

May 22, 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: Comments on NEPA Environmental Assessment for Carson National Forest, Taos Ski Valley Gondola and Other Improvements Project #61390**

Dear Carson National Forest Responsible Official for NEPA Project #61390:

In Light of Nature respectfully submits these comments to the Carson National Forest (USFS-CNF) as input to the National Environmental Protection Act (NEPA) Draft Environmental Assessment (DEA) for the proposed “Taos Ski Valley Gondola and Other Improvements, Project #61390” (Project).

The proposed Project will likely have significant negative impacts on Threatened and Endangered (T/E) species documented in the Project area and on the Headwaters of the Rio Hondo (HUC12) watershed. The EA does not appear to account for environmental justice (EJ) and water security for the traditionally underserved communities which rely on acequia-based agriculture and the National Forest lands for recreation and natural resources.

Please review my comments below, which support a full NEPA Environmental Impact Statement (EIS) to be conducted before any proposed construction/development activities in the Project commence.

- 1) Threatened and Endangered Species have been documented around the Project, yet they are absent in the DEA! The DEA is lacking and raises serious concerns on how and why the USFS-CNF chose to outsource private consulting companies with possible conflicts of interest to “analyze” potential impacts from the proposed Project on T/E wildlife species.

**a) Boreal Owl (*Aegolius funereus*) - New Mexico Threatened Species<sup>1</sup>.**

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<sup>1</sup> Boreal Owl was listed as threatened in New Mexico in 1990. Intensive surveys in the state found that the species occurred in very small numbers at 10 specific sites in eight general areas in the Carson and Santa Fe National

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I documented and photographed a boreal owl on January 13, 2013, in the Project area and reported this to the USFS-CNF before the Taos Ski Valley 2010 Master Development Plan – Phase 1 Projects<sup>2</sup> were implemented. It took me 14 different nighttime ski trips to finally photo-document a boreal owl.

When I reported the finding of the boreal owl to the USFS-CNF I was told by the CNF, “We are still going ahead with the proposed project.” The Final EIS for the 2010 Master Development Plan documents that **only two surveys** were conducted for the boreal owl in habitat assumed to be conducive to the boreal owl (the lowermost portion of the Wild West Glades and the very eastern edge of the Minnesota Glades). No boreal owls were found on these **limited two surveys**. The USFS-CNF acknowledged a 2005 observation of a boreal owl away from these survey locations, yet they did not survey close to where the 2005 boreal owl was found, and where the proposed Kachina Lift would be installed. The Kachina Lift was installed in the summer of 2014. I found and reported to the USFS-CNF a boreal owl (photograph below) within 500 meters of the proposed Kachina Lift in January 2013.



*Figure 1.* Boreal Owl documented January 13, 2013, in the area of the proposed Taos Ski Valley Gondola.  
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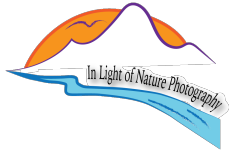
Why did the USFS-CNF choose to ignore this documented threatened species that the EIS at the time required analysis on, and why did the USFS-CNF decide to only conduct two surveys for the presence of boreal owls on the other side of the West Basin, far from the 2005 the Kachina Lift?

In the Final EIS for the 2010 Master Development Plan the USFS-CNF states that thinning of trees to make gladed ski runs does not negatively impact the boreal owl. This contradicts the fact that boreal owls feed on voles and other rodents underneath the snow surface in the winter. Snow surfaces shaded by dense trees remain soft enough for the small boreal owl to dive for prey buried under deep snow. When trees are removed the snow surface develops a sun crust preventing small mountain owls (boreal owl, western screech owl, northern pygmy owl, and northern saw-whet owl) from penetrating the melt-remelt snow surface and catching needed sub-snow surface prey.

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Forests (Stahlecker and Duncan 1996). [NMDGF Threatened and Endangered Species of New Mexico, 2022 Biennial Review](#), October 14, 2022, page 59.

<sup>2</sup> [Final Environmental Impact Statement for Taos Ski Valley’s 2010 Master Development Plan – Phase 1 Projects](#), USDA, Forest Service, Southwestern Region, Carson National Forest, Taos County, New Mexico, 2012.



The proposed project #61390, Taos Ski Valley Gondola and Other Improvements, plans to build a gondola in the area where I documented a boreal owl in 2013. The proposed gondola is planned to operate at night with an 8-person gondola car passing a given point along the Lake Fork of the Rio Hondo where I documented a boreal owl every 16 seconds! When the downhill traveling car is included a gondola car will pass a given point along the Lake Fork of the Rio Hondo every 8 seconds Error! Bookmark not defined.

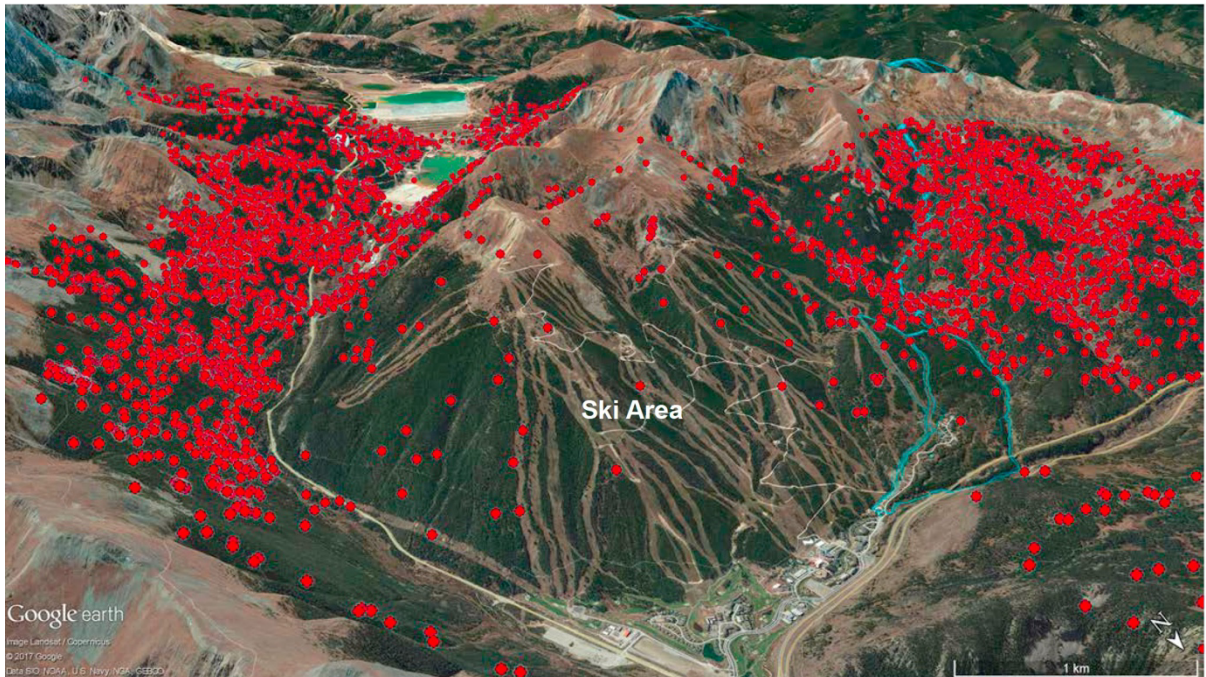
**Zero assessments were made in the DEA for the boreal owl.** In fact, the **boreal owl is not even mentioned in the DEA**, yet it is a listed species (New Mexico threatened species), which the USFS-CNF had knowledge<sup>2</sup> of its presence in the project area.

b) **Canada Lynx (*Lynx canadensis*)** – Federally Threatened Species in the Lower 48 states.

Canada Lynx have been documented in the area of the Project. Canada Lynx, once native to the boreal forests of New Mexico, were expatriated from New Mexico in the early 1900's. Canada Lynx were reintroduced to the San Juan Mountains of Colorado in 1999. The confirmed presence of Canada Lynx in the Sangre de Cristo Mountains of New Mexico coupled with observations of the Snowshoe Hare in the Taos Ski Valley area, demand that an analysis of the potential impacts from the Project on Canada Lynx (and its main prey, Canada Lynx) be conducted. The DEA does not even mention the Canada Lynx.

A study of how ski areas affect the behavior of the Canada Lynx was done by the USFS in Colorado. Telemetry on Canada Lynx show their avoidance of the ski area and its surrounding infrastructure (see Figure 2 ).

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*This figure shows the distribution of Canada lynx (as red GPS points) around a ski resort in western Colorado, USA. The lynx locations indicate avoidance of this heavily used area. Individual ski runs are the light-colored lines in the center of the picture, while the resort infrastructure is toward the bottom right. Lower intensity dispersed skiing (blue lines) along a groomed trail to a back-country hut is shown to the right of the ski area; lynx did not avoid this type of use. Graphic by L. Olson.*

*Figure 2. USFS study of the impact of a ski area on radio collared Canada Lynx in Colorado show the lynx avoid the ski area and its surrounding infrastructure. <https://www.fs.usda.gov/research/treearch/60206>*

The wildlife corridor along the Lake Fork of the Rio Hondo is important for Canada Lynx to travel between the Columbine-Hondo Wilderness and Wheeler Peak Wilderness. The impact of the proposed gondola, running at night, on Canada Lynx in that wildlife corridor must be analyzed. The DEA and associated wildlife study documents do not even mention the Canada Lynx.

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c) **Mexican Spotted Owl (*Strix occidentalis lucida*)** – Federally Threatened Species

The USFWS shows the area of the Project to be inside critical habitat for the Mexican Spotted Owl (MSO). Field surveys for MSO need to be conducted and paired with habitat impacts and disturbances from the proposed Project.

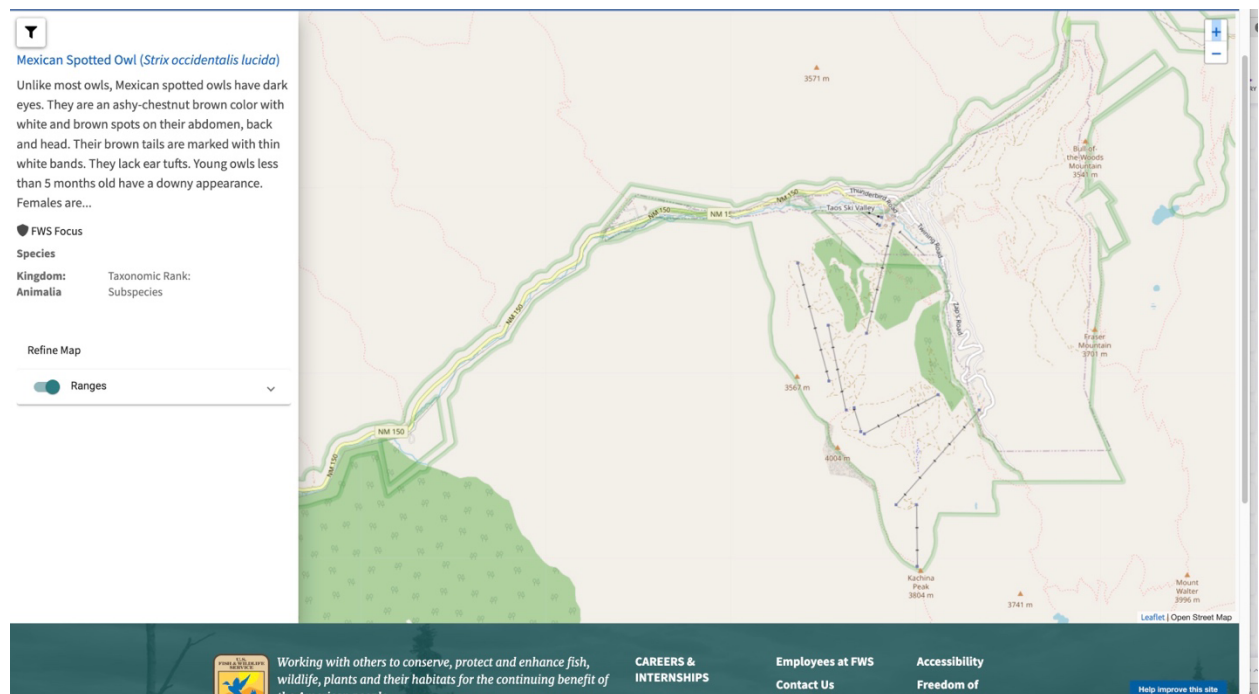


Figure 3. Critical habitat of the Mexican Spotted Owl is shown in green, and is where the proposed Project will occur. <https://www.fws.gov/species/mexican-spotted-owl-strix-occidentalis-lucida/map>

d) **Northern Goshawk (*Accipiter gentilis*)** – USFS Species of Conservation Concern

Although the Northern Goshawk is mentioned in the wildlife species supplement to the DEA, there is no analysis of how the proposed gondola would affect the Northern Goshawk, which can be an aggressive defender of its territory and is easily disturbed by the presence of humans<sup>3</sup>.

Northern Goshawks have been documented where the proposed gondola will be constructed.

<sup>3</sup> [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5165857.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5165857.pdf)



An actual assessment of the impact of all proposed activities and projects in the overall Project #61390 needs to be done, instead of simply claiming that the Project will not impact the Northern Goshawk.

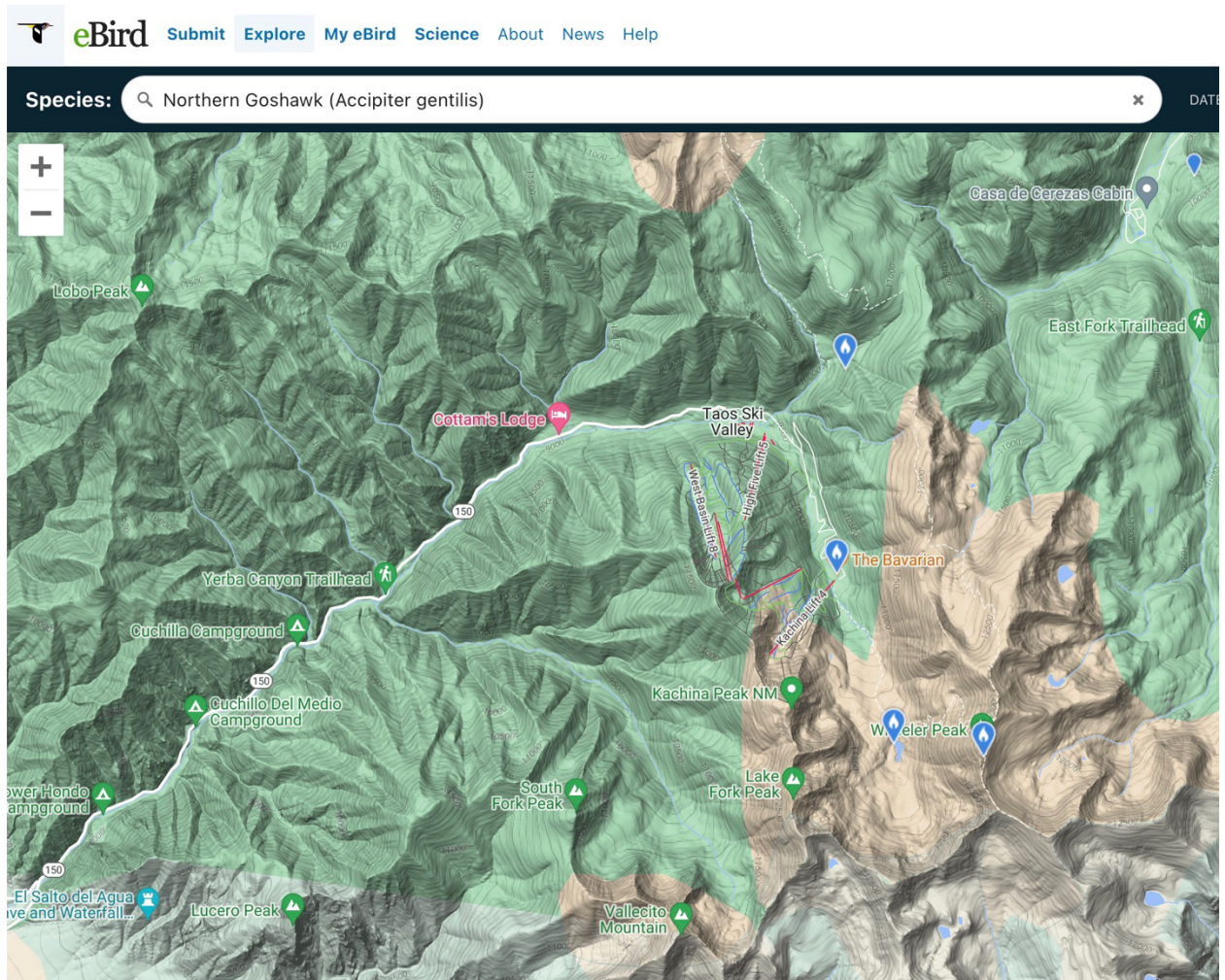


Figure 4. Observations of the Northern Goshawk in the area of the Project are shown here with blue [observation points](#).

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e) **Pacific Marten** (*Martes caurina*) - New Mexico Threatened Species.

Marten have been photo documented<sup>4</sup> in the area of the Project. They are not analyzed, assessed, or even mentioned in the DEA or supporting documents!

A full EIS is needed to assess the impacts of the Project on the Pacific Marten.

f) **Peregrine Falcon** (*Falco peregrinus*) – New Mexico Threatened Species.

Peregrine falcons live and breed in the area of the Project. Even though they are a NM Threatened Species there is no mention of them in the DEA or supplemental documents.

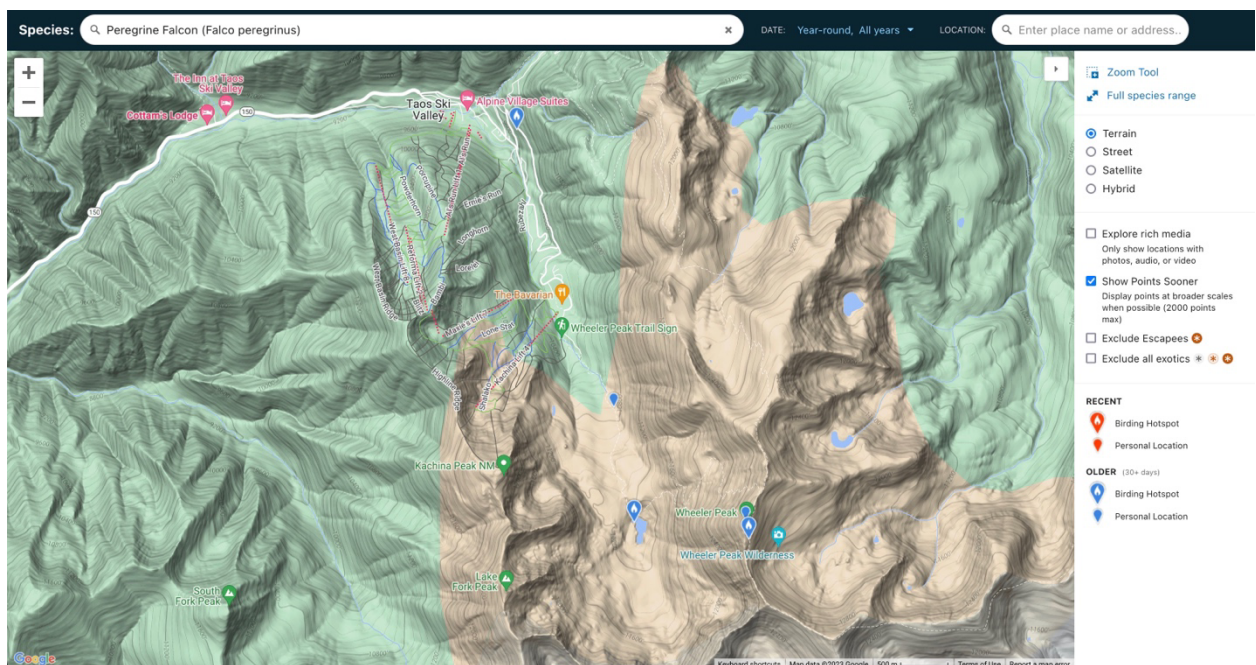
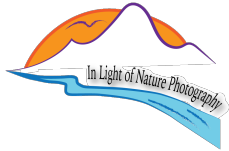


Figure 5. Observational [data](#) on Peregrine Falcons in area of the Project are shown here by blue pins.

<sup>4</sup> [https://www.taosnews.com/news/environment/marten-population-unknown-but-habitat-loss-under-threat/article\\_b5b0f1ec-e0e5-589e-81ca-9c90b9755cbb.html](https://www.taosnews.com/news/environment/marten-population-unknown-but-habitat-loss-under-threat/article_b5b0f1ec-e0e5-589e-81ca-9c90b9755cbb.html)



g) White-tailed Ptarmigan (*Lagopus leucura*) -- New Mexico Endangered Species.

White-tailed Ptarmigan are regularly seen around the area of the Project, and yet, they are not even mentioned in the DEA or supplemental documents! They are a NM Endangered Species.

A full EIS must be done to assess how the Project will affect the population of this endangered species in the Taos Ski Valley.

Overall, the DEA is embarrassing at how it seems to be an attempt at avoiding any real assessments on the impacts of wildlife. A full EIS is needed!

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