

Draft EA Chapter 2—Alternatives, Including the Proposed Action

Alternative A (No Action)

The Bear River Watershed Conservation Area would not be established. Habitat enhancement or restoration projects on private lands, such as water developments, grazing systems, and grassland management, would continue through cooperative efforts with private landowners. Public agencies and private land trusts would continue conservation efforts through securing easements.

Alternative B (Proposed Action)

The Service would establish the Bear River Watershed Conservation Area in parts of Idaho, Utah, and Wyoming, with the objective of conserving up to 920,000 acres of grassland, shrubland, riparian areas, and wetlands.

The Service would work to protect habitat using conservation easements from willing sellers on privately owned lands that are now providing valuable wildlife habitat. The easement contracts would specify perpetual protection of habitat used by trust species (migratory birds and threatened and endangered species) and would restrict development.

Development for residential, commercial, or industrial purposes such as energy and aggregate extraction would not be permitted on properties under a conservation easement. Alteration of the natural topography and conversion of native grassland, shrubland, wetland, and riparian lands to cropland would be prohibited. Conservation easements would prohibit the draining, filling, or leveling of protected lands.

All land would remain in private ownership; property tax and land management, including invasive plant control, would remain the responsibility of the landowner. The Service would seek to provide participating landowners with more help for invasive plant control and habitat restoration. Control of public access to the land would remain with the landowner.

The easement program would be managed by staff located at the three national wildlife refuges



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The Bear River watershed provides important complexes of wet meadow, flooded pastures, and hayfields used by many species of migratory birds, including sandhill crane.

within the Bear River watershed. The Service staff at the Bear Lake, Bear River, and Cokeville Meadows Refuges would be responsible for monitoring and administering all easements on private land. Monitoring activities would include periodically reviewing land status through correspondence and meetings with the landowners or land managers to make sure that the stipulations of the conservation easements are being met. Photo documentation would be used at the time the easements are established to document baseline conditions.

Alternatives Considered But Not Studied

The Service considered five other potential alternatives, but did not study them further for the reasons described below.

Voluntary Landowner Zoning

Landowners would voluntarily petition the county commissioners to create a zoning district directing the types of development that can occur within an area. This is called “citizen-initiated” zoning. For example, landowners could petition the county government to zone an area as agricultural, precluding certain types of nonagricultural development such as residential subdivisions. Because “citizen initiatives” are rarely used, this alternative was not studied further.

County Zoning

In a traditional approach used by counties and municipalities, the local government would use zoning as a means of designating what type of development could occur in an area. While laws in Idaho, Utah, and Wyoming grant cities and counties the authority to regulate land use, engaging in planning and zoning activities is optional. Many counties in these States have opted to have no planning or zoning requirements but, where used, zoning may be subject to frequent changes and would not ensure the long-term prevention of residential or commercial development in the proposed conservation area.

Fee Title

The initial cost associated with fee-title acquisition would be more than twice that of the purchase of conservation easements. In addition, there would be substantial annual costs for staff and materials needed by the Service to manage fee-title land. The higher costs associated with this method would limit acquisition to a much smaller area, making landscape-scale conservation unlikely.

It is the long-established policy of the Service to acquire the minimum interest in land necessary to

achieve Service habitat conservation goals. Fee-title acquisition is not preferred over the use of conservation easements, nor is this method of acquisition necessary to conserve wildlife habitat and trust wildlife resources in the Bear River watershed.

Smaller Project Area

During initial project scoping, a smaller project area immediately adjacent to the established national wildlife refuges was discussed for potential land protection. The smaller project area would be unlikely to successfully conserve enough areas of intact habitat and migration corridors that are needed to sustain wildlife populations.

Short-Term Conservation Easements

Interest in the possibility of using short-term conservation easements was expressed in public scoping meetings. However, the purpose and need for action described in chapter 1 is for landscape-scale protection in perpetuity in the Bear River watershed. Repeatedly paying for the same conservation through short-term easements would not allow the Service to achieve the habitat goals and objectives needed to sustain migratory bird and other wildlife populations in this area. Because several less-than-perpetual conservation options are available through other Federal and State programs and conservation partners, it is logical that the Service continue to pursue permanent conservation avenues for the proposed conservation area project.

The Service has periodically tested short-term wetland easements in other areas of the country. A study by Higgins and Woodward (1986) concluded that 20-year contracts merely delayed habitat alteration and that short-term easements have only short-term benefits.

