

Questions and Answers

Great Sand Dunes National Park & The Nature Conservancy

The Nature Conservancy has closed on the purchase of the 97,000-acre Baca Ranch, which borders the Great Sand Dunes National Monument and Preserve in the San Luis Valley, northeast of Alamosa.

Q: Where did the funding for the Baca Ranch acquisition come from?

A: Through the successful efforts of the Colorado congressional delegation, \$31.3 million has been appropriated from the federal Land and Water Conservation Fund (LWCF), a pool of money derived from revenues from off-shore oil and gas leasing. The Conservancy is continuing to work with the Colorado congressional delegation to secure a \$3.4 million appropriation to make the final payment to cover the costs of the acquisition (the purchase price and associated costs such as hazards assessments and surveys).

Additionally, The Nature Conservancy at different times during the acquisition process used a low-interest loan from the David and Lucile Packard Foundation, a no-interest loan of \$3 million from the Great Outdoors Colorado Trust Fund, and an interim financing commitment from the Colorado State Land Board to make the transaction happen. In addition, The Nature Conservancy has committed over \$500,000 of its own privately-raised funds to pay for costs associated with completing the acquisition.

Q: I understand that The Nature Conservancy is transferring ownership of the Baca Ranch to the National Park Service and other federal agencies. What is the plan?

A: In the year 2000, the Congress passed and the president signed into law the Great Sand Dunes National Park Act of 2000. That law authorizes the Secretary of the Interior to establish the Great Sand Dunes National Park "once land having a sufficient diversity of resources has been acquired to warrant its designation as a national park."

This law specifically authorizes the acquisition of the Baca Ranch---the key missing piece of the puzzle. Thus, in 2001, The Nature Conservancy entered into an agreement with the Department of the Interior whereby the department would seek appropriations to allow it to purchase the Baca Ranch from The Nature Conservancy. Under the agreement, and the Great Sand Dunes National Park Act of 2000, the Baca Ranch lands, once acquired, would be divided among the national park, a new Baca National Wildlife Refuge and the Rio Grande National Forest, which is administered by the U.S. Department of Agriculture.

Q: I understand that The Nature Conservancy negotiated with the sellers to purchase the Baca Ranch. Were there other partners involved?

A: The acquisition of the Baca Ranch would not have been possible without the enthusiastic bipartisan support of an unprecedented coalition of local, state and federal partners including Governor Bill Owens, Senator Wayne Allard, Senator Ben Nighthorse Campbell, Representative Scott McInnis, Attorney General Ken Salazar, Interior Secretary Gale Norton, former, Interior Secretary Bruce Babbitt, the Great Outdoors Colorado Trust Fund Board, the David and Lucile Packard Foundation the Colorado State Land Board, and the citizens of the San Luis Valley.

The law creating the new national park, the Great Sand Dunes National Park and Preserve Act of 2000, was authored by Senator Allard and Representative McInnis and became law in November of 2000. The law allows national park status to be granted to the Great Sand Dunes National Monument upon acquisition of the Baca Ranch by the federal government.

Q: There were several lawsuits involving the ranch's sellers that prevented The Nature Conservancy from closing earlier. How have those been resolved?

A: One of the outstanding hurdles was overcome through an arbitration hearing. A settlement was reached between Cabeza de Vaca Land and Cattle Company, LLC, the prior owners of the property, and American Water Development Inc. (AWDI). There still remains one unsettled lawsuit that involves Cabeza de Vaca Land and Cattle Company, LLC and an investor who is seeking compensation from the company.

Q: What is happening with that lawsuit?

A: The lawsuit is ongoing. The lawsuit does not involve the property itself, The Nature Conservancy or the federal government. The federal government made the decision to accept the property with the lawsuit still pending.

Q: When will the public be able to access the Baca Ranch lands?

A: Access to the Baca Ranch lands within the boundaries of the new national park will be determined by the National Park Service. Access to the remainder of the lands will be restricted pending the final transfer of full ownership of those lands from the Conservancy to the federal agencies that will manage them. The final transfer will take place once the remaining \$3.4 million congressional appropriation is made.

Q: Will The Nature Conservancy be reimbursed with federal funds for associated costs over and above the cost of the acquisition?

A: No, the federal appropriations will cover only the cost of the acquisition and additional project costs stipulated by the federal government for things such as boundary surveys. Conservancy staff time and other direct costs including legal and other professional fees and loan interest expenses must be paid for by The Nature Conservancy with private dollars.

Q: Why is The Nature Conservancy so interested in conserving the Baca Ranch?

A: . The mission of The Nature Conservancy is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. The Baca Ranch is located in the northeast part of the ecologically-important San Luis Valley. The ranch is adjacent to the Conservancy's 100,000-acre Medano-Zapata Ranch, the Great Sand Dunes Monument and the Sangre de Cristo wilderness area. Together, these properties encompass an unfragmented landscape large enough to sustain the ecological processes necessary to ensure the long-term survival of a wide variety of important plant and animal species.

In fact, the Baca Ranch and adjacent properties named above constitute one of the state's most biologically-significant sites. The area contains valuable wetland habitat, which is vital to migrating waterfowl, including sandhill and whooping cranes. Additionally, this area is home to eight species of insects, including the Great Sand Dunes tiger beetle, that are found nowhere else in the world.

Finally, the Baca Ranch contains lands vital to the very existence of the Great Sand Dunes themselves. The ranch's water resources, as well as the sand sheet, found on the property support the creation and replenishment of the dunes system.

Q: There have been several plans over the years to export water from the Baca Ranch, out of the San Luis Valley to Colorado's Front Range, New Mexico and even California. What is the status of the water rights associated with the ranch?

A: The northern part of the San Luis Valley, the area in which the Baca Ranch is located, sits on top of what hydrologists call a "closed basin." In other words, water flowing from the mountains in this part of the valley remains in the basin, seeping into vast underground aquifers. It is this unique geologic feature that helps make this part of the valley so rich in wetlands and year-round streams. This hydrological regime in a high-desert climate supports a wide array of critical wildlife habitat, and makes the Baca Ranch one of the state's hot spots for rare plant and animal species.

The Conservancy's acquisition of the ranch and the transfer of the property to public ownership should discourage unsustainable efforts designed to siphon water from the ranch out of the valley. Water rights associated with the Baca Ranch were acquired along with the ranch's lands. Those water rights will be transferred, along with associated lands, to the United States and dedicated to park and refuge purposes.

Q: Will The Nature Conservancy be incurring costs for which it must raise private money to cover?

A: Yes. Staff costs and other legal and professional fees and loan interest expenses must be paid. Those interested in contributing to The Nature Conservancy to defray those costs should contact The Nature Conservancy's Colorado Chapter, 2424 Spruce Street, Boulder, CO 80302, or via phone at 303-444-2950.

The Nature Conservancy is a leading international, nonprofit organization that preserves plants, animals and natural communities representing the diversity of life on Earth by protecting the lands and waters they need to survive. To date, the Conservancy and its more than one million members have been responsible for the protection of more than 15 million acres in the United States and have helped preserve more than 101 million acres in Latin America, the Caribbean, Asia and the Pacific. In Colorado, working with local communities and partners, close to 600,000 acres have been protected. Visit us on the Web at nature.org/colorado.