



# La Jicarita

## An Online Magazine of Environmental Politics in New Mexico

14 HOURS AGO

LAJICARITA

### Acequia Community Takes on Forest Service Over TSV Draft EA

There was a coup last night at the Sagebrush Inn Conference Center. Members of the Taos Valley Acequia Association took over the Carson National Forest “Open House” on the Taos Ski Valley (TSV) Gondola and Other Improvement Projects Draft Environmental Assessment (DEA) and turned it into a public forum, which is what they requested in the first place.

The Forest Service had already extended the deadline for comment on the controversial TSV proposal improvement projects—a gondola to the Kachina Basin, a new restaurant, lift replacements, new water tank, a Nordic center, and hiking trail—to May 22 due to extensive public input and requests for more public meetings. But instead of a public meeting they set up staffed information tables around the conference room labeled for the specific environmental categories supposedly addressed in the DEA—the NEPA process, water rights, hydrology, biology, wildlife, etc.—with no chairs for the public and no plans for a presentation or comment period.

When I arrived, parciantes and commissioners had gathered outside to strategize. Soon a speaker and cordless microphone were brought into the middle of the room and New Mexico Acequia Association member David Garcia belted out an acequia call to action (you can hear his song and many of the ensuing speakers here at <https://culturalenergy.org/listenlinks.htm#may2023> (<https://culturalenergy.org/listenlinks.htm#may2023>)).

(<https://lajicarita.files.wordpress.com/2023/05/david.jpg>).

*David Garcia*

(<https://lajicarita.files.wordpress.com/2023/05/robin.jpg>)

*Robin Collier of KCEI 90.1 FM recording the meeting*

The first person to take the mic was Cliff Bain, a well-known activist and Commissioner on the Acequia de Atalaya in Arroyo Hondo, who announced that this isn't how Taos does democracy. He addressed an issue that is at the heart of public concern: the DEA does not address the cumulative impacts "on our little watershed," the Rio Hondo. (With only one Alternative, the Preferred Alternative, the DEA abnegates NEPA requirements for a No Action Alternative or amended alternatives normally found in environmental assessments.) He also announced that his acequia, along with the Valdez Acequia de San Antonio, have both written James Duran, Carson National Forest Supervisor, requesting a "suspension of new construction and development at the head of the Rio Hondo watershed in Taos Ski Valley until they have resolved their outstanding infrastructure issues" (wording from the Rio Hondo Commission letter). The letter references the fact that twice this ski season TSV had to shut down because of breaks in the Village of Taos Ski Valley domestic water system.

(<https://lajicarita.files.wordpress.com/2023/05/cliff-bain.jpg>)

*Cliff Bain*

Here are highlights of other members of the public who took the mic:

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- Pam Harris of Arroyo Hondo spoke about impacts she's observed on the Acequia Madre, which used to be deep enough for kids to swim in and now sees filamentous algae in the ditch water. Acequias need to be involved in testing of the Village of Taos Ski Valley sewage treatment plant.

(<https://lajicarita.files.wordpress.com/2023/05/pam-harris.jpg>)

*Pam Harris*

- Nora Herrera Oest, Mayordoma of the Acequia Los Prandos in Valdez, asks the TSV, "What is your idea of better not bigger?"

(<https://lajicarita.files.wordpress.com/2023/05/0.jpg>)

*Nora Herrera Oest*

- Carlos Arguello of Valdez told everyone, “I want the Forest Service and the Taos Ski Valley to reflect on when is too much enough.”
- John Castillo, a skier who was raised in Denver, named several ski areas in Colorado where the Forest Service “doesn’t let them dictate” what happens on our public lands. He also pointed out that the Draft EA is the latest phase of the TSV Master Development Plan that first installed a chairlift on Kachina Peak that is in a dangerous avalanche cirque, and then implemented another vast range of improvements. (the original owners of TSV, the Blake family, didn’t have the funds to implement these proposed improvements so it took hedge fund manager Louis Bacon’s billions to do so.)
- Kevin Bersell, Commissioner on the Acequia de San Antonio in Valdez, urged people to formally submit their comments on the DEA by May 22 even if, in his estimation, “the Forest Service doesn’t really want your comments.” (This has been a longstanding complaint in the NEPA process that the Forest Service and whomever it contracts to draft the environmental assessment rarely amend a Draft EA or environmental impact statement to reflect public input. *La Jicarita* received a copy of a letter Bersell wrote our congressional delegation complaining about the Forest Service Law Enforcement Officer who was present at the meeting: “I am incensed at the Forest Service’s clumsy attempt at what I view as the intimidation of the participants as they exercised their statutory, regulatory and First Amendment rights to peacefully gather and speak to the issues at hand.”)
- Priscilla Rael, former Commissioner on the Acequia de San Antonio in Valdez and small family orchardist, told the group in Spanish that her upbringing, her acequia, her trees are her “querencia,” or in English, her sanctuary. “You won’t know the impacts [of the TSV project] if you don’t know my soil. . . And one of those potential impacts is fire. What’s going to happen if the infrastructure at TVS is not at optimum and there’s a fire . . . the impacts are immeasurable. (<https://lajicarita.files.wordpress.com/2023/05/priscilla-rael-1.jpg>).
- Ricardo Dow y Anaya, assistant to the New Mexico Attorney General, handed out his card with his email and asked everyone to please fill out their Forest Service comments and then send copies to him so he can share them with AG Torres. His email address is: [Rdowyanaya@nmag.gov](mailto:Rdowyanaya@nmag.gov) (<mailto:Rdowyanaya@nmag.gov>).
- Will Jarenko, professor of Natural Resource Management at New Mexico Highlands University told the crowd, “NEPA is not supposed to work like this. You’re supposed to have better public relations.” He also pointed out that the summer use at TSV is not addressed in the DEA. (Many ski areas, faced with drought conditions and the climate crisis are attempting to compensate for the dearth of snow by offering more summertime activities like mountain biking, zip line, or disc golf. He mentions Sipapu as a better example of a small ski area. Unfortunately, Sipapu will soon ask the Forest Service to allow an increase in its size of over 300 percent.)

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- Sylvia Rodriguez, Commissioner on the Acequia de San Antonio in Valdez and UNM professor emeritus reiterated that her Valdez acequia and Atalaya Acequia in Arroyo Hondo are calling for a moratorium on development at TSV until its hydrological infrastructure is fixed and the intensive two year monitoring that is being done downstream is completed. She also raised the issue of adjudicated water rights in that TSV can put its water rights to beneficial use at any time when those in the valley are part of a watershed agreement that calls for repartimiento in times of drought. “This is a social justice issue.”

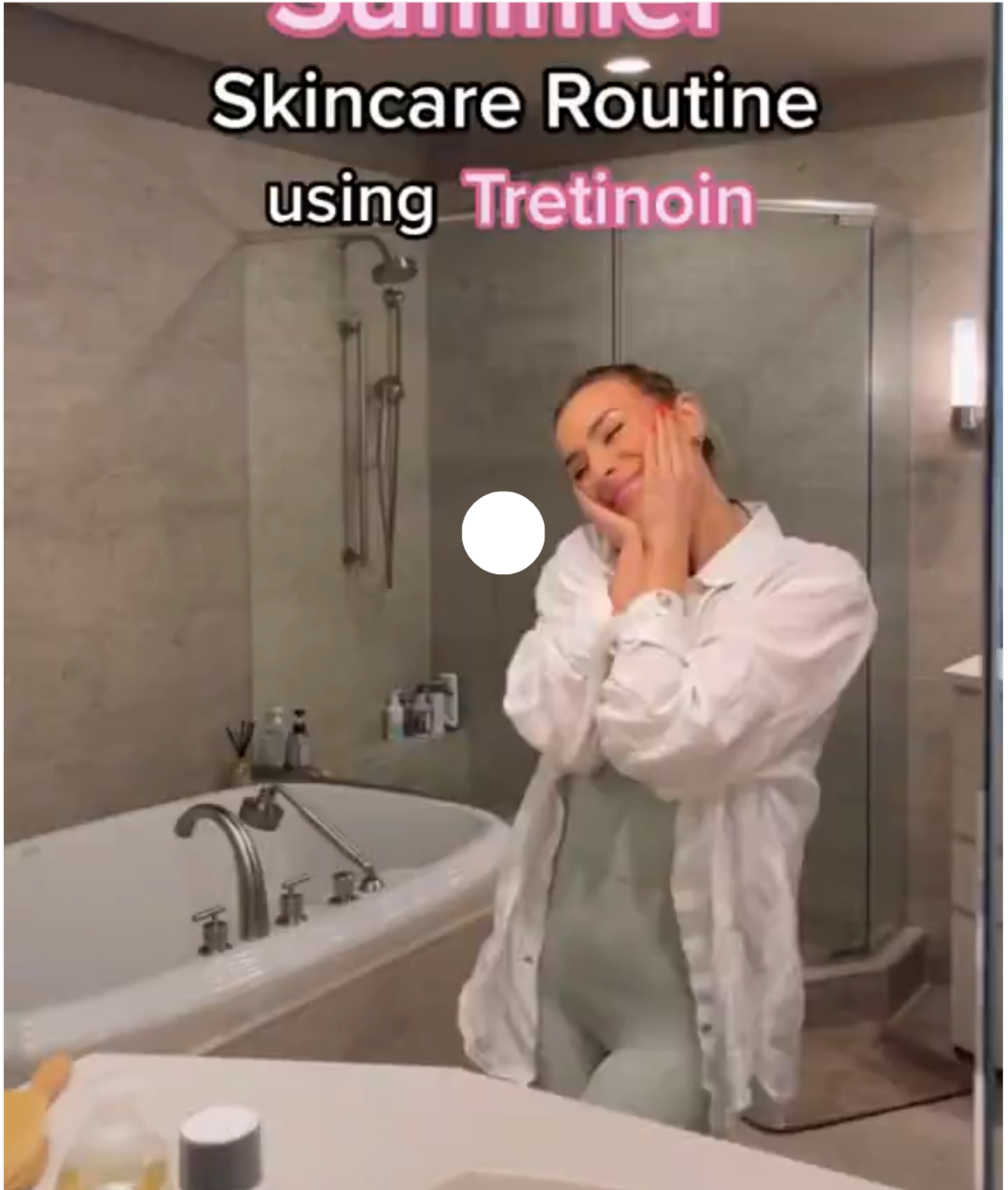
(<https://lajicarita.files.wordpress.com/2023/05/sylvia-1.jpg>)

*Sylvia Rodriguez*

- Daniel Weeks, of the Taos Mountain Alliance, raised the concern of access to the Wheeler Peak backcountry with the development of a gondola that may impact the right to vehicular access that is currently extant. He formally asked for a special meeting of all stakeholders—FS, TSV, VTSV—to discuss access issues.
- Joaquin Arguello, well known activist from Valdez, closed out the public comments with a rousing lesson on land grant rights and cultural imperialism. With that, everyone gave themselves a round of applause for implementing the coup. I want to congratulate everyone for standing on their feet for two hours. Shame on the Forest Service. If the Final Environmental Assessment is released sometime in the near future without having addressed the concerns that have been raised it can be appealed to the Regional Forester, then to the head of the Forest Service in the Department of Agriculture, and if that isn’t successful, litigated.

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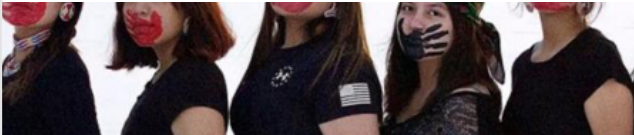






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The Doctrine of Discovery should be condemned as a policy of Auto-Genocide and Oliphant vs Suquamish 1978 must be overturned to defend Indigenous human rights.

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- ◆ TAOS SKI VALLEY GONDOLA AND OTHER IMPROVEMENTS
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## One comment

1. **Friend of the Rio Hondo** says:  
**MAY 10, 2023 AT 3:22 PM**  
Nice, thanks!

**REPLY**

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