

May 10, 2023

Carson National Forest  
Questa Ranger District  
P.O. Box 110  
Questa, NM 87556

Submitted electronically at <https://cara.fs2c.usda.gov/Public/CommentInput?Project=61390>

**Re: WildEarth Guardians comments on Draft Plan for Taos Ski Valley**

WildEarth Guardians submits these comments to the Carson National Forest (CNF) on the draft Environmental Assessment (EA) for the project identified as *Taos Ski Valley Gondola and Other Improvements* (Project). WildEarth Guardians is a nonprofit 501(c)(3) grassroots organization dedicated to protecting and restoring the wildlife, wild places, wild rivers, and health of the American West. We represent thousands of individual members and supporters from across New Mexico and the nation, including many who live and work in and around the Carson National Forest near Taos.

The Project proposed by Taos Ski Valley Incorporated (TSVI) may have adverse impacts on wilderness, wildlife, and water quantity and quality.

**A. IMPACTS TO SPECIES OF CONSERVATION CONCERN**

The draft EA and technical Wildlife Report consider two categories of wildlife: (1) federal threatened and endangered species; and (2) migratory birds listed by U.S. Fish and Wildlife Service as Birds of Conservation Concern.

The CNF concluded that no federally listed threatened or endangered species will be affected by the Project because none have habitat occurring within the Project area. We disagree with that conclusion, having had supporters and citizen scientists report the presence of Canada Lynx (threatened).

The CNF concluded that six species of migratory birds of conservation concern may suffer disturbance and displacement during construction activities, but that none of these species are anticipated to suffer long term effects from the Project. However, even temporary disturbance and displacement should be avoided due to the current avian flu outbreak and other threats to bird populations worldwide. The planned increased visitation to the Kachina Peak Basin, especially during evening hours, will negatively impact wildlife in this important wildlife habitat and corridor.

The CNF also reviewed the Project for consistency with components of the 2022 CNF Land Management Plan related to three species of conservation concern: masked shrew, Northern goshawk, and robust larkspur.

The wildlife analysis in the draft EA and technical reports fails to address other at-risk species that exist within the Project area, including identified CNF species of conservation concern and species listed as

threatened or endangered under the State of New Mexico's Wildlife Conservation Act. The CNF should consider impacts to additional at-risk species likely to exist within the Project area, including the following:

- White-tailed ptarmigan is identified in the 2022 CNF Land Management Plan as an at-risk species in the alpine and tundra vegetation community, which occurs at elevations above 10,600 feet, and the state has listed this species as endangered. The Project site includes portions of this rare vegetation community in the vicinity of Kachina Peak.
- American peregrine falcon is identified in the 2022 CNF Land Management Plan as an at-risk species in the alpine and tundra, aspen, and mixed conifer with aspen vegetation communities, and the state has listed this species as threatened.
- Canada lynx is identified in the 2022 CNF Land Management Plan as an at-risk species in the spruce-fir and aspen vegetation communities. This is a federally threatened species which has been documented in the southern Sangre de Cristo Mountains.
- Pale Townsend's big-eared bat is identified in the 2022 CNF Land Management Plan as an at-risk species in the spruce-fir and mixed conifer with aspen vegetation communities.
- Gunnison's prairie dog is identified in the 2022 CNF Land Management Plan as an at-risk species in the montane and subalpine grasslands vegetation community, which ranges up to 10,000 feet. This species is particularly important to biodiversity and habitat as it is a critical ecosystem engineer.
- Boreal Owl: has been documented within the project area and is a state threatened species.
- Pacific Marten: The Pacific marten inhabits subalpine-high montane forests in Northern New Mexico, has been observed within the Project area, and is listed as threatened under the Wildlife Conservation Act.

The biodiversity crisis looms worldwide, and maintaining the diverse and exceptional habitat of the Sangre de Cristo Mountains is critical to confronting the crisis. Moreover, much of this area has been identified by scientists as a climate refuge for wildlife species. Any impacts to this area—no matter how temporary or minor—should account for and be amended to limit impacts to wildlife.

## **B. IMPACTS TO WILDERNESS AREAS**

The Project site shares a boundary with the Wheeler Peak Wilderness and is located directly across N.M. Highway 150 from the Columbine-Hondo Wilderness. The draft EA acknowledges that implementation of the Project could impact the Wheeler Peak Wilderness. The draft EA declines to analyze Project impacts on the Columbine-Hondo Wilderness due to the spatial separation created by the highway. The CNF should ensure that adequate mitigations are adopted as part of its final decision to minimize the Project's adverse impacts on both adjacent wilderness areas.

Construction activities are likely to have significant adverse effects on the Wheeler Peak Wilderness due to the shared boundary with TSV. The Project Design Criteria in the draft EA require TSV to develop a construction implementation plan to outline how construction access routes will avoid wilderness areas and to provide specific routes in areas proximate to the wilderness boundary. While these limitations are important, the CNF should take additional steps to require TSV to minimize construction noise and the visual impacts of heavy machinery in the wilderness through appropriate screening, timing restrictions, and noise reduction technologies.

## **C. IMPACTS TO WATER RESOURCES**

As reflected in the draft EA, the Project has the potential to impact watershed conditions, stream and riparian health, and water quality, quantity, and distribution. These potential impacts could affect the Rio Hondo and downstream areas.

Regarding water quality, we are pleased to see that the technical Soil and Watershed Report reflects the recent Outstanding National Resource Water (ONRW) designation for the Rio Hondo and Lake Fork and requires a Storm Water Pollution Prevention Plan. As noted in the report, the ONRW designation precludes any degradation of water quality unless impacts are minimal and temporary.

Regarding both water quality and availability, the draft EA states that the Project will not increase TSV's current water usage allocation from the Rio Hondo and that TSV will continue to hold a diversionary right of 200-acre feet annually. It appears, however, that the proposed expansion of restaurant facilities will necessitate an increase in groundwater use and sewage disposal that must be evaluated by the CNF. The draft EA acknowledges that the proposed new 7000-square foot restaurant at the top of Lift 7 will require water for drinking and sanitary uses and may be provided by a proposed well adjacent to the facility, and if the well is not viable, water and sewer would be provided from either trenching pipelines or manually hauling these utilities in and out, in conjunction with a new septic system adjacent to the restaurant.

Similarly, the expansion and relocation of the Whistlestop Café will have impacts on water. The draft EA states that the restaurant will more than double in size, from 1900 square feet to 4000 square feet, and if the existing well and septic system are insufficient to serve the restaurant, a new well and septic system will be located near the new restaurant.

The draft EA does not describe the environmental impacts that over 9000 square feet of new restaurant facilities will have on water availability, due to increased groundwater withdrawals from wells on the mountain, and water quality, due to increased reliance on septic systems on the mountain. As TSV's impacts on groundwater increase, water availability will continue to decrease due to projected higher temperatures and less precipitation due to climate change. The CNF should assess these impacts as part of its environmental review of the Project.

## **CONCLUSION**

Thank you for your consideration of our comments. Please include this letter in the official project record.

Sincerely,

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