

7.0 ALTERNATIVES TO TAKE

The ESA requires Section 10 applicants to consider alternative actions to the take of federally listed species and explain the reasons why those alternatives were not selected. The *Habitat Conservation Planning and Incidental Take Permit Processing Handbook* (U.S. Fish and Wildlife Service and National Marine Fisheries Service 1996) identifies two alternatives commonly considered in HCPs: (1) an alternative that would take below levels anticipated for the proposed project, and (2) a no action alternative, in which no permit would be issued and take would be avoided. This Section of the HCP discusses four alternatives, including a no action alternative and reduced take alternative, and two alternatives to the Conservation Program. For the reasons described below these alternatives were not selected.

7.1 NO ACTION ALTERNATIVES

7.1.1 No Take

Under the no action-no take alternative, Stanford would not engage in any activities that would result in a take of the Covered Species, and therefore would not need an incidental take permit from the Service. As discussed in Section 3.0 of the HCP, some of the day-to-day operations of the University may result in the take of Covered Species. These include operations required for public health and safety, supplying water, and providing other utilities. It is infeasible for Stanford to stop these day-to-day operations without jeopardizing the functioning of the University and public health and safety. Therefore, the no action-no take alternative was rejected.

7.1.2 Project-by-Project Permitting

Under the no action-project-by-project permitting alternative Stanford would apply for individual take permits as needed to carry out ongoing activities and for future development that would result in take of federally listed species. Project-by-project permitting would occur through future Section 7 consultations or under Section 10 of the ESA with the preparation of a low-effect HCP. Only land conversions and ongoing activities that would result in the actual take of a listed species would require an incidental take permit. Since Zone 3 land only provides incidental benefit to the Covered Species and does not actually support the Covered Species, ongoing activities and future development in Zone 3 would not require a permit from the Service. Mitigation associated with individual incidental take authorization for the ongoing Covered Activities would likely be similar to the Minimization Measures proposed under the HCP. However, they would only apply to ongoing activities in Zones 1 and 2. Mitigation for future development projects would likely be similar to the permanent land preservations proposed under the HCP to compensate for the loss of Zone 1 and 2 habitat. However, land preservation would occur much later in time, when the future development occurred, and no mitigation would be required for development solely within Zone 3, or for development in Zone 4. This alternative would result in piecemeal preservation and management of habitat that was loosely coordinated, if at all, with prior mitigation requirements. Thus, this alternative was rejected because it would result in a biologically inferior outcome.

7.2 PERMIT TAKE FROM ON-GOING OPERATIONS ONLY

Under this alternative, all of the Covered Activities except the future development described in Section 3.10 would be permitted. As described in the HCP, Stanford anticipates constructing the development permitted by the General Use Permit, and an additional 5 to 15 acres of land in Zone 1, and 10 to 30 acres of land in Zone 2. The University could not function without continued redevelopment and development, and would therefore seek other permitting means to accomplish the necessary development. The future development would be addressed on a project-by-project basis. Under this alternative, Stanford would not set aside any habitat in the Matadero/Deer Easement or create the CTS Reserve. Likewise the Monitoring and Management Plans for the easements, CTS Reserve, and Central Campus CTS Management Area would not be implemented. Instead, Stanford would set aside land, and manage the preserved habitat, at different times during the life of the HCP. Thus, habitat preservation would occur much later, and only on an as-needed basis to mitigate for a specific project. Eliminating future development from the Covered Activities would therefore result in a minimal reduction in the amount of take and in the long run could reduce the amount of land preserved for the Covered Species. Moreover, the benefits associated with the preservation and active monitoring and management of the Covered Species' habitat would be delayed. This alternative was therefore rejected because it would result in a biologically inferior outcome.

7.3 ALL OFF-SITE LAND CONSERVATION ALTERNATIVE

As part of the HCP's Conservation Program, Stanford is proposing to manage and conserve about 400 acres of land within the Matadero/Deer Easement and CTS Reserve. In addition, the Conservation Program provides Stanford with an incentive for enhancing and protecting additional on-site land that could serve as important habitat for the Covered Species. As an alternative to the Conservation Program, Stanford considered seeking permits to develop the entire site and mitigate for the impacts of future development by conserving only off-site land. Under this alternative, no easements to protect the Covered Species would be placed on Stanford's lands. Instead, Stanford would acquire off-site land that provides suitable habitat for the Covered Species and place conservation easements on those lands.

This alternative would not meet several of the HCP's Biological and Institutional Goals, such as preserving and enhancing on-site habitat, and likely would not meet the objective of implementing cost effective conservation measures. Also, it is inconsistent with Stanford's land use policies that recognize Stanford's commitment to respect the University's lands. This alternative was therefore rejected.