

MINUTES
CONSERVATION EASEMENT OVERSIGHT COMMISSION MEETING
SEPTEMBER 26, 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; Chris Yuan-Farrell, representing the Great Outdoors Colorado (GOCO) Program; Tim Brass, representing the Department of Natural Resources; Maggie Hanna, a member of the general public, appointed by the President of the Senate; Evanne Caviness, representing the Department of Agriculture; Josh Johnson, a member of the general public, appointed by the Speaker of the House of Representatives; 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 Kirsten Grooms, Assistant Attorney General.

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 - June 27, 2025

Commissioner Farmer made a motion to approve the June meeting minutes. Commissioner Jacobson requested a correction to his title in the June minutes. It was then moved by Commissioner Hanna and seconded by Commissioner Jacobson to approve the June 27, 2025 minutes.

Motion carried.

Public Comment

None.

POLICY MATTERS

Applications Update

Bea summarized application activity since the last meeting. The Division has received 46 applications so far in 2025 (1 application for conservation easements donated in 2023, 11 applications for conservation easements donated in 2024 and 34 applications for conservation easements donated in 2025). The rate of incoming applications suggests the Division can anticipate 70 tax credit applications this year, which would be over the average number of applications across the last five years (54 applications per year during 2020-2024). The Division has issued tax credit certificates for 16 applications since the last CEOC meeting in June. The conservation easements involved encumber nearly 19,000 acres in 11 counties. Bea noted that as of the date of this meeting, about \$30,000,000 is reserved from the 2028 cap. Director Welch then gave an update on the number of projected incoming applications. This year the Division is expected to receive 70 tax credit applications. Commissioner Yuan-Farrell asked Director Welch to clarify the amount reserved versus the amount issued on the annual cap table as well as the difference between full certification versus stewardship-only certification in regards to certified holders. Director Welch answered both questions. Commissioner Brass then asked if there is a database with tax credit applications and Director Welch informed the Commissioners there isn't a database and told them to reference COMap instead.

Conservation Easements and Renewable Energy Siting

Director Welch introduced Sarah Parmar as the Director of Conservation at Colorado Open Lands. Sarah gave a presentation about Colorado Open Land's renewable energy siting guide. This is relevant to the Commission because the 2025 conservation easement legislation adopted language to approve solar or wind development on CEs if consistent with conservation values. The Commissioner's had a lengthy discussion about Sarah's presentation and raised questions and concerns about solar projects on conservation easements. The guide is available on COL's website.

Conservation Easement Tax Credit Sunset

Director Welch discussed the legislation that created a sunset for the tax credit in 2031 and informed the Commission that the Division is currently seeking legal advice on the matter because it isn't clear to the Division whether or not they have adequate statutory authority to issue tax credits after 2031. Commissioner Hanna asked about extending the sunset date. Director Welch described that this process is new because the Division has never had a sunset of the actual tax credit before. Commissioner Yuan-Farrell noted that GOCO faces the same crisis by fighting off the sunset well before it happens. Sarah Parmar added that Keep It Colorado has been compiling a project list of potential projects that will need tax credits and the project's go over the 2031 cap by \$10,000,000. Ariel Steele then asked if there is a procedural mechanism to get a legal ruling from a court if the guidance from the Attorney General's office isn't what the community would prefer? Kristen Grooms answered that there is a procedural process that would involve going through a legislative liaison and involving the Executive Director of DORA. Director Welch reiterated that there needs to be a statutory fix to clear up confusion and allow the Division to extend the sunset and assured the Commission that the Division is working with their legal council to get coordinated guidance on how to proceed regarding this issue.

Cybersecurity Training

Director Welch introduced Bindu. Bindu reminded the Commissioners to complete their cybersecurity training then gave a brief presentation about the content of the training and why it's important.

Director Welch finished by reminding the Commissioners to maintain their state email addresses by logging in once a month.

Agenda Items for Next Meeting

The next meeting is scheduled for December 5, 2025. Topics may include the coordinated guidance for the tax credit sunset, the 2026 fee schedule, and annual training. Director Welch also reminded the commissioners that they can suggest items to add to the agenda.

ADJOURN

The Commission adjourned the meeting at 11:33 a.m. on September 26, 2025.