

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

May 22, 2023

Re: Taos Ski Valley Gondola and Other Improvements #61390- Comments on Draft Environmental Assessment

Dear Mr. Duran and Mr. Schilke,

My name is Rob McCormack and I am a resident of Valdez, New Mexico in the Rio Hondo watershed. I am an avid outdoorsman who greatly values Carson National Forest and the Forest's adjacent lands for fly fishing, hiking, bird watching, foraging, hunting, rafting, and skiing (both backcountry and as a Taos Ski Valley season pass holder). I also greatly value the history, our local cultures, and traditional ways of life in Valdez and surrounding communities. I live along the Acequia de San Antonio and grow much of my family's food. I am also a Board member with our local Trout Unlimited Chapter: Enchanted Circle Trout Unlimited and am involved with Taos Mountain Alliance (though these comments are wholly mine as a private citizen). I have a B.S. in Natural Resources Management and Policy and a Masters of Environmental Law and Policy. I am concerned that Taos Ski Valley proposed development and improvement projects will have negative ecological, social, and environmental impacts and that the public outreach and analysis thus far is inadequate.

NEPA requires federal agencies to consider environmental effects that include, among others, impacts on social, cultural and economic resources as well as natural resources. The purpose of an environmental assessment (EA) is to determine the significance of the environmental effects and to look at a range of alternative means to achieve the agency's objectives. Unfortunately, **NO** substantive alternatives are provided in this EA for the proposed actions. That there are no substantive alternatives provided suggests a lack of understanding of communities, uses, users, and environmental conditions. Further analysis and additional details should be provided; additional meetings with the public should be conducted before any of the proposed developments occurs. In particular, the following should be addressed:

Recreation: As stated in the draft EA Table 1.1: "The proposed action would alter the recreation opportunities available to the public at TSV and has the potential to affect existing recreation opportunities on nearby NFS lands during both the winter and summer seasons." However, there is no significant evaluation of recreational uses outside of downhill skiing and snowboarding at the Taos Ski Valley Resort in the EA. TSV and areas immediately adjacent, are popular for hiking, snowshoeing, backcountry skiing / snowboarding, horseback riding, camping, hunting, foraging, and fishing. These activities within TSV and adjacent areas will be affected by the proposed development. The current EA does not adequately evaluate the impact on other recreational activities and users. The national forests are lands of many uses – and many users; unfortunately the EA does not adequately measure the impacts of the proposed development to other users.

The EA does not consider the direct, indirect, and cumulative effects the proposed projects will have on public access to the Wheeler Peak Wilderness via the Williams Lake/Wheeler Peak trailhead and to the Columbine-Hondo Wilderness via the Bull of The Woods Trailhead. The EA does not address how or whether construction and operation of the gondola, as well as other project-related construction and staging areas might impede public access. Additionally, the premise of a 'free-gondola' and/or a gondola creating better public transportation access as verbally described by CNF and TSVI employees is in no way presented in the draft EA or in publicly available writing. This is a breach of trust with the public,

the operation and impact to public access of the projects needs to be determined, described, and analyzed before the public before project approvals.

Further and adequate review of impacts to other users and uses from the proposed development should be established before any construction occurs. Additionally further input and collaboration with the Forest Service and TSV Inc from/with the community of diverse forest users should be established. Community outreach and involvement with all users thus far has been inadequate.

Wilderness: As stated in the draft EA Table 1.1: "Implementation of the proposed projects could impact the Wheeler Peak and Columbine-Hondo Wilderness Areas. Proposed increases in developed recreation opportunities have the potential to affect use patterns in these wilderness areas by either introducing new users to the area or concentrating recreation use and reducing the strain on other developed/dispersed recreation sites throughout the district." There will very likely be impacts to two adjacent wilderness areas from the proposed development. The EA only discusses usage patterns and viewshed. Usage patterns are a best guess in the EA; why not survey and/or study wilderness users before continuing with construction? No alternatives are offered to construction of a summer trail; perhaps the community would like to see a trail elsewhere or better routing of current trails in the area? Community outreach and involvement with wilderness users thus far has been inadequate.

The EA contains no consideration on how increased visitation to the resort from this project may impact the Wilderness. The proposed lift 4 trail will not end, as the Williams Lake trail does, in one of the most dramatic alpine basins in the Rocky Mountains: it is unlikely that most hikers will choose the new trail over the Williams Lake trail. The EA's assertion that the new trail will offset the impact of increased visitation to the Wilderness, facilitated by the gondola, is a laughable hypothetical and very unlikely.

The EA asserts (page 20) that the Proposed Actions are not expected to affect the Columbine-Hondo Wilderness because this Wilderness area is not immediately adjacent to the SUP area. Furthermore no mention is made of the immediately adjacent roadless areas too. This is wrong and deleterious. The Columbine-Hondo Wilderness boundary and roadless areas are less than a mile away from the SUP area boundary, the SUP is within the Columbine-Hondo viewshed and soundscape, and increased visitation to TSVI resulting from the Proposed Actions will almost certainly lead to more visitation in the Columbine-Hondo Wilderness as well. These impacts to the Columbine-Hondo Wilderness and adjacent roadless areas must be analyzed.

The Wheeler Peak Wilderness and Columbine-Hondo Wilderness also have documented limits of acceptable change codified in their 1964 and 2014 inceptions and expansions as well as the 1980 New Mexico Wilderness Act. An analysis of impacts to the wilderness areas must include specific impacts that are incongruent to the intent and documented limits as codified in law.

It is stated that viewshed in the Wilderness will be impacted by proposed development, but the impact is not fully quantified or mapped adequately in the EA. Beyond usage patterns and viewshed the EA does not discuss or evaluate the other wilderness characteristics that are likely to be affected by the proposed development. The EA should have substantive evaluation of potential impacts to all five qualities of wilderness character. Of particular concern and not evaluated in the EA are potential impacts of additional noise, lighting, and increased traffic from development and new infrastructure. These impacts need to be better evaluated in the EA, especially around the gondola potentially being used at night and all seasons. The Forest Service has been directed by Congress to "preserve the wilderness character" of the Wheeler and Columbine-Hondo Wilderness Areas; this is further established in the recent CNF forest plan. There should be more substantive work done by the Forest Service to establish how they are considering the proposed developments in light of their federal and public liability(s).

Scenery: As stated in the draft EA Table 1.1: "Implementation of the proposed action could alter the scenic resources within the SUP area and from nearby viewpoints." The EA is incorrect here. The proposed development would/will impact the scenery. Again, the viewshed impact is not quantified or mapped adequately in the EA. Further, no substantive alternatives are offered in the EA that would eliminate or reduce the impacts of the proposed development

on scenery. Why are the proposed developments so large in scale, could smaller buildings be utilized, are there other transportation options available?

There is no mention of National Forest Scenic Byways or New Mexico Scenic Byways in the draft EA. These byways exist near the proposed development areas and impacts to should be included in analysis.

In 1999, the State of New Mexico also passed the New Mexico Night Sky Protection Act. Via Taos County ordinance 2006-9, the Night Sky Protection Act, local dark skies have been recognized as a cultural and historical legacy worth preserving. The EA does not adequately analyze projects impacts on dark skies. For instance, will gondola towers be required to have flashing lights per FAA regulations. The development footprint of TSV's Kachina base area could also have implications for wildlife and dark skies, expanding an illumination/light pollution footprint.

TSV and the immediate adjacent areas are some of the most spectacular views in the world and very unique in New Mexico; better evaluation of scenic impacts, impacts to dark skies, a discussion of alternatives in the EA, and better coordination with the public on scenic value should be initiated by the Forest Service.

Socioeconomics and Environmental Justice: As stated in the draft EA Table 1.1: "Implementation of the proposed projects could potentially alter certain socioeconomic characteristics of Taos County, New Mexico due to additional visitation and changes to employment." Resort recreation is expensive recreation; additionally TSV Inc's prices for on mountain recreation are far and away the highest in the State of New Mexico and continue to climb each year. The 2020 household median income in Taos County was \$41,973 and 17.4% of residents lived below the federal poverty rate. The EA makes no attempt to define the region analyzed, where populations reside, percentage of populations in these communities that are minority and/or low-income, or how Environmental Justice impacts were identified. Additionally, the EA makes no mention of community, user, and TSV Inc workforce demographics and diversity. Further, the socioeconomic impacts of TSV Inc's operation are not adequately accounted for in the proposal: there is no analysis in the EA describing how TSV Inc contributes to the existing socioeconomic conditions of the surrounding area. Does the proposed action provide economic equity to underserved communities? The analysis does not address if this proposal, including the SUP, has potential impacts regarding equity as defined in EO 13985.

The minor details that are presented in the EA: the addition of 50 more jobs, of which some will be taken by current employees and not fulltime, is not all the great an impact for the level of development proposed. Further, There are known issues with hiring at TSV due to the lack of available and affordable housing in the area. There is high staffing turnover at TSV; over the past three years nine directors have left TSV Inc. There is a lack of local interest in working at TSV because of the commute, reputation, and work conditions. The proposed development actions will likely not benefit many local users or workforce and the EA and community outreach thus far has done an inadequate job considering the disproportionate impacts regarding equity and serving minority and low-income populations in the surrounding communities. The conclusion of the EA that there is no impact on Environmental Justice and only a positive local socioeconomic impact is far-fetched when no analysis or evaluation had been provided.

The minimal information provided in the EA regarding socioeconomic impact is disingenuous. It is noted that approximately 8% of employees in Taos County work in the 'arts, entertainment, and recreation industry'. The EA then suggests that Taos County is 'more dependent on these industries' - indicating dependence with incomplete detail is not objective. Further, A seasonal worker is not 'full-time', this is contradictory, and should not be labelled as such. And the phrasing: TSV Inc '... takes considerable care of its employees' is subjective and should not be included in an EA.

As stated above under the 'recreation' heading there is no evaluation of impacts to other recreational uses. The diversity of recreational uses in the area has socioeconomic and environmental justice value which the EA does not discuss. The cost to recreate with TSV can be cost prohibitive to many in the local area; but there are plenty of other popular low-cost recreational uses on TSV outside of winter season and year-round on immediately adjacent lands. There is no evaluation in the EA of potential impacts to other users (e.g. the Rio Hondo is a favorite fishery for many and an important tributary to the Rio Grande- another very popular fishery; what are the impacts of the proposed development on these fisheries and the many who fish, a far less expensive sport and far more popular sport in New

Mexico). Again, in addition to providing adequate evaluation of socioeconomic and environmental justice impacts, the Forest Service and TSV Inc should do a better job meeting with diverse local interests and community leaders to better understand their needs and Forest use. Without adequate evaluation and public input CNF appears to be trading downhill skiing at the expense of fishing, hunting, hiking, foraging and backcountry travel.

Finally, the use of non-local contractors for the study services and NEPA consulting speaks volumes towards who will be performing the consulting, engineering, and construction work for the proposed developments. It should be preference that local contractors be utilized for all actions and related activities in order to create a positive economic impact.

Access, Traffic, and Parking: stated in the draft EA Table 1.1: “The proposed action may generate additional daily/seasonal visitation and could alter traffic patterns and visitor access in the study area due to the proposed base-to-base gondola.” The proposed action may generate additional visitation yet the parking and staffing at TSV are inadequate beyond current operations. Parking on weekends often reaches onto the highway, the analysis does not adequately represent actual conditions. Low staffing is often cited by TSV Inc for not opening on mountain amenities. There is no discussion in the EA on how TSV will handle additional capacity outside of the proposed development. The proposed development is instead pitched to 'optimizing ski area operations'; as such the proposal reads more as 'build it, and they will come'. Increased visitation will pose a problem to current operations, and nothing is detailed in the EA on how TSV will accommodate these issues. Will a larger parking footprint, and the associated environmental impacts, be required in the future? Where will staffing come from to handle additional visitors? How will the surrounding communities accommodate additional visitors? What will the environmental impacts be to the surrounding areas, as well as the Lake Fork and Rio Hondo, of increased visitors?

There is lots of diverse recreation beyond the TSV SUP area. The discussion in the EA surrounding high use destinations, mitigating use, and the difficulties the FS currently have are 'clear as mud'. The statement that the proposed action is not expected to burden the FS ability to manage recreation resources is contradictory to the previous statement that mitigations are difficult for the FS to implement and regulate the land use. The EA should better identify and define the high use area(s); as well as detail why it is difficult to implement mitigations, identify what resources available to regulate use, and what impacts cannot be mitigated. If the proposed action is anticipated to increase the recreation on FS lands, then the mitigations for high use destinations need to accommodate the impacts of increased use- the EA provides no discussion or analysis on how this may work.

Finally, there is little more than lip service provided in the EA regarding potential restrictions to access on adjacent FS lands that are popular with recreational users. There should be a plan in place that secures recreational access, without paid use of TSV Inc infrastructure, during construction and in perpetuity after construction. Meeting with other recreational users to collaborate with the FS and TSV Inc should be a priority.

Wildlife/Fish: stated in the draft EA Table 1.1: “Implementation of the proposed action could affect individuals, populations, and/or habitat values for federally listed proposed, threatened, or endangered and/or Forest Service Region 3 sensitive fish and wildlife species, migratory birds, and CNF species of conservation concern.” The EA makes no mention of important non-listed fish and wildlife species that may be affected by proposed development. As mentioned above the Rio Hondo is an important and popular trout fishery. Additionally, there are plans underway to establish a recreational population of Rio Grande Cutthroat Trout in the Upper Rio Hondo (the third recreational population in the State). Rio Grande Cutthroat are identified in the CNF Forest Plan as a species of concern but no analysis is provided in the EA. The elk, mule deer, and sheep at TSV rely on the unique habitat and relative lack of disturbance and are enjoyed by wildlife viewers and pursued by hunters. In addition to the high alpine bighorns, marmots, pika, ptarmigan, and martens are exclusively or uniquely (to the Forest and/or New Mexico) present at TSV and in the immediate areas. It has been well documented throughout the west that ski area development can have negative impacts on fish and wildlife populations. The EA makes no mention of the fish and wildlife species (game and otherwise) other than listed species. The EA should address the potential impacts to these other important species and the value to recreational users who depend on their presence. Additionally, further community input is needed to better understand the value of non-listed fish and wildlife species in the area.

Further, the following species were identified as 'at-risk' in the CNF 2022 Forest Plan and/or 'Threatened' in Wildlife Conservation Act: White-tailed ptarmigan, American peregrine falcon, Canada lynx, Pale Townsend's big-eared bat, Gunnison's prairie dog, Boreal Owl, and Pacific marten. All these creatures are likely present in the area and/or will be impacted by the proposed projects. The EA and supporting study did not include Canada Lynx or Boreal Owl, both species are present in the area and had been included in previous FS analyses in the area. Other species of concern have also been documented in the immediate area (including marten and ptarmigan)- commensurate analysis is required.

Regarding listed species, the EA relies on a research study with limited size and scope. The research period and geographic extent of the study was too limited to provide an adequate survey of wildlife in the area. A more extensive study, including coverage over a greater % of project area, should be initiated. The research studies limited reach and exclusion of listed species opens this whole process up to undesirable legal intervention.

Watershed, Wetlands, and Soils: stated in the draft EA Table 1.1: "Watershed conditions, stream and riparian health, and surface water and groundwater quality, quantity, and distribution have the potential to be impacted by the proposed action. Specifically, this includes potential impacts to the Rio Hondo and downstream areas. Ground disturbance, including tree clearing and grading associated with construction and operation of the proposed projects, have the potential to increase erosion and soil compaction within the study area." The EA acknowledges that the proposed activities will likely increase impacts to the Rio Hondo and downstream areas. Again these are important trout fisheries and the EA does not acknowledge it.

Section 2.1 of the EA suggests that "the proposed action has been designed to avoid any impacts to aquatic/riparian habitats"; however no details on how this is designed is provided in the EA beyond following storm water precautions and basic protocols outlined in the Soil and Watershed Report's Regulatory Guidance. Further the lack of detail on proposed disturbances is woefully inadequate. Tables are provided with disturbance scoring but the background and location details on how/where this scoring applies is inadequate. In regard to the new nordic skiing and snowshoe trails: the scope is not clearly defined for where trails are located with regards to affected environment. Additionally, construction roads for the trails are mentioned and a new building, but locations are not disclosed. Additional analysis on potential impacts to the Rio Hondo fishery, detail on design to control impacts, and details on specific locations and disturbances should be provided. CNF and TSV Inc should also better engage the fishing community to ensure the continued productivity of the Rio Hondo, Lake Fork, and downstream.

The EA does not account for what % of the project area has been intensively surveyed for aquatic resource delineations. The ground-disturbing activities during construction, staging areas, as well as new and existing trail and road maintenance could negatively impact water quality and require compliance with applicable designations and laws. The Rio Hondo was recently designated by the New Mexico Water Quality Control Commission as an Outstanding Natural Resource Water (ONRW) - NMAC 20.6.4.8(A)(3) and (4). However, without detailing more specifically the potential impacts to the aquatic ecosystem in the EA, there is insufficient analysis for the protection of ONRW water quality as well as compliance with Clean Water Act (Section 404).

The USFS is required to work jointly with the Surface Water Quality Bureau to develop shared protocols for implementing ONRW protections, including strategies to prevent future degradation in ONRWs such as increased water quality monitoring frequency to at least once annually (Per the USFS-NMED interagency Memorandum of Agreement). The EA does not provide enough detail on the potential impacts to ONRW, Clean Water 404, aquatic ecosystems, and what strategies and monitoring will be in place to protect water quality and ecosystems.

With regards to the specific development activities:

Gondola: The EA offers no substantive alternative(s) to construction of the gondola. NEPA dictates that a range of alternative means are looked at – none are here. Further the EA provides no concrete detail on the gondola and

associated infrastructures' locations: The location of the proposed gondola is not clearly defined. The EA provides the gondola will generally be within the existing SUP area and adjacent non-NFS lands but provides no specific information. This is of particular concern as the rough map of the gondola largely overlaps the Lake Fork River; bridges and buildings mentioned sound like they will occur immediately in riparian areas but no exact detail on location is provided. Will there be toilets and water connections in these new buildings? Without specifics, the EA is insufficient for understanding where ground disturbance, tree clearing, footings, and other development is happening. The public and FS cannot properly evaluate the impacts of the proposed gondola without location details. Further location details need be provided, and public input taken before any construction of the gondola should occur.

There are no details on when and the gondola will be operated. Running the gondola at certain times of day can impact fish and wildlife species, impact sound and views on adjacent land, and/or obscure dark night skies. Further, construction, maintenance, cost, and general operations times should be detailed if the project is to be used by other forest users.

No detail on size and facility location of the 'maintenance facility' are included in the EA. This is a new facility on FS land and immediately adjacent to riparian areas. There need be appropriate detail and analysis provided in order to build on forest service land. This building should be included in the NEPA, with details provided in full, and alternatives offered (like why not build infrastructure on TSV owned land?).

Finally and most importantly, The scoping and EA propose the main purpose of the Gondola is to solve a perceived problem of dispersing the public uniformly over the mountain and to effect efficient transit of skiers from the base to the Kachina Basin. A comparison and contrast study should be performed by the Forest Service to determine if upgrade of chair 2 or relocation of the gondola from base to lift 2 terminus adequately solves this problem. As currently proposed the construction of a gondola to the Kachina Basin doesn't solve for the perceived problem: to move skiers. It instead solves to move more non-skiers to the Kachina Basin and/or make the immediate real estate in the Kachina Basin more desirable for development. These points were confirmed in a phone conversation with Adma Ladell – CNF, Paul Schilke- CNF, and Daniel Weeks – Taos Mountain Alliance on Monday May 15th 2023. The most fatal flaw in the whole scoping and EA is that the actual intent of the projects is obscured and obfuscated. As such this process should be rebooted with TSVI describing the actual reasoning for the gondola and presenting the case for why non-skiers and real estate development require this project be completed on public land.

Replacement of Lift 2 and Lift 8: Like the gondola, The EA offers no alternative(s) to replacement of the lifts. NEPA dictates that a range of alternative means are looked at – none are here. Further the EA provides no concrete detail on the new lifts and associated infrastructures' locations: if the minor realignments or new footings are not clearly identified, it is difficult to understand whether the analysis accounts for complete realignment for understanding impacts or if it is assumed to be "minor". Further location details need be provided, and public input taken before replacement of the lifts occurs.

Overall, replacement of aging lifts within the existing operations is a good idea, I welcome this improvement to the resort. Yet, no alternative was given for the proposed gondola project yet this proposed improvement of Lift 2 (increasing the rate at which people reach the point where Lifts 7 and 4 are accessible provides one). With a gondola rate of 1800 PPH and an improved Lift 2 rate of 2400 PPH, taking into account a 7 minute ride up chair 1 and assuming the gondola and Lift 2 lengths are the same results in moved people from the base: 450 people at the Kachina basin in ~15min. 600 people at the top of Lift 2 in ~22min.

If more people are disbursed to the center of the resort in roughly the same amount of time, and able to ski because of an improved Lift 2; as compared to a lesser number arriving at the bottom chair 4 and still slogging- this seems like an alternative worth considering. Gondola riders would get to Kachina lift quicker, (but that lift serves only expert terrain and is rarely open). Instead, those that ride up chair 2 will have a longer day of skiing and be initially presented with a diversity of skiing opportunities at all skill levels. Improving Lift 2 is a clear alternative to building a gondola. This scenario should be considered in this process.

Finally, the EA provides no concrete detail on the new lifts and associated infrastructures' locations: if the minor realignments or new footings are not clearly identified, it is difficult to understand whether the analysis accounts for complete realignment for understanding impacts or if it is assumed to be "minor". Further location details need to be provided, and public input taken before the forest service approves (or not) and the replacement of the lifts occurs.

Water Tank and Booster Station: Like the gondola, and lift replacements, The EA offers no alternative(s) to construction of new snow making infrastructure. NEPA dictates that a range of alternative means are looked at – none are here. A simple alternative to consider is shifting the ski season to begin later in the winter when more natural snow is present. Further the proposed development for "efficient" snowmaking does not acknowledge climate change. Does this activity contribute or mitigate issues related to climate change and reduced natural snowfall? Why continue snowmaking with decreased precipitation and more draw on the watershed? The EA does not describe impacts regarding climate change or the impacts that the proposal may or may not have regarding reduced precipitation. The efficiency in snowmaking is described as needed because of reduced precipitation, but no analysis of precipitation and climate change is included in the analysis pertaining to EO 13990. In addition to climate change impacts, environmental concerns associated with snow making are well known; yet the EA addresses none of the following: noise disturbances to local wildlife, disruptions to vegetation and soil composition underneath the artificially made snowpack, addition of foreign chemicals in manmade snow to the area and eventually streams. Additional research on the impacts of the new snowmaking system need be accounted for before construction should occur.

In regard to fire response, no detail on how the system will serve fire response is provided in the EA. It is a nice idea that the new system will provide fire protection but no details are provided. The analysis needs to have details on the purpose and operation of the proposed development before proceeding.

In terms of operation, the system may not in whole increase the uptake from the Rio Hondo but the additional storage capacity causes concern. How, when, where and at what rate water is diverted to the new system can have negative impacts on stream health (e.g. large withdrawals in the fall can impact brown trout spawning). The EA does not provide sufficient detail on the proposed developments operation: where water withdrawal will occur, when, how much at once - need all be included in analysis. Meetings with the public, especially fishermen and women and downstream irrigators, should occur to coordinate on potential impacts of this larger storage and snowmaking system.

Finally, no detail on size and facility location of the 'maintenance bay' are included in the EA. This is a new facility on FS land. There need be appropriate detail and analysis provided in order to build on forest service land. This building should be included in the NEPA, with details provided in full, and alternatives offered (like why not continue using current infrastructure?).

Nordic and Snowshoe Trails: Again, no substantive alternative is provided in the EA. There is a larger, well-developed, and underused nordic and snowshoe area in CNF. Why does the analysis make only short mention of this? What is the need for a new venue, when there is already an area available? The public should be better engaged to understand if this is recreation the public wants or needs.

In regards to the mechanical thinning that already occurred in the highway corridor, it is disheartening that the FS approved thinning in the name of wildfire mitigation that instead permits easier development.

A new 750 square foot facility is proposed. But it is suggested most operations would be based out of the Rio Hondo Learning Center. Why is another building on FS land needed if operations can be based in an existing building? No details on the new building's purpose, size, and facility location are included in the EA. This is a new facility on FS land. There need be appropriate detail and analysis provided in order to build on forest service land. This building should be included in the NEPA, with details provided in full, and alternatives offered.

Finally, there is no location or physical detail on the trails and roads proposed in the EA. These roads are immediately adjacent to the Rio Hondo. Without full detail on the proposed development - environmental impacts cannot be adequately evaluated in the EA. Without trails, buildings, and associated infrastructure clearly identified, it is difficult to

understand what the analysis accounts for and how it evaluated impacts. Further details need be provided and analyzed and public input taken before construction occurs.

Lift 7 Restaurant: Again, Why are no substantive alternatives offered to the construction of a large new venue? There are other locations at TSV that are closed to the public and/or underused. Is there an existing well already permitted for use by TSV? Where would these potential pipelines and trenches be located exactly? Is this part of the proposed action or another alternative? How will septic be installed in the rock? Why is such a large space necessary? There is not adequate detail provided in the EA on purpose of the large new facility when there are available seats unused in other TSV operated facilities; and the EA provides inadequate details on placement and building footprint. Analysis should include complete details on building purpose, placement, and footprint in order to adequately evaluate impacts.

The premise of the proposed projects is that the resort would be improved, not expanded. Building anything new is “expanding” and contradictory to premise. Finally, justification for building this restaurant ignores the fact that the existing Phoenix Restaurant and Martini Bar and Restaurant both exist, are unused, and are viable alternatives. We request that the Carson National Forest insist that these alternatives are examined and maybe utilized instead of building a new restaurant.

A 7,000 square foot structure would require significant amounts of water and a large capacity sewer or septic system. It is unlikely the water for this building (as well as other proposed buildings) and other proposed development won’t exceed the diversionary right of 200 acre-feet, or 65.2 million gallons of water from the Rio Hondo annually. Further there is no mention in the EA of water that TSVI buys from TSV; this is also Rio Hondo water. This water also needs to be treated , the EA does not address if the TSV Waste Water treatment Plan is equipped to process the increased water and sewage.

No details are provided on operation, what seasons will the new building operate? Will there be summer road traffic and resulting erosion and sediment loading.

It doesn’t seem like a new restaurant at the top of Lift 7 is necessary or that it could be constructed and operated in a way that does not have a negative effect on the environment.

Whistlestop Café Replacement and Relocation: With the scant details provided in scoping and the EA, the project is building a new restaurant/lodge. Why are no alternatives offered to replacement and Relocation? Renovation seems like a simple alternative that is not considered. The case made in the EA for the new on mountain dining facility competes with the case made for replacing Whistlestop Café- are both needed to achieve TSV Inc’s objectives?

Additionally, The EA does an inadequate job providing footprint location and layout of the replacement café as well as operations details. As with other proposed development activities: It is impossible to evaluate the environmental impacts of construction without specific details on location and layout. Further detail need be provided.

Lift 4 Hiking Trail: The trail description and explanation for proposed construction in the EA are incomprehensible. The EA does not provide adequate substance on why the trail is needed and how it will relieve pressure off the Williams Lake Trail. The EA prioritizes consolidating recreational activities, a new trail is an expansion. Further, a new trail to areas adjacent to Taos Pueblo Lands seems like it invites access to those adjacent lands. Additionally, the specific location of the trail and activities required to construct the trail are not adequately described in the EA. The EA needs to better describe the need and purpose, as well as the location and construction impacts of the proposed trail. Finally, as mentioned above, the public should be consulted to determine if trail is something that will benefit recreational users.

The EA states purpose of the trail is for “consolidating recreational use on public lands” this is troublesome and should be explicitly investigated by the Carson National Forest. In no way should TSVI have any control or influence on the already existing access to the Forest and wilderness around the SUP area, the hiker parking lot owned by the Village of TSV, and the easements that already exist from this lot to the WL/WP historic trails (even across public lands and the SUP).

This project and the proposed gondola project are unnecessary especially if a significant purpose (which is not determinable by the EA or the MDP) is to move people to the Lift 4 hiking trail. Because that means “more” people which is an expansion rather than an improvement of the resort.

No alternatives were given for this hiking trail project. A very obvious alternative is to provide a hiking trail in the same area as the snowshoe and cross-country trails away from Pueblo Land and Williams Lake.

Construction Access and Staging Areas:

Stated in the draft EA Table 1.1:

“Watershed conditions, stream and riparian health, and surface water and groundwater quality, quantity, and distribution have the potential to be impacted by the proposed action. Specifically, this includes potential impacts to the Rio Hondo and downstream areas. Ground disturbance, including tree clearing and grading associated with construction and operation of the proposed projects, have the potential to increase erosion and soil compaction within the study area.”

The EA acknowledges that the proposed construction activities will likely increase impacts to the Rio Hondo and downstream areas.

There is scant location or physical detail on the trails, roads, access, pads, or staging areas proposed in the EA. Without infrastructure clearly identified, it is difficult to understand what the analysis accounts for and how it evaluated impacts. Further details need be provided and analyzed.

The EA suggests that ‘Staging would occur primarily in the existing parking lots at the Frontside and Kachina Basin base areas.’ Will this staging impact other recreational users in the area? It appears that there is no plan to accommodate other recreational users; a plan should be developed with input from the public.

Today if you walk along the Rio Hondo at the base of TSV you will notice plenty of debris from both traffic and construction in the stream below. The EA has no analysis of locally added pollution from construction or increased visitation adjacent to the streams.

The ground-disturbing activities during construction, staging areas, as well as new and existing trail and road maintenance could negatively impact water quality and require compliance with applicable designations and laws. The Rio Hondo was recently designated by the New Mexico Water Quality Control Commission as an Outstanding Natural Resource Water (ONRW) - NMAC 20.6.4.8(A)(3) and (4). However, without detailing more specifically the potential impacts to the aquatic ecosystem in the EA, there is insufficient analysis for the protection of ONRW water quality as well as compliance with Clean Water Act (Section 404). The USFS is required to work jointly with the Surface Water Quality Bureau to develop shared protocols for implementing ONRW protections, including strategies to prevent future degradation in ONRWs such as increased water quality monitoring frequency to at least once annually (Per the USFS-NMED interagency Memorandum of Agreement). The EA does not provide enough detail on the potential impacts to ONRW, Clean Water 404, aquatic ecosystems, and what strategies and monitoring will be in place to protect water quality and ecosystems.

NEPA mandates careful and informed decision making. As outlined above there are gaps in analysis, detail, and discussion in the EA; as well as lack of substantive alternatives proffered; but most importantly the EA does not properly evaluate the proposed action as a whole action. In combination the proposed actions will result in dramatic new development in the SUP and will likely result in additional development on adjacent private lands. The combined development will likely have adverse environmental impacts in CNF, adjacent communities; and to CNF users that are not accounted for in the EA. Analysis thus far has done an inadequate job addressing cumulative impacts of the proposed actions. Additionally, the public’s input in the face of this development and potential cumulative impacts needs to be better solicited by the FS and TSV Inc.

Section 2.1.1 of the EA suggests that the proposed development shall “increase public understanding and respect for the CNF and nearby communities.” Nothing in the EA addresses how the proposed development increases public understanding and respect for CNF and nearby communities. The lack of community outreach thus far in fact has/is doing the opposite. CNF and TSV Inc should make a more concerted effort to meet with the local community and better gather their input on the proposed development activities before construction occurs. Tools used by CNF and the FS on similar proposed actions, like mediation/facilitators and/or work groups, should be employed. Meetings and outreach should occur in the Village of Taos Ski Valley but also in surrounding communities where more CNF users reside.

The EA and these projects also deviate from the recent Carson National Forest Plan (2022). A more careful consideration of the Forest Plan and the proposed projects should be conducted. Specifically the project work thus far does not seem to adequately consider the following priorities from the CNF Plan: wildlife (species of concern and at-risk), cultural resource guidelines; Desired conditions of riparian and land, rural historic communities, scenery, streams and waterbodies, watersheds and water, as well as wildlife, fish, and plants. A complete analysis of the projects in regard to the CNF Plan needs to occur.

The draft EA is entirely insufficient. In under 60 pages, instead of adequately considering the impacts of the proposed projects the EA instead focuses on describing TSVI’s desired project outcomes. That only one alternative was given for the projects is derisory. The EA doesn’t analyze the impacts of the proposed projects because it doesn’t compare the Proposed Action to anything else. With only one alternative, poor public outreach, and a dramatically inadequate analysis, one can only assume this NEPA process unduly favors TSVI’s interests over the Forest Service’s responsibilities as a land steward and to the public.

The Area of Potential Effect (APE) is not described in scoping or the draft EA. With the project right on the boundary line of the SUP (and even extending out of the SUP), the APE must include the areas with resources that will be impacted. This would include things like the aforementioned: light pollution, cultural, visual, terrestrial, wildlife and aquatic resources, recreational impacts, and impacts to wilderness. The resort MDP does not account for this in detail, as such a complete analysis is required.

The EA as written has obvious faults, incomplete information and analysis, and too narrow a perspective - that does not lend to an adequate environmental review. Much smaller projects (like the Kachina Peak lift) have warranted EIS, that these much larger projects with a much larger cumulative impact do not is incongruent with precedent as well as not substantiated. Additionally, substantive alternatives to proposed actions should be revisited and proffered- an adequate Environmental Impact Study should be completed. And finally, the public need be better engaged by CNF and TSV Inc. There is an excellent opportunity here to improve recreation at TSV Inc and on adjacent lands, protect the environment, and provide local economic opportunity – but CNF and TSV Inc need to do a better job presenting information in full, offering alternatives, and engaging with the public.

Finally, the whole premise of the project's goals: ‘to expand and improve the recreational offerings within the TSV SUP area, while simultaneously optimizing ski area operations and consolidating recreational use on NFS lands’ needs to be reassessed. This does not seem like the end goals of all the proposed projects. To call a spade a spade: TSVI appears to be pushing these projects to increase real estate development in the Kachina Basin and install more private infrastructure on public land. Do these projects expand and improve the recreational offerings of TSVI or do they facilitate more condo, hotel, retail, and restaurant development? Development potentially at the expense of current Forest users, local communities, and the environment. At minimum, the purpose of these projects needs to be reassessed and it should be determined whether the projects are in the best interest of CNF, for the public, and environment.

If it’s determined that the projects are viable, at minimum a full and complete Environmental Impact Study should occur, and one that assesses the cumulative impacts of the projects as well as their impact to adjacent lands, downstream waters, and local communities. Finally, CNF and TSVI should better engage the public and permit constructive public discussion in order to facilitate equitable solutions.

The scoping and draft EA have provided insufficient as well as imprecise detail thus far on the need and purpose for these projects; dramatically incomplete detail on the projects and potential impacts; no assessment of cumulative impacts; and obfuscated statutory requirements. The result thus far is poor understanding of the projects goals; incomplete project analysis; incongruence with law; and dramatically declining public opinion of CNF and TSVI. I suggest that these projects be tabled until they are ready to be considered by CNF and the public. Should TSVI continue to push for these projects an Environmental Impact Study should be completed and much better public outreach and facilitation should occur.

Thank you for your attention. I hope that my, and many others, concerns and input are adequately accounted for in this process. Please feel free to contact me at anytime.

Sincerely,

A handwritten signature in black ink, appearing to be 'Rob McCormack', with a long horizontal stroke extending to the right.

Rob McCormack

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