

# Environmental Assessment

## Chapter 1 — Purpose of and Need for Action

This Environmental Assessment (EA) documents the purpose of and the issues, alternatives, and analysis for the proposed San Luis Valley Conservation Area (SLVCA). The SLVCA would be located largely in southern Colorado, but a small portion (less than 10 percent) would be in northern New Mexico. Section 1 provides background information and describes the conditions that led to the U.S. Fish and Wildlife Service (Service or USFWS) proposal to create the SLVCA for the protection of important wetland and upland habitats, primarily through conservation easements with willing landowners.

### Introduction

The proposed SLVCA is a landscape-level strategic habitat conservation initiative within the Southern Rockies Landscape Conservation Cooperative. The SLVCA would encompass the headwaters and upper portions of the Rio Grande in southern Colorado and a small part of northern New Mexico. The San Luis Valley is a large intermountain valley bounded by the San Juan and Sangre de Cristo mountain ranges, whose rain shadows create high desert conditions in the region. However, the complex hydrology of the valley as well as the snowmelt runoff from the mountains have created a variety of dynamic wetlands and riparian corridors on the valley floor. These wetland areas support a diverse assemblage of plants and wildlife, including habitat for many trust species such as the southwestern willow flycatcher, western snowy plover, numerous species of migrating and nesting waterfowl, and 95 percent of the Rocky Mountain population of greater sandhill crane.

Anthropogenic [human-caused] practices such as agriculture have resulted in substantial changes to the hydrology of the San Luis Valley. These effects have been exacerbated in recent years by a changing climate and lower precipitation amounts. Surface and ground water diversions have significantly changed the amounts and timing of flows in most valley streams. In addition, ground water use has exceeded recharge rates in large portions of the valley. These factors, plus the impact of chronic drought, have resulted in a substantial loss of wetland habitat. Many of the remaining wetlands and their associated wildlife are

maintained either as an accidental byproduct of agricultural water use or as an intentional habitat type through active manipulation such as irrigation with surface- and groundwater and the construction of dikes and ditches.

The remaining wetlands, and the low human population density associated with the largely agricultural economy of the valley, have resulted in the San Luis Valley's maintaining a significant portion of its biological value, particularly for migratory birds. However, rising agricultural costs, including those resulting from the recent requirement to augment surface flows to offset the impacts of ground water use, have led to an unsettled agricultural economy. The potential for farmers and ranchers to sell water rights from their lands or even convert current land use practices from agricultural to residential, industrial, or municipal uses will continue to grow and threaten the biological integrity of the San Luis Valley.

### Proposed Action

The Service proposes to create the 5.2-million-acre SLVCA to conserve vital wildlife habitats and migration corridors through voluntary conservation easements and a limited amount of fee-title acquisition. The SLVCA acquisitions will focus on the protection of wetlands, riparian corridors, and certain uplands in the valley through the purchase of up to 500,000 acres of conservation easements. Up to an additional 30,000 acres of fee-title acquisition from willing sellers has been proposed and was approved as part of the Preliminary Project Proposal for this project. However, the present intent is to use fee-title acquisition only in limited circumstances to simplify the management of existing units of the National Wildlife Refuge System and when conservation objectives of those existing refuges clearly cannot be met using easements alone (e.g., acquisition of surface water rights for augmentation).

The lands protected via easement would remain in private ownership. These lands could continue to be grazed, hayed, farmed, or otherwise managed in accordance with current practices. However, subdivision and development would be restricted, subject to stipulations agreed upon by the landowner and the Service. Furthermore, exercise of water rights

associated with these lands could be changed only if the proposed changes would be beneficial to wildlife.

Unlike some other conservation areas of the National Wildlife Refuge System, in which objectives and the setting of priorities are largely based on modeling for one species or a guild of species, the SLVCA is intended to meet all the objectives of a complex geographic, ecological, and political environment. It therefore has a diverse range of goals:

- conserve, restore, enhance, and protect wetland and riparian habitat, an important breeding and foraging resource in the high mountain desert for migratory shorebirds, waterfowl, and neotropical passerine birds
- support the recovery and protection of threatened and endangered species that occur in the SLVCA, and reduce the likelihood of future listings under the Endangered Species Act by prioritizing key habitat for listed species and species that are candidates for listing
- protect the integrity of these habitats by preventing fragmentation and off-parcel sale of surface water
- conserve working landscapes based on ranching and farming activities that support a viable agricultural industry
- promote ecological resiliency and adaptive capacity by connecting together the existing network of public and private conservation lands
- protect, restore, or, when necessary, emulate the historic hydrologic regime of the valley to ensure the presence of wildlife habitat

The Service will phase in implementation of the overall project. We anticipate focusing first on the southern Sangre de Cristo mountains, with conservation on the valley floor to follow. During this comment period we want to hear from all interested parties and partners to ensure we understand and consider any concerns or comments about the acquisition of easements in these areas. A Habitat Conservation Plan for the southwestern willow flycatcher is currently in development by local governments and pertains to the valley floor. This and considerations about the actual easement language as it relates to water use and rights may take longer to resolve. These issues are less likely to be concerns in the southern Sangre de Cristo mountains. Therefore, we anticipate that, if the overall plan is approved, we will focus our initial implementation efforts there.

## Decisions to Be Made

Based on the analysis provided in this draft EA and following public comment and revision, the Regional Director of the Service will make two decisions:

1. Determine whether the Service should establish the SLVCA, in accordance with its land protection planning policy.
2. If yes, determine whether the selected alternative will have a significant impact on the quality of the human environment. This decision is required by the National Environmental Policy Act (NEPA). If the quality of the human environment would not be affected, a “finding of no significant impact” will be signed and will be made available to the public. If the preferred alternative would have a significant impact, an environmental impact statement will be prepared to further address those impacts.

## Issues Identified and Selected for Analysis

The Service solicited comments about the SLVCA from the public through direct mailings, news releases, public meetings, and direct contacts.

- On March 15, 2011, the Service opened a scoping period for the general public with the publication of a notice of intent in the Federal Register (FR Doc. 2011-5924). The notice of intent notified the public of the Service’s intention to begin the co-planning and NEPA review for the Comprehensive Conservation Plan (CCP) and Land Protection Plan (LPP) for the San Luis Valley National Wildlife Refuge Complex.
- Public scoping meetings were held on March 29, 2011, in Alamosa, Colorado; March 30, 2011, in Monte Vista, Colorado; and March 31, 2011, in Mofat, Colorado. The scoping meetings were attended by approximately 50 people, many of whom provided input for the scoping process. Additionally, 14 written comments were received from organizations and members of the public.
- A press event and public meeting was held at Adams State College in Alamosa, Colorado, on January 4, 2012, at which the Secretary of the Interior, Ken Salazar, organized the presentation of several complementary initiatives for the San Luis Valley and Sangre de Cristo Mountains. One of these initiatives was landscape scale conservation, which the Director of the Service presented as being embodied by the SLVCA. Questions were answered

and comments taken at a breakout session following the main meeting.

The project's planning Web site <<http://www.fws.gov/alamosa/planning>> was established in early March 2011. The site provides information about meetings and downloadable versions of public documents. Individuals can also sign up to be on the project mailing list through the Web site.

During scoping, the CCP and LPP were still being planned simultaneously. However, the two plans have since been separated and the LPP process has been moved up to take advantage of conservation opportunities that may not exist in the future. As such, many of the issues identified during scoping are not specific or relevant to the LPP. The applicable topics and issues identified during the scoping process and during internal conversations among the SLVCA planning team are:

- The SLVCA must protect the wildlife habitat, specifically wetlands, riparian corridors, grasslands, and shrublands, of the San Luis Valley, while also maintaining the rural agricultural aesthetic that defines the region.
- What role can the conservation area play in protecting listed species and species of concern?
- How will the SLVCA affect water use in the valley?
- The SLVCA should not negatively affect private property rights in the valley.
- Develop partnerships for land protection.
- How will the public be able to use lands protected under the SLVCA?
- Ensure that the SLVCA planning process incorporates the importance of protecting cultural resources.
- How will the SLVCA increase the capacity to adapt to climate change on the existing refuges and habitat throughout the valley?
- The plan should account for air, soil, sound, and visibility effects.

## Related Actions and Activities

The San Luis Valley contains many public lands and private protected areas, some of which are contiguous with other protected areas and some of which are isolated. As illustrated in Figure 1, several existing State, Federal, and private land trust programs promote the conservation of habitats in the SLVCA.

### SAN LUIS VALLEY NATIONAL WILDLIFE REFUGE COMPLEX (SERVICE)

The San Luis Valley National Wildlife Refuge Complex includes three existing units: the Alamosa, Baca, and Monte Vista National Wildlife Refuges (NWRs). These refuges were established for different purposes, as described in Section 1.1 of the LPP in this volume, and protect 12,026 acres, 92,500 acres, and 14,800 acres, respectively. All three refuges currently contain a variety of habitats, with a special emphasis on wetlands and riparian systems. Management practices include vegetation manipulation and the artificial movement of water. Limited water availability presents significant challenges, particularly given a changing climate and new State of Colorado requirements for ground water augmentation. A secondary goal of the SLVCA is to help restore the hydrology of the San Luis Valley both on and off existing refuges to help ameliorate some of this problem.

### U.S. FOREST SERVICE (USFS)

The San Isabel and Rio Grande National Forests border the SLVCA to the north, east, and west. These forests contain nearly 3 million acres of public lands in the Sangre de Cristo, Saguache, and San Juan mountains. The forests contain habitat ranging from pinyon-juniper savanna up to alpine tundra and scree fields at elevations over 14,000 feet. Much of this is designated wilderness area. These national forests are important habitat for Federal trust species, including Canada lynx and Rio Grande cutthroat trout, and for non-listed but climate-change-imperiled species, such as American pika and white-tailed ptarmigan.

### BUREAU OF LAND MANAGEMENT (BLM)

Much of the land between the National Forest boundaries and the largely private valley floor is administered by the BLM as the San Luis Resource Area. The BLM is actively working to restore the historic playa wetlands in the South San Luis Lakes and Blanca Wetlands areas, the latter of which they have designated as an Area of Critical Ecological Concern. These intermittent wetlands are particularly important for migratory shorebirds, some of which nest in the valley, and are also a priority habitat for the Service.

### NATIONAL PARK SERVICE (NPS)

Bordering Baca NWR is the Great Sand Dunes National Park and Preserve (NPP). Together these co-managed NPS units protect approximately 150,000 acres, from valley floor rabbitbrush scrub and the tallest sand dunes in North America to peaks over 13,000 feet in the Sangre de Cristo Mountains.

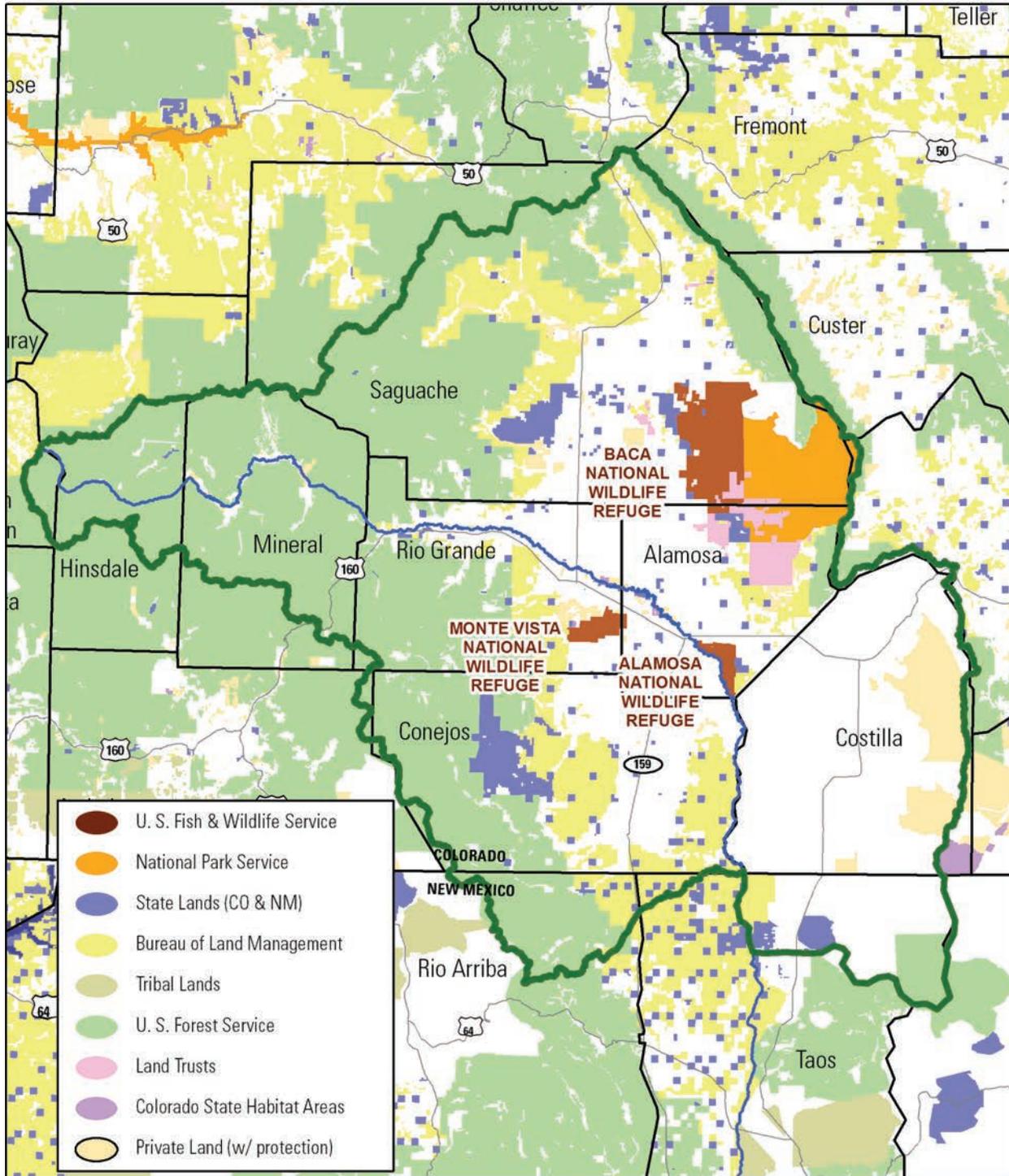


U.S. Fish & Wildlife Service

**San Luis Valley Conservation Area (Proposed)**

Colorado, New Mexico

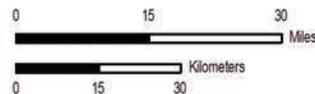
Project Area Land Status



PRODUCED IN THE DIVISION OF REFUGE PLANNING  
DENVER, COLORADO  
MAP DATE: 03/08/2012  
BASEMAP: COMap V8, NM\_Own  
FILE: slv\_expanded\_landstatus\_030812.mxd

**—** Rio Grande Headwaters Basin (HUC-6) &  
Costilla Creek Drainage (5,207,423 Acres)

**—** Rio Grande River



**Figure 1. The SLVCA will be part of a broader network of public and private conservation lands.**

## NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

The NRCS actively works in the valley through its Wetlands Reserve Program, a voluntary easement program offering landowners the opportunity to protect, restore, and enhance wetlands on their property. They do not own land in fee title, but rather provide technical and financial support to help landowners with their wetland restoration efforts.

## STATE OF COLORADO

The State of Colorado owns thousands of acres throughout the project area, and also administers State Wildlife Areas and State Habitat Areas on many private lands. There are several school sections, managed by the State Land Board to provide revenue for K-12 education in the State. Some of these State Land Board parcels, such as La Jara Reservoir, allow recreational use as part of the Public Access program with Colorado Parks and Wildlife. There are a handful of regionally important wetlands and riparian corridors managed as State Wildlife Areas, including Russel Lakes; San Luis Lakes; and Rio Grande, Higel, and Hot Creek State Wildlife Areas. South of Baca NWR and west of Great Sand Dunes NPP is San Luis Lakes State Park, which provides important habitat for migratory birds as well as opportunities for wildlife-dependent recreation and watersports.

## LAND TRUSTS

Tens of thousands of acres are protected in either fee title or easement programs funded and/or administered by several conservation and land trust organizations, including but not limited to the Wetlands America Trust, The Nature Conservancy, the Rocky Mountain Elk Foundation, the Colorado Open Lands, the American Farmland Trust, Ducks Unlimited, the Rio Grande Headwaters Land Trust, and the Colorado Cattleman's Agricultural Land Trust. These organizations have many different objectives; some focus on the preservation of undeveloped agricultural land to provide resources for the future, some are interested in protecting specific wildlife resources such as wetlands, and some have cultural or recreational objectives. The efforts of each of these organizations complement each other as well as those being undertaken by public agencies, including the Service. The locations of easements on private land are largely confidential, but there are some important land trust properties held in fee title as well, such as The Nature Conservancy's Medano-Zapata Ranch, which borders Baca NWR and Great Sand Dunes NPP. This property is a 103,000-acre working ranch and is home to a herd of 2,500 bison that are managed to mimic natural grazing patterns in the high desert shrub and grasslands.

## National Wildlife Refuge System and Authorities

The SLVCA will be part of the National Wildlife Refuge System, whose mission is "...to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans" (National Wildlife Refuge System Improvement Act of 1997). National wildlife refuges provide important habitat for native plants and many species of mammals, birds, fish, insects, amphibians, and reptiles. They also play a vital role in conserving threatened and endangered species. Refuges offer a wide variety of wildlife-dependent recreational opportunities, and many have visitor centers, wildlife trails, and environmental education programs.

Conservation of additional wildlife habitat in the SLVCA would be consistent with the following policies and management plans:

- Migratory Bird Treaty Act (1918)
- Migratory Bird Hunting and Conservation Stamp Act (1934)
- U.S. Fish and Wildlife Act (1956)
- Bald and Golden Eagle Protection Act (1962)
- Land and Water Conservation Fund Act (1965)
- Endangered Species Act (1973)
- Migratory Non-Game Birds of Management Concern in the U.S. (2002)
- Alamosa-Monte Vista National Wildlife Refuge Complex Comprehensive Conservation Plan (2003)
- Baca National Wildlife Refuge Conceptual Management Plan (2005)

The acquisition authorities for the proposed easements and property acquisition are the U.S. Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j) and the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended. Land would be acquired with the use of the Land and Water Conservation Fund, which is derived primarily from oil and gas leases on the Outer Continental Shelf, motorboat fuel taxes, and the sale of surplus Federal property. The Service could also purchase land interest through the use of duck stamp revenue from the Migratory Bird Hunting and Conservation Stamp Act of 1934. There could also be additional money to acquire lands, water, and interests for fish and wildlife conservation purposes as identified by Congress or donations from nonprofit organizations. Any acquisition from willing sellers would be subject to available funding.

