

LARIMER COUNTY OPEN LANDS ADVISORY BOARD

The mission of Larimer County Department of Natural Resources is to establish, protect and manage significant regional parks and open lands providing quality outdoor recreational opportunities and stewardship of natural resource values. We are committed to fostering a sense of community and appreciation for the natural and agricultural heritage of Larimer County for present and future generations.

Date: February 19, 2020

Time: 5:00 – 8:00 p.m.

Location: Larimer County Loveland Campus Building, 200 Peridot Avenue, Loveland, CO 80537, Poudre River Room

Contact: Please contact Sidney at smichl@larimer.org or 970-619-4462 if you are unable to attend

AGENDA

Scheduled times are subject to change.

5:00 p.m. – 6:45 p.m. – **Northern Colorado Regional Open Space Boards Meeting**

1. 5:00 p.m. – DINNER AND NETWORKING
2. 5:30 p.m. – REGIONAL MEETING BEGINS
 - a. Welcome and introductions
 - b. Agency highlight reports (5 min/agency)
3. 6:15 p.m. – PRESENTATION ON NOCO 2050
4. 6:45 p.m. – WRAP UP AND TRANSITION TO SEPARATE BOARD MEETINGS
(Loveland, Fort Collins, and Larimer County boards)

6:45 p.m. – 8:00 p.m. – **Open Lands Advisory Board Meeting**

1. CALL TO ORDER/INTRODUCTIONS
2. PUBLIC COMMENT
3. AGENDA REVIEW

4. REVIEW AND APPROVAL OF LAST MEETING MINUTES
5. INFORMATION & ANNOUNCEMENTS
 - a. Natural Resource events for this month: See <http://www.larimer.org/naturalresources>.
 - b. To sign up for Open Lands Advisory Board minutes, go to <http://larimer.org/subscriptions.cfm>, enter your email, click 'Subscribe,' and then check the 'Open Lands Advisory Board' box.
 - c. Introduction of new staff – Daylan
 - d. SB20-135 Conservation Easement Working Group Proposal update – Justin
 - e. Poudre Trail grant update – Meegan
6. UPDATES
7. DISCUSSION ITEMS
8. ACTION ITEMS
 - a. Resolution to accept conveyance of mineral rights donation to Larimer County
9. OTHER BUSINESS
10. NEXT MEETING SCHEDULED: March 26, 2020 at the Larimer County Loveland Campus Building, 200 Peridot Avenue, Loveland, CO 80537, Poudre River Room
11. EXECUTIVE SESSION: Pursuant to C.R.S. (24-6-402(4)(a)) for discussion pertaining to the purchase, acquisition, lease, transfer or sale of any real, personal or other property interest.
12. ADJOURN

Included in PDF:

- Agenda
- SB20-135 summary
- Moore-Hughes mineral interest donation map

Attached Separately:

- Minutes of last meeting
- News article

This meeting will be recorded and archived according to law. Votes require a quorum.
 Public can view agenda and minutes at:
http://legacy.larimer.org/boards/minutes/openlands_advisory_board.cfm



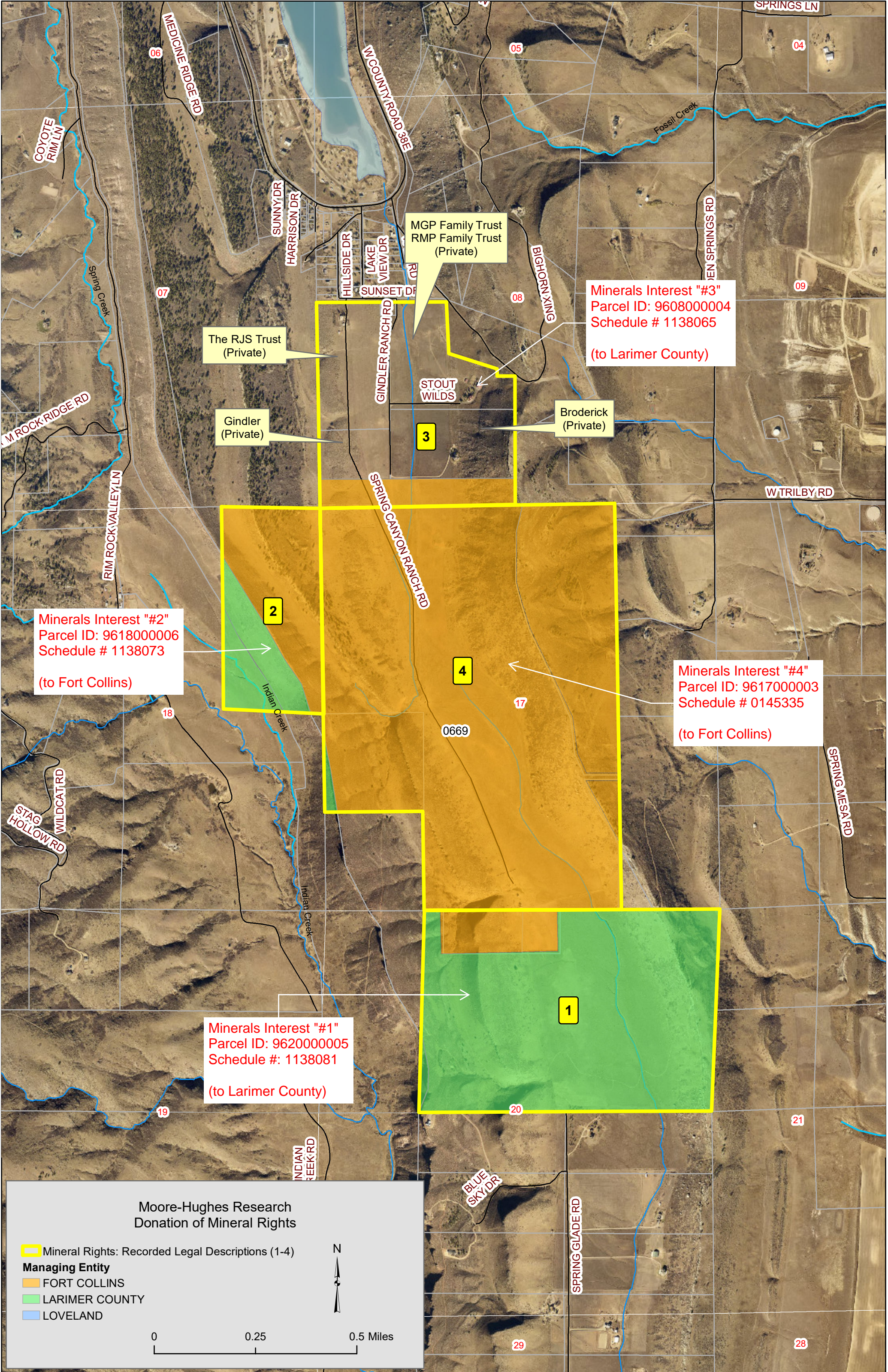
SB20-135: Conservation Easement Working Group Proposals

Concerning the adoption of statutory changes related to conservation easements that were recommended by the conservation easement working group convened in accordance with House Bill 19-1264.

SB20-135 was introduced in the Senate by Senators Kerry Donovan and Jerry Sonnenberg with House prime sponsors Representatives Dylan Roberts and James Wilson.

Key Points of the Bill:

- **Section 1 - Tax credit formula adjustment (the “90%” clause)**
 - The bill increases the tax credit formula allowing landowners who donate an easement on or after January 1, 2020 to claim as much as 90% of the fair market value of the donated portion of the easement. Landowners may elect to receive a lower percentage, however.
 - Technical clean-up from previous bill: Section 1 also addresses a technical error from previous bills that potentially limited the credit amount certain business entities could claim.
- **Section 2 - Landowner compensation**
 - The bill mirrors the working group recommendations by allowing landowners who donated a conservation easement in good faith, and who subsequently had their tax credits denied, to apply for compensation from the State. This section states that the compensation shall not exceed the amount of unused tax credits from 2013-2019 and that compensation is to be paid from those unused credits. Keep It Colorado, through its interactions with the working group, believes the previous years' unused credits is more than sufficient to satisfy the landowner compensation.
 - This section also creates a deadline of December 31, 2022 for applying for landowner compensation.
- **Section 3 - Orphaned easement administration**
 - The bill requires the Division of Conservation to designate an ombudsman to mediate and assist claimants seeking compensation if there are objections to the claim or any disputes related to reassignment of easements under the orphaned easement administration program.
 - The bill mirrors the working group recommendations by establishing a program within the Division of Conservation where abandoned easements can be held, monitored and reviewed before being reassigned to accredited land trusts or other qualified holders such as counties. The same timelines from the recommendations exist, requiring the Division to review and reassign, if possible, the easements within a 5-year period. The bill also directs that easements that cannot be reformed for reassignment will be recommended for termination through the court process.
 - Finally, the bill also reduces the tax credit cap for 2020 by \$5 million. It directs that revenue be transferred from the general fund into a stewardship fund to cover costs for monitoring the orphaned easements and future stewardship costs for those entities accepting the reassigned easements.



Moore-Hughes Research
Donation of Mineral Rights

Mineral Rights: Recorded Legal Descriptions (1-4)

- Managing Entity**
- FORT COLLINS
 - LARIMER COUNTY
 - LOVELAND



0 0.25 0.5 Miles

Minerals Interest "#2"
Parcel ID: 9618000006
Schedule # 1138073

(to Fort Collins)

Minerals Interest "#1"
Parcel ID: 9620000005
Schedule #: 1138081

(to Larimer County)

Minerals Interest "#3"
Parcel ID: 9608000004
Schedule # 1138065

(to Larimer County)

Minerals Interest "#4"
Parcel ID: 9617000003
Schedule # 0145335

(to Fort Collins)

The RJS Trust
(Private)

Gindler
(Private)

MGP Family Trust
RMP Family Trust
(Private)

STOUT
WILDS

Broderick
(Private)

STAG
HOLLOW RD

WILDCAT RD

RIM ROCK VALLEY LN

RIM ROCK RIDGE RD

COYOTE
RIM LN

MEDICINE RIDGE RD

SUNNY DR

HARRISON DR

HILLSIDE DR

LAKE
VIEW DR

SUNSET DR

GINDLER RANCH RD

SPRING CANYON RANCH RD

W COUNTY ROAD 38E

BIGHORN KING

SPRINGS LN

WEN SPRINGS RD

W TRILBY RD

SPRING MESA RD

INDIAN
CREEK RD

BLUE
SKY DR

SPRING GLADE RD

Spring Creek

Fossil Creek

Indian Creek

Indian Creek

Indian Creek

0669

17

20

06

07

18

19

05

08

17

20

29

04

09

21

28