March 28, 2023

James Duran, Forest Supervisor
Paul Schilke, Winter Sports Coordinator
P.O. Box 110
Questa, NM 87556

Re: USFS Project #61390 Taos Ski Valley Improvements

Dear Supervisor Duran,

I write this letter as a 30+year citizen of Arroyo Seco, a Wheeler Peak Wilderness and Taos Ski Valley recreationalist, a Parciante of Arroyo Seco/Rio Lucero Acequia Associacition and local business owner.

I am deeply concerned at the rate of development that has occurred recently under Taos Ski Valley Inc and the massive plans set forth in the TSVI Master Plan of May, 2021.

More specifically, the current proposal for a gondola from the base to the Phoenix, a 5,000,000 gallon water tank and associated snow making infrastructure, 11,000 feet of new, on-mountain restaurant, replacing lifts 2 and 8, and a Nordic ski facility.

First and foremost, I respectfully ask the Carson National Forest
and its contractors study, provide data to the citizens, and analyze the potential impacts in an Environmental Impact Statement (EIS) for all proposed “improvements” to the affected watersheds, ground and surface waters, wildlife impacts, and communities.

The current (January 2023) Environmental Assessment draft (EA) carefully crafted by Snow Engineeriing (SE) is not a sufficient study of the potential impacts of the proposed projects and the potential for far reaching environmental, hydrological and socio-economic impacts.

To study these factors appropriately and to gather the needed public comments from an educated public it is necessary to extend the current citizen’s comment period to the standard 90 day period for an EIS. The scope of the project and potential for irreversible mistakes certainly warrants the additional study and citizen outreach time that is considered a standard process. Please do not let TSVI push this expedited review through your offices without taking the prescribed time for proper and prudent analyses.

Regarding the proposed gondola project, I am concerned that it’s construction along the Rio Hondo and Lake Fork rivers will further increase the silting and habitat destruction for the trout and other aquatic life that is already underway. Additionally, once complete, its proximity to these limited water sources could negatively affect the existing land based wildlife access to these important and limited water sources by way of visual, sonic and constant activity pollutions.

I am also concerned that TSVI is moving towards access control of the Kachina basin by controlling and charging for the TSV lower parking and limiting the public’s ability to use Twinning road and the hiker parking near the bottom of lift 4, thus further monetizing our abilities to use OUR National Forrest lands. This gondola will also pave the way (by way of improved TSVI’s access argument) for the proposed 1200 beds in the Kachina Basin, vastly increasing the water use, sewage effluent production, light pollution and human caused impacts of our fragile natural habitat and Wilderness Areas. This proposal is a reckless use of the heart of the Rio Hondo watershed, which is by any measure, a host to a wetland area and therefore should be protected under the Wetlands Protection Act.

The Proposed 5 Million Gallon water storage tank is troubling due to the sheer volume of water to be seasonally diverted from the above mentioned water sources. Although TSVI states it will not increase its diversions from the rivers, it will likely make up the difference by pumping from the now TSVI controlled springs and wells which serve to recharge the aquifer for the entire Taos valley. TSVI argues that is appropriating the necessary water rights from private individuals, however some of these (in Questa and Chama, for example) do not originate from the Kachina basin but do feed the Rio Grande and are therefore passable to the Interstate Stream Commission and State Engineer, but have a negative net affect to the local watersheds and micro ecosystems as the water used is not replenished by the nonuse of the water rights on the lands to which they are assigned and the water originates. Any high mountain water sucked up for more development can only return to us as more effluent in the Rio Hondo.

The Proposed 11,000 sq feet of new on-mountain restaurants is an unnecessary and bloated project that may impact the scenic beauty of the public lands and the construction will likely result in increased run-off, noise and visual pollution and an overall higher level of high mountain activity, power transmission, water use, and effluent production all leading to a degradation of the natural environment and further destruction and pollution of the watershed.

The Addition of two new lifts to replace the existing and fully functional lifts 2 and 8 is yet another TSVI “upgrade” that is not needed and whose demolition and reconstruction will likely produce an increase in vehicle traffic on the mountain, on the highway 150, and through the small village of Arroyo Seco. As the recent construction projects have created increased and unsafe traffic conditions in Arroyo Seco and byway surface degradation on Highway 150 due to heavy truck traffic, so too will this project. In the past, TSVI construction and subsequent traffic has negatively impacted recreational use of HWY 150 and the associated FS campgrounds and fishing spots by making the road unsafe for cyclists (both by surface deterioration and heavy and large truck traffic), walkers, fisherman and family outings. As well, the village of Arroyo Seco has been impacted by construction workers and semi trucks driving recklessly and well above speed limit with no regard for pedestrians, cyclists, animals and small vehicles. Additionally, the subsequent high alpine soil destruction, runoff leading to water quality degradation, and noise pollution due to machinery and the needed helicopter use will further destroy the fragile and peaceful natural habitats remaining in TSV.

The Nordic ski area Proposed by TSVI also needs to be scrutinized to a high degree. While on it’s face it is not as impactful as the above mentioned projects and does offer some citizen benefit if operated conscientiously, it has the potential to be mismanaged and destructive to the health of the Rio Hondo. Some trails in the National Forrest woods for cross country skiing would be great. Large scale clearing, biomass removal, grading, soil compaction and facility constructions (including bathrooms, oversight, warming huts and other buildings), snowmaking, nighttime grooming operations and subsequent infrastructures of power water and access, would not be.

Specifically, I request that the CNF require the study, analysis and publication of the following concerns in an EIS:

1. Access. The backside of Taos Ski Valley, the Kachina Basin, and other lands in the vicinity, particularly those adjacent to the Wheeler Peak Wilderness, are refuges for those seeking solitude (human and animal alike). We have already seen the reconfiguring of the William’s Lake Trail to avoid the historic rout on private parcels which puts winter travelers in increased avalanche danger as it routs users under the avalanche control zone for the El Funko area within the TSVI SUP boundary. The Kachina Basin and Twinning road is the main access point to the Wheeler Peak Wilderness. How will access be affected by the Proposed Action? Will the gondola (once completed) be the only access to the backside (Kachina Basin) to non-homeowners ? Will the mandatory gondola be free of charge? Will the FS access parking remain free of charge? We have already seen reduced hiker parking, limited overnight parking, mandatory for fee camper parking and the elimination of horse trailer parking for cattlemen (who hold federal lease agreements) and recreationalists. I ask that CNF study potential
impacts to those seeking to recreate and graze livestock in these areas, and evaluate the amount of potential impact in terms of access limitations before, during, and after construction for each alternative outlined in the Draft EIS. Summer and winter impact analyses should be separately studied with data reports on each.

2. Limited access to recreation resulting from construction. The Proposed Action includes multiple buildings, roads, lifts, and other features that would require a significant amount of construction. I ask that CNF study potential impacts to wildlife and those seeking to recreate in these areas, and evaluate the amount of potential impact in terms of access limitations before, during, and after construction for each alternative outlined in the Draft EIS. Summer and winter
impact analyses should be separately studied with data reports on each.

3. Induced demand. Adding on-mountain amenities, upgrading and installing new lifts, and other features in the Proposed Action could increase demand for skier visits as well as visits from other recreationists. Please provide an analysis of projected induced demand for each alternative outlined in the Draft EIS. Please provide skier visits data from the past 30 years to be used as baseline data from which CNF and the public can study and consider impacts relative to projected skier increases.

4. Impacts to water resources. The Proposed Action seeks to install a septic system or sanitary sewer line based on engineering recommendations, with water supplies coming from an onsite well to support the on-mountain guest service facility at the top of lift 7 and the new Whistle Stop building. These developments would not only require significant quantities of water, but also potentially impact water quality in the project area as well as water quality in the ground and surface waters within the Rio Hondo watershed. The disturbance and compaction of soils along the Lake Fork of the Rio Hondo for installation of the gondola and all its towers will result in impacts to the stream and must be studied
diligently.

Additionally, the issue of the water sufficiency determination must be examined carefully, particularly in light of the proposed 5,000,000 gallon water storage tank. TSVI purchased water rights in the initial ski area acquisition from the Blake family and has continued to seek out more available sources. These include more private land in TSV and Arroyo Seco (which are within the affected watershed) but also, from Questa and even large quantities from Chama diversion project. These last two purchases are particularly troubling as they are non-connected water sheds, therefore TSVI’s purchase and use is not representative of nonuse elsewhere in the watershed. It is not a net zero exchange.

Furthermore, water rights in Taos County are substantially over allocated. Due to variation in supply and climate change we see diminishing supplies for irrigation and domestic well recharge.

It is important to remember the water supply is non-static. As a Parciante, we know we all must split what is available, each using our portion not our prescribed right. Use must follow supply and as the headwater resident, TSVI has the ability to fully execute their allocated water rights regardless of the overall supply leaving the rest of the community and ecosystem with whatever is leftover.

Recommendation: The EIS must comprehensively evaluate the direct, indirect, and cumulative impacts of the Proposed Action on water resources. Specifically, the EIS must examine the potential impacts to water quality, groundwater supplies, surface water supplies including drinking water, and aquatic wildlife. Special attention must be paid to
project elements that threaten drinking and agricultural water supplies for the nearby towns of Taos Ski Valley, Amizette, Valdez, Arroyo Seco, Arroyo Hondo and the Taos valley. As well as vital aquatic habitat for trout in Rio Hondo and the Rio Grande, and essential drinking water sources for terrestrial wildlife. The EIS should also examine appropriate opportunities to mitigate any/all these impacts.

5. Disturbance to Vegetation. I ask that CNF identify all areas within the Proposed Action and identify potential impacts to existing vegetation. I recommend including a tree survey and a determination of the amount of existing trees to be removed with each alternative. Carson National Forest published an updated “Potential Species of
Conservation Concern Carson National Forest New Mexico” in June of 2020. Please analyze the impacts that these projects would have on the known flora in the Wheeler Peak Wilderness and the greater CNF. Given the significance of climate change, increased recreational use and the wind fall tree removal and mastication (and soil compaction) that is already impacting the fragile ecosystem, we believe any extra
disturbance of habitat is harmful and recommend a full EIS to study the impacts on the plant species. I also recommend study of re-vegetation methods and the duration of various re-vegetation methods. How long will re-vegetation take, particularly at high
elevations? What is the likelihood that a particular re-vegetation method will restore disturbed lands to their natural state? How visible will these disturbances be to vantage points along various hiking and wilderness areas? I also request that disturbance to vegetation and reclamation be analyzed in each alternative.

6. Impacts to Wildlife. Carson National Forest published an updated “Potential Species of Conservation Concern Carson National Forest New Mexico” in June of 2020. Please analyze the impacts that these projects would have on the known species in the Wheeler
Peak Wilderness and the greater CNF. Taos Ski Valley is home to a dwindling number Elk, Deer, Big Horn Sheep, Pine Martin and potentially at risk Boreal Owl and Canada Lynx. Given the significance of climate change and increased recreational use that is already impacting wildlife listed and others, I believe any extra disturbance of habitat is harmful and recommend a full EIS to study the impacts on the species listed.

7. Gold Hill-Long Canyon-Wheeler Ridge Viewsheds. The ridge that is accessed by all the trails in the canyon is a remarkable area (mostly wilderness) that has striking views. I ask that the CNF incorporate a visual analysis to examine the aesthetic integrity of this ridge with its peak views and include all vantage points. Each alternative should include this analysis.

8. Reflective surfaces. It is important that CNF identify all reflective surfaces in the Proposed Expansion. This includes buildings, lifts, utilities and all other proposed features. Of special concern are features that are composed of, or cladded in, metal. I ask that reflectivity be studied at various points of the day in various times of the year. In particular, please study, and provide data relevant to the impact reflective features will have during different times of the day. Please study this impact in each alternative.

9. Scale/visibility of buildings. The scale of proposed buildings should be examined. Of particular interest is the possibility of on-mountain buildings and facilities being visible from the Wheeler Peak Wilderness. Visual impact should be analyzed, and data provided, from vantage points along roadways and also be studied from hiking areas such as the aforementioned ridge as well as the Wheeler Peak Trail and subsequent Wilderness area. Please study this impact in each alternative.

10. Roads. I ask that a visual analysis is conducted for all proposed roads in the Proposed Action with a particular focus on road cuts on the mountain side. Visual impact should be analyzed, and data provided, visual impact should be analyzed, and data provided, from vantage points along roadways and also be studied from hiking areas such as the aforementioned ridge as well as the Wheeler Peak Trail
and subsequent Wilderness area. Please study this impact in each alternative.

To conclude: I ask that the CNF (as an agency based in science) follow the Precautionary Principle regarding the analysis of these projects. Remembering that these potential impacts cannot be undone, it is imperative that you get it right the first time. The National Forest Service is the representative of the citizenry and the stewards of all our lands. I ask that you fully execute the NFS statutory responsibility to manage NSF lands on behalf of American people, to assert control over water that originates and is used on NFS lands for multiple use purposes, and to apply conditions of use to special use authorizations. These responsibilities are needed to ensure sufficient water supply and wilderness opportunities for all species, downstream users, ranchers, recreationalists, hunters and visitors. There is no remediation that can return a potential mistake of this magnitude to it’s natural state.

Respectfully Yours,