

Chapter 2 — Alternatives

This chapter describes the two alternatives identified for this project:

- no-action alternative
- proposed action, giving the Service the authority to create the SLVCA

These alternatives were developed according to NEPA §102(2)(E) requirements to “study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternatives uses of available resources.” The alternatives consider the effects of a conservation easement program with limited fee-title acquisition within the project area boundary identified in this EA.

In addition, alternatives that were eliminated from detailed study are briefly discussed.

Alternative A (No Action)

Under the no-action alternative, the areas outside of existing protected areas would largely remain in private ownership and subject to changes in land use or habitat type. Some additional protection is likely because of ongoing conservation easement initiatives in the San Luis Valley by public entities such as the NRCS and nongovernmental organizations such as the Colorado Cattleman’s Agricultural Land Trust and the Rio Grande Headwaters Trust.

Alternative B (Proposed Action)

Under the proposed action, the Service would establish the SLVCA in southern Colorado and northern New Mexico. The project boundary encompasses approximately 5.2 million acres. Within this boundary, the Service would strategically acquire from willing sellers perpetual conservation easements on up to 500,000 acres and potentially acquire fee-title on up to 30,000 acres.

Conservation easements are both a cost-effective and politically effective means of land protection. They

stem from the “bundle of rights” concept of land ownership (Merenlender et al. 2004), wherein, like severed surface and mineral rights for a given parcel, a portion of the land title is severed and transferred to a land trust or public agency for conservation purposes. They are quite popular for a variety of reasons. Because they allow the property owner to continue using the land, subject to agreed-upon stipulations, they protect working landscapes, which is a priority of the America’s Great Outdoors initiative. Perpetual conservation easements provide a one-time source of income to the seller or a tax incentive to the donor, and can even be an estate planning tool (Engel 2007). In many cases, they can meet the conservation objectives of the Service without our incurring the costs associated with managing fee-title land; furthermore, the land remains on the county tax rolls. In the SLVCA, the Service seeks to protect up to 500,000 acres through conservation easements.

In instances where boundary adjustment or additional acquisition would simplify the management of or better meet the objectives of existing refuges (e.g. acquiring surface water rights for augmentation), the Service will consider the acquisition of up to 30,000 acres in fee title.

Potential easements or fee-title lands will be prioritized based on wildlife needs in the project area, which include areas of wetland, riparian, montane forest, and upland habitats. The Service may also investigate the possibility of acquiring properties with water rights whose protection may benefit habitat elsewhere in the valley. The LPP in the second part of this volume describes these priorities in detail.

Nothing in this alternative would preclude the subdivision of the SLVCA into separate management units to simplify the administration of easements and fee-title lands acquired as part of the SLVCA if deemed necessary by the Service.

Alternatives Considered but Eliminated from Further Analysis

VOLUNTARY LANDOWNER ZONING OR COUNTY ZONING

Under this alternative, landowners would voluntarily petition their county commissioners to create a zoning district to direct the types of development that can occur in an area. An example of citizen-initiated zoning is when landowners would petition the county government to zone an area as agricultural, precluding certain types of nonagricultural development, such as residential subdivision or construction of a solar energy facility. However, zoning decisions are easily changed and thus do not ensure perpetual habitat protection. Also, agricultural zoning would be inadequate because water has become an increasingly expensive and limiting resource and it thus would not in itself stop continued conversion from flood-irrigated vegetation to less biologically diverse cultivated crops. This conversion has often been accompanied by the replacement of flood irrigation practices with center-pivot irrigation. Although center-pivot irrigation offers on-site water efficiency, it results in land cover that is far less suitable to wildlife than native vegetation or even flood-irrigated agriculture. Because of these reasons, this alternative was not investigated further.

MANAGEMENT BY OTHERS

A substantial portion of the SLVCA (some 44 percent) is under public ownership already; current land managers include the Colorado Parks and Wildlife, the Colorado State Land Board, the BLM, the NPS, the USFS, and the Service. Additional land is conserved in fee title by The Nature Conservancy, and conservation easements

are held by Ducks Unlimited, Rio Grande Headwaters Trust, the NRCS, and the Colorado Parks and Wildlife, among others. There are active conservation initiatives underway by these organizations, but none has the scope necessary to achieve the conservation objectives of the SLVCA, nor do other organizations have the same wildlife habitat objectives.

FEE-TITLE ACQUISITION ONLY

Much of the publicly owned land mentioned in the previous section has been managed for conservation purposes for decades; indeed, Great Sand Dunes NPP was originally established in 1932 as a National Monument. Fee-title ownership allows the strongest protection for the habitat and allows the greatest flexibility for adaptive management in response to new data or changing conditions. However, acquisition of new public land on the scale of the SLVCA is politically untenable and, given the low appropriation of Land and Water Conservation Fund monies, it is also financially unrealistic. For these reasons as well as the expense of managing additional public lands, it is the Service's policy to acquire the minimum interest necessary to reach conservation objectives.

CONSERVATION EASEMENTS ONLY

Conservation easements can be used to achieve conservation objectives while preserving working landscapes, such as farms and ranches. They are more cost effective, socially acceptable, and politically popular than acquiring fee-title land, and often promote the preservation of the unfragmented, quality habitat we seek to protect. However, there may be circumstances in which the Service's goals may not be met with an easement-only conservation area, particularly in circumstances where acquisitions would serve to enhance the management efficiency of existing national wildlife refuges or to secure water rights to benefit wildlife on existing refuges.

