

WATER IS LIFE.
It's Our Duty to Protect It.

James Duran, Forest Supervisor
Carson National Forest, SW Region 3
c/o Paul Schilke, Winter Sports Coordinator
P.O. Box 110
Questa, NM 87556

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

May 22, 2023

Re: Taos Ski Valley Gondola and Other Improvements #61390

Dear Supervisor Duran,

As a 35-year old statewide New Mexico water conservation organization, Amigos Bravos tracks and comments on projects and policies that impact water quality across the state. With our home office based in Taos, we have over the years engaged in issues related to the Rio Hondo and development at Taos Ski Valley. This engagement has included commenting on the wastewater treatment plant National Pollutant Discharge Elimination System (NPDES) permit, engaging in concerns about dredge and fill violations by the Taos Ski Valley Inc. and the Village of Taos Ski Valley, attending land use meetings and successfully advocating for adoption of and implementation of water resource setbacks, working on wetland education projects, and monitoring water quality in the Rio Hondo over a 17-year period. We sample from six monitoring locations along the Rio Hondo with five of the sampling locations located in the upper watershed adjacent to developed areas associated with the ski resort.

We would like to thank the USFS for this opportunity to submit public comments on the Environmental Assessment for new development at Taos Ski Valley. As an organization with a focus on water quality, our comments focus on concerns about potential sediment loading and other water quality impacts from the proposed increased development in the headwaters of the Rio Hondo. We appreciate the mention of minimizing stream disturbance where bridges will be built across the river, the creation of a Storm Water Protection Plan, reseeding of all disturbed areas, and the Soil and Water Specialist Report. **Our largest area of concern is with the proposed new lift 7 restaurant. We have concerns that only visual assessments of water quality are going to be taken during construction. TSV should hire a contractor to sample water quality several during construction and especially after a large rainfall to inform construction modifications that may be needed to minimize sediment flowing into Lake Fork Creek and the Hondo. We also think it is vital that road improvements and a traffic control system be put into place on Twining Road in conjunction with the construction of the gondola.** These, and other specific concerns are written in detail below.

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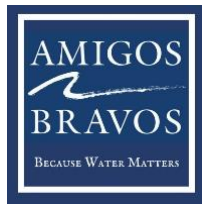
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Process Concerns: Despite knowing about the decades long concerns the community has about the Ski Valley's growth, the Forest Service chose not to provide any public meetings in the form of listening sessions. The two open house meetings that were provided are useful for people to ask questions, but the community also needs to feel heard their concerns are being heard in a public forum. The Forest Service should provide at least two more meetings where organized public comments are allowed and Forest Service staff take notes on the concerns.

There is only one alternative considered in this EA, the proposed action. They do not analyze the alternative of No Action. Page 12 explains other alternatives that were considered and ruled out, but the No Action alternative is not analyzed at all. According to the USDA: "The no-action alternative must be considered in every EA and EIS, as well as all EE documentation." Source: USDA Natural Resources Conservation service: <https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21289>

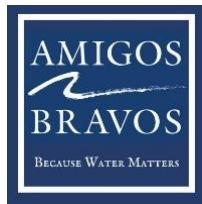
Given the amount of public interest, and the substantial amount of infrastructure being proposed, we urge the Forest Service to consider preparing an Environmental Impact Statement.

Taos Pueblo must be consulted and their perspective and needs must be incorporated into the final decision. In addition, Amigos Bravos encourages the USFS and TSV to actively engage with the Acequia community to address their concerns about the impact to their livelihoods and traditions in the Rio Hondo valley.

Questions/Concerns from the Soil and Watershed Specialist Report:

1. Under the Forest and Shrub Riparian section on page two, it says that fuel wood cutting will be done in a way that promotes large woody material recruitment. This is important for wildlife but we are skeptical this will be done based on past behavior by TSV following the large wind storm of winter 21/22. All large woody material was removed from the forest. We suggest the Forest Service educate TSV management on the importance of this practice to decrease erosion and promote wildlife such as martens.
2. How will the new well at the lift 7 restaurant be "located to minimize effects on the character and function of the connected water resources (top of page 2)?"
3. On page 6 there is a typo about the number of booster stations (6 lines from the bottom).
4. On page 10, Table 1, what are the units?
5. Please send us the Storm Water Protection Plan.
6. What will be done during construction if heavy monsoon rains occur to mitigate sediment runoff?
7. On page 20 it says "No impacts to ONRW designation of the Rio Hondo or Lake Fork Creek would occur as no loss of water quality within these streams would occur." However, the water sampling methods on page 18-20 are all visual assessments of water quality and there is no information on what in these visual assessments would trigger a finding of water quality degradation.





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8. On page 20 it is stated that the “Lake Fork Creek occurs in proximity to the base to base gondola alignment.” Is it within 300 feet?
9. On page 21 it is stated that “Finally, no impact to TMDL’s in the Rio Hondo is anticipated as the proposed action would not result in increased temperature or nutrient loading in the Rio Hondo.” Where in the EA is it shown that cutting trees for the gondola and increasing CCC of the Taos Ski Valley would not increase temperature or nutrient loading? Decreased tree canopy can have a direct link to increased temperatures. We are also concerned that the level of monitoring shown on page 18-20 would not measure temperature or nutrient loading, so potential increases in temperature and nutrients will go unnoticed.

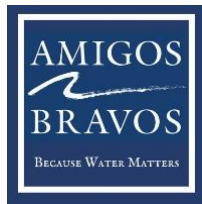
Comments on the Main Portion of the EA:

Outstanding National Resource Water (ONRW) Protections: The EA does not adequately address how the proposed project will comply with New Mexico state surface water quality standards (20.6.4 NMAC). Specifically, since the main stem and the Lake Fork of the Rio Hondo were designated by the state of New Mexico as ONRWs in 2022, new or increased degradation of the streams is prohibited. This applies to both long term degradation such as the operation and maintenance of new buildings and infrastructure such as the proposed Gondola, Lift 7 restaurant and new trails as well as short term or temporary degradation from construction activities. Buildings and infrastructure must be designed with green/natural infrastructure components to capture and treat storm runoff and snow melt. In addition, the short term water quality impacts of construction, especially for something that runs parallel to and crosses the Rio Hondo at points, could be substantial. Even temporary impacts to water quality are prohibited in ONRW streams and therefore extra precautions and protocols must be planned for, required and implemented at all phases of the project. Monitoring is essential to determine if the standard is being met and must be implemented both before, during and after any construction. A baseline of water quality is necessary to determine if the project is having impacts, and sampling periodically during construction and post construction is also necessary to ensure the water quality standards are being met.

Water Runoff Concerns: There are major runoff concerns involved with building on slopes in an alpine environment. If any of the proposed projects are approved, contractors, USFS, EPA, and NMED staff should work together to require and implement best management practices to reduce and treat runoff. Much of this is addressed in the EA and we encourage TSV to take erosion control seriously during construction. There is no mention of green infrastructure or low impact design approaches so that any new developed or redeveloped areas are not contributing sediment loading to the watershed. This would include ensuring that any future snow removal and management of finished new development or redevelopment is not resulting in destruction of riparian areas or increased sediment loading of gravel or road materials into the watershed.

Based on our 17 years of sampling, water quality concerns in the Hondo as it runs through the Taos Ski Valley, results have displayed an increasing issue with electrical conductivity levels. Electrical conductivity was approximately 3-4.5 times over the standard at those sites in 2019- 2022. These





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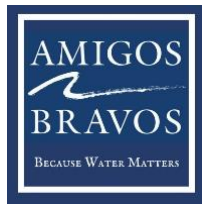
findings indicate that the area is being impacted by ski valley construction. Electrical conductivity has been increasing since about 2015, corresponding with the sale and increased construction in the area. Increased runoff from disturbed areas is a primary source of increased conductivity in streams and more must be done to ensure that the ongoing impacts that we are seeing in our sampling is mitigated and not increased.

Lift 7 Restaurant: Amigos Bravos is concerned about the water and sewer/septic infrastructure associated with this project. Constructing a safe sewer or septic system and providing enough water will require a clear analysis of water use at the Taos Ski Valley, and detailed plans for safe installation of the sewer/septic and water lines. A 7,000 square foot structure would require significant amounts of water and a large capacity sewer or septic system. The EA does not clearly explain HOW the water for this building, and other proposed development will not exceed the diversionary right of 200 acre-feet, or 65.2 million gallons of water from the Rio Hondo annually. It also does not address if the TSV Waste Water treatment Plan is equipped to process the increased water and sewage. A 7,000 square foot restaurant would be expected to produce a substantial quantity of sewage. There are many questions that need to be answered before any sort of development is approved. Where will this waste go? How will it be treated? Will this new facility be in operation during summer months? If so, how much increased summertime road traffic is expected, and what are the plans to minimize impacts to wildlife, erosion, and sediment loading from increased traffic up the return trail road and increased activity at and surrounding the restaurant site? In addition, adding a sewer line from the planned restaurant site will create substantial construction disturbance and potential impacts to the Rio Hondo. How will this work be done without causing increased degradation of the Rio Hondo? We also have questions about operation of the restaurant. Will it operate in the summer? If so, how will people access it? We recommend winter operation only to minimize impacts on the watershed.

Regardless of the answers to these questions, there is going to be a substantial increase of disturbance related to the building and operation of this new facility. Amigos Bravos has substantial concerns about the water quality impacts of this project and questions whether a large-scale development at this proposed location is appropriate. In particular, we have many questions about how the proposed development will be done without causing increased degradation in the Rio Hondo which is prohibited due to its Outstanding National Resource Water (ONRW) status.

Forest Thinning Concerns: High elevation spruce/pine forest does not require the same level of thinning and management that New Mexico's currently overgrown ponderosa pine forests need. While we recognize the importance of protecting lives and structures from fire, it is important that Taos Ski Valley is not thinning all the forest they come into contact with because the dense spruce/pine forest is very important for wildlife and healthy water systems. Thinning should be focused on protecting structures and not done for aesthetic or misguided ideas of forest health that is more appropriate for lower elevation forests.





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Base to Base Gondola: If constructed well and thoughtfully and accompanied by enforceable and serious traffic controls on Twining Rd, the construction and operation of a gondola may alleviate long-time concerns we have had around sediment loading from Twining Rd. However, we believe that before any development work in the Kachina area begins, Twining Road needs to be improved by paving the road and sloping it with runoff directed away from the river. Low impact design and green infrastructure techniques should be utilized in improving the road and reducing impacts to the Rio Hondo.

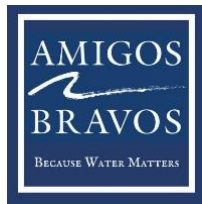
In addition, in order for the gondola to have positive impacts on road traffic and watershed health, a real time meter system needs to be installed that can indicate when the Wheeler Peak parking lot is full. When the parking lot is full, the road should be closed to all except residents who live along the road. All others wishing to access the upper base could then be directed to use the gondola. This would alleviate the number of cars driving up to a full lot and driving back down again. In addition, traffic control tied to parking availability would alleviate the problem of people parking along the shoulders of the road and crammed into whatever spot they can find in the upper base area, which currently is increasing disturbance and erosion. Without this meter system in place, the road will still be overused despite the gondola. In addition, to encourage use and to support equitable access to the lift four area and the Wheeler Peak trail, one of the most popular hiking trails in the state, the gondola must be free of charge. If TSV cannot guarantee free access to the gondola, it should not be approved.

It is unclear from the map and scoping proposal how much tree clearing would be involved in the proposed construction of the gondola. Removal of trees in the proposed gondola path could increase sediment loading in the river during construction. Rigorous erosion control and best management practices would be necessary to ensure that the ONRW water quality standard is not violated..

Whistlestop Café Replacement and Relocation: The NEPA analysis should clearly explain the water use impacts associated with expanding this building to 4,000 square feet. Specifically, a detailed water accounting must be provided for all proposed projects showing how the proposed projects will not exceed the diversionary right of 200 acre-feet, or 65.2 million gallons of water from the Rio Hondo annually. It should also describe the specific location for the replacement building, the amount of trees that will need to be removed, if any, and the best management practices that will be used to decrease soil run off from the construction and use of the building into the Rio Hondo. What is the existing capacity of the septic tank? How often is it pumped. Will it be pumped more if there is increased visitation? How do you “minorly improve” a septic tank?

Lift 4 Hiking Trail: Relieving pressure from the Wheeler Peak Trail would be beneficial for erosion and noise in the Wilderness Area. We encourage extra thought and care be taken when building this trail to ensure there is no increased degradation from both the construction and usage of this this new trail, with particular attention given to drainage and runoff during snow melt and rain events. Creating any trail causes erosion and impacts to runoff and this trail will have very high levels of





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impact, making careful design very important. We also encourage educational signage along this trail.

Water Tank and Booster Station: The EA mentions several times that more water than their diversionary water right will not be utilized but exact numbers are not included. How much water does TSV use of their allotment each year? How much water use is anticipated for the new lift 7 restaurant and the expanded Whistlestop Café? How much will they store in the tank each year to reach their desired storage capacity?

Nordic and Snowshoe Trails: The EA states that these trails are only intended for winter use. How with TSV keep people from using them in the summer? How will the trails be maintained to ensure that there isn't increased erosion into the Rio Hondo?

Construction Access and Staging Areas: Staging sites will need extensive best management practices to keep soil from running off into the Rio Hondo since the parking lot is adjacent to the river. We suggest analyzing the amount of sediment already entering into the Rio Hondo by Ski Valley operations each year and then measuring sediment loading periodically during construction.

In conclusion, we ask that the Forest Service and TSV Inc respond to our letter and address as many of these questions as possible. We also ask that FS and TSV consider the following actions that can be taken: 1) Require specific steps and protocols be taken to ensure that the water quality standards, specifically the ONRW status, of the Rio Hondo are being met, including requirements for green infrastructure components to control storm and snow melt runoff post construction as well as protocols during construction to eliminate erosion and increased loading in the Rio Hondo. 2) Further address the feasibility of building a new lift 7 restaurant when the ability to drill a well is unknown and piping or driving water and sewage could have detrimental environmental effects. 3) Hire a contractor to sample water quality prior to construction, several times during construction, and post construction to ensure that no new or increased degradation of the Lake Fork and mainstem of the Rio Hondo is occurring. This sampling should include sampling during a large rainfall to inform construction modifications that may be needed. 4) Prioritize road improvements and installing a traffic control system on Twining Road in conjunction with the construction of the gondola. 5) Consult and meet separately with Taos Pueblo and the downstream Acequias. 6) Commit to permanent free gondola access.

Sincerely,

Shannon Romeling

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