified holder. Director Welch then summarized the process of becoming a certified holder. The process is carried out in two stages - the Division is provided with the organization's necessary policies and procedures and then the organization must show how these policies and procedures have been implemented in past conservation easement projects. The Division will select projects from the organization's project list and review them under established guidelines. Lastly, the Division will make a request of the Commission regarding the application. Colorado law requires that the Commission "make recommendations to the Division regarding the certification program." In other words, the Division will consult with the Commission before approving or denying any certified holder application. After Director Welch explained the certified holder application process, Commissioner Hanna asked if Pheasants Forever was filling a gap as a certified holder? Director Welch answered that there is no gap necessarily, Pheasants Forever is simply interested in becoming a certified holder. Director Welch continues by saying that he believes a single landowner is pushing them to become certified so that they may claim a tax credit. Director Welch also reminded the Commission that the Division does not have the authority to tell any organization that they cannot pursue certification. Additionally, if an organization is already nationally accredited through LTA, the Division forgoes the application selection stage of review and focuses solely on the policies and procedures. Commissioner Farmer then asked if the Division's staff has the capacity to review this application and Director Welch told her that the Division does have the capacity.

Agenda Items for Next Meeting

The next meeting is scheduled for September 26, 2025. Topics may include additional discussion of certified holder application 202501. Commissioner Farmer asked about the application pursuing coalbed methane extraction but the Division has not yet received a PAO for that application.

ADJOURN

The Commission adjourned the meeting at 10:08 a.m. on June 27, 2025.