

USDA Forest Service
Attn: Michiko Martin, Regional Forester, Objection Reviewing Officer
333 Broadway Blvd SE
Albuquerque, NM, 87102

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

Re: Objection regarding Taos Ski Valley, Gondola And Other Improvements Projects

Objection Reviewing Officer,

The following objection is submitted on behalf of myself.

This Objection is filed pursuant to, and in compliance with, 36 C.F.R. Part 218, Subparts A and B. I have previously filed timely, specific and substantive written comments in accordance with 36 C.F.R. 218(a). As required by 36 C.F.R. § 218.8(d), Objector provides the following information:

1. The name and contact information for the Objector is listed below.

Alexander Levy
PO Box 282, Arroyo Hondo, NM 87513
Taostlt@gmail.com

3. I, Alexander Levy am the Lead and only Objector for purposes of communication regarding this Objection.

4. The project that is subject to this Objection is “Taos Ski Valley, Gondola And Other Improvements Projects, 61390”.

The Responsible Official is James Duran, Forest Supervisor, Carson National Forest. The National Forest on which the Proposed Project will be Implemented is: Carson National Forest, Questa Ranger District.

5. Objector submitted timely, specific, and substantive comments during the Public Comment Period on 04/20/2023 and during the scoping period on 04/07/2022. All points and issues raised in this objection refer to issues raised in those comments or are related to new information. Attached hereto are prior comments and I incorporate their arguments and information by reference.

6. In the following Statement of Reasons, Objector provides the specific reasons why the decision is being appealed and the specific changes or suggested remedies that are sought, along with the related evidence and rationale on why the decision violates applicable laws and regulations.

OUTLINE OF OBJECTIONS:

Lack of Fire Preparedness.

From the beginning of the scoping period, I have asked that the Ski Valley and the Forest Service take seriously the risk of wildfire in the canyon and at the resort.

The only response we have seen is,

“Snow making equipment can be turned on.”

That is a hope, not a plan for success.

In the absence of action by either the Forest Service or the Ski Valley, I took it upon myself to try to assist both these entities in being proactive.

The best way to prevent fire is to talk to those who have fought fire and would be the ones fighting fire at the ski valley.

Thus, I spoke to one of the incident commanders of the Calf Canyon fire. I showed him, over Zoom, the TSV proposal. What of it we could understand.

He had very specific suggestions. These are the things that he would want to see happen regarding fire preparedness. This includes a longer conversation – which has never happened. The ski valley and the forest service have an opportunity to talk to the person who put a plan in place to save Sipapu from fire.

As a volunteer member of the public, once again here are the incident commander's recommendation regarding this proposal. It is hubris that this has been ignored so many times now.

The following should be considered:

- Approach and departure and where the water bucket would go if there is a mishap and the pilot has to “punch the bucket” (drop it) you want to consider it will land somewhere not occupied by people or important assets.
- The higher the elevation, the more work it requires the helicopter to do to lift the same load. On the other hand, it is easier to go downhill with a full load than uphill, so it is a bit of a balance.
- Regarding tree removal, I would want an exit path and you absolutely do not want the helicopter to have to go up over timber or terrain close to the dipsite on either side. That just adds to the potential for error and really bad days.
- If considering how the water may be used for all types of firefighting it gets more complicated. But, generally I would be considering the following:
- If the water will be plumbed to a location where fire apparatus can be filled, the plumbing should not be able to be damaged by falling trees, etc.
- The water pressure at the fill outlet should be reduced to a level that regular fire hoses can handle.
- Valves and other appliances should be of the type that they cannot be closed quickly and cause water hammering.
- There should be a well-designed traffic pattern for apparatus that does not require backing up.
- If there are hard-plumbed sprinklers to protect structures, then the system should be designed to allow for sprinkler use, water filling or both
- Efforts should be biased towards

1) helping suppress fires when they are small, and

2) protecting everything that needs to be protected to maintain the ski resort's functionality after the fire. **“That is a longer conversation but one that certainly needs to be had ahead of time, so you do not squander precious time in the moment.”**

Not having this in place could leave NM with another 300,000 scorched acres. Last time both the Governor and the President got involved. It was notable.

Remedy: Someone with decision making capacity should read these comments, and have a long talk with the incident commander who could potentially one day be in charge of saving the resort's future. In addition to our water shed.

Trendy Gondola Proposal lacks due diligence, rational and demand forecasting.

Upon reading this proposal, the only question anyone should ask themselves is:

“Why doesn’t this gondola go up the hill?”

- **Wrong Location:** 99% of all ski gondolas go to the top of the mountain. This is what benefits guests the most. This is measured at other resorts. No guest satisfaction studies have been taken at TSV (that we know of). This would be the only resort gondola to have only 800 ft vertical rise. The Telluride FREE gondola presents a more modern gondola implementation. Consisting of three gondolas. Two of which go to the peak.

- **Remedy:** Run the gondola to the top of the mountain. Remove the abandoned chair parallel to life 1 (where everyone starts) and run the gondola up Al’s but to the top where chair two lets of. This allows skiers to access the front or back side.

- **Heresy traffic issues:** The public and the NFS are told by Rick and the SE Group that traffic is a problem. To build the gondola will cost between \$3 and \$15 million. Shouldn’t there be a traffic study of Twining road? If that is the rationale for expansion. In addition, there are two roads that go to the Kachina base. The Twining and Kachina Road. This could be paved and turned into a one way Rick Bellis loop. At a price of \$680,000 to pave per road, this would save Mr. Bacon and the public \$1.5 Million.

In absence of evidence need based approach, we must visit our own citizen performed traffic assessment of the Twining road on 12/15/24 which showed It is wide enough for two cars, cars were not permanently parked blocking the way, and passing traffic consisted of about 8 vehicles and about 18 parked cars.

<https://youtu.be/6PkyO-t-A9c?si=iluBURGcugzaWihQ>

We note this was on a day the backside was closed. This is only a sample point of data, but it is better than any data provided by the SE Group, TSV or other consulting entities. This data matches with all of my other travels up the Twining, in summer and winter. For those who travel this road, we assume the true purpose of the gondola is for further expansion of Kachina Basin.

Remedy: Complete a traffic study to show demand for services.

- **No Demand Demonstrated:** Little Cotton Wood Canyon in UT has proposed the world's longest gondola. But Phase 1 includes optimizing bussing. If congestion were a problem, TSV would run shuttles along the Twining. Shuttles are heavily used to move people around the front base. The lack of base-base shuttles, tells us that Mr. Bacon is not interested in measuring skier demand for such services. The gondola is for other purposes beyond the scope mentioned. Without demand, we may end up with a gondola but no riders. Build it and they will come – may not be a wise investment.
 - **Remedy:** Run base-base shuttles. Measure ridership.
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- **Transporting groups for large events and weddings.**
 - **Remedy:** Hold big events on the front side, not the back side.
- **TSV guests only policy:** tells us the purpose of the one of a kind b-b gondola isn't about traffic. The gondola will run till 11 pm at night, a time when traffic is not a problem. Either the gondola is a Bacon whim, or the next step to massive developments. The forest service, who according to neighbors, earns large portions of their salaries from the lease of land to TSV, is scared to interfere with Bacon and don't want to be seen as questioning his motives. This is understandable. How many employees are willing to question their boss? Or push back on their multimillion client? If the public could afford to pay all the salaries of the NFS employees, then they wouldn't have to fear upsetting premium clients like Bacon. Both the SE Group and the Forest Service have to deeply respect Bacon's vision and wishes for the forest. Bacon is worth 1.5 billion, significantly more than all the NFS salaries combined. If the forest service were able to spend \$1/second, it would take over 230 years to spend \$1 billion dollars.
- **No Alternatives Considered:**
 - **Remedy:** Kachina Road runs parallel to Twining. Pave it. Make it one way as previously mentioned.

Trendy Lift 7 Restaurant:

- **Incorrect location:** Again, the gondola should go to the top of the mountain, like we see in 99% of other resorts. No other resort in the world (searched for several hours) has a gondola with only 800 ft vertical rise. The gondola should go to the restaurant and be used to haul supplies to and from restaurant daily, as is done in resorts in the Alps.
 - **Remedy:** Put the restaurant and the Gondola at the top of the mountain
- **Additional Sewage:** The plan does not address how sewage will be handled. How will it be handled? More skiers means more sewage instead of pure water. Those who swim in the Rio Hondo, would prefer to swim in less sewage.
 - **Remedy:** Present a plan for sewage treatment and transport.
- There is no fire plan presented to protect the structure. Can fire vehicles reach the structure? Can they hook up to the well? Can aircraft approach the structure? Can aircraft bucket lift from the well? None of these most basic questions have even been asked. Never mind answered. But in a way, these questions are too small for Billionaires to worry about. It falls to average folk to solve problems on the ground.
 - **Remedy:** Create a plan. Red team it.
- **Phoenix is underutilized:** When we were kids, we use to love eating at the Phoenix. The deck was great on warm days. Best hot chocolate in town.
 - **Remedy:** If the Phoenix is too small. Expand it. A new restaurant does not have to do with capacity, it has to do with becoming trendy.
- **Expand the Bavarian:** The ski valley owns the Bavarian, which is almost always crowded a friend conveyed.
 - **Remedy:** Need more seating? Add a wing.
- New restaurant is inaccessible to most hikers.
 - **Remedy:** Put the planned restaurant at the backside base so members of the public hiking Wheeler Peak can eat there without a lift ticket.

Proposed Water Tank:

- **Wax in the River:** Increased snowmaking means untreated water, will be turned into snow, which will then be skied / boarded on leaving behind wax residue, which goes into the watershed where people: grow, animals drink, humans drink, humans swim, people fish and more. These forever chemicals come with a series of health risks. Park City may have to spend millions to clean up.

<https://www.sltrib.com/news/environment/2024/04/15/skis-snow-forever-chemicals-water/>

<https://news.colby.edu/story/pfas-in-ski-wax-lurk-at-start/>

Details and heavy Science:

<https://www.sciencedirect.com/science/article/pii/S0045653520322736>

Remedy: Measure wax in the watershed. Set aside funds for clean up. Make PFAS waxes unfavorable by bans at local shops and education for guests.

- **Displacement of Material.** A lot of dirt will be removed. Where will it go?
 - **Remedy:** Get a smaller tank. Have a plan for mitigating dust.
- **Swimming in Sewage:** Members of the public swim in the Rio Hondo tributary outlet into the Rio Grande. As mentioned extensively in previous comments. This includes swimming in pharmaceuticals and wax which are not filtered by the plant.
 - **Remedy:** Post Signage, Test for PFAS, test for pharmaceuticals.
- **Fire Crew Accessible.** As it stands, there is no plan for the tank being accessible for those in need of water to extinguish wildfires.
 - **Remedy:** Present a plan for vehicles to access the tank. Including aircraft.

Process.

- With over 600 comments made during scoping, none appeared to affect a change in policy. The ski valley got every single aspect of the plan they asked the Forest Service for. We were told multiple similar comments would be aggregated as one. Of course this minimizes the weight of the public's will but at least it shows that staff reviewed the comments enough to aggregate them. But so far we see no evidence of this reviewership. Outside of the

Pueblo's needs, this just appears to the public as a giant rubber stamp process. No commentators I spoke to believed their comments would be heard.

- The Pueblo we are told had a sit down meeting. Their needs were heard and there is a list of what was changed in order to accommodate their needs. Large numbers of Indian work at the Ski Valley and the Forest Service recognizes the Pueblo's sovereignty and respects it. This as it should be and is a model of what public input should look like. However, outside of the Pueblo, Taos Ski Valley has not had to change a single policy to accommodate the public who is affected by TSV's continuous growth. Our rivers are polluted with wax and our skies are filled with JSX jet plane's noise and chem trails. Thus depreciating all homes in Seco and Arroyo Hondo who fall in the flight path. Meanwhile citizens of Taos receive little to no benefit from the closed wall Ski Valley wealth laden ecosystem, but we all pay the costs for their success.

The top of the mountain is what skiers want. Even if you have just sledded in your life, you understand that the goal is to get to the top of the hill as quickly as possible.

A base-base gondola does not do that. It does not help skiers with a primal goal.

Additional thoughts on the gondola:

A new gondola should replace the abandoned chair that is next to Chair 1 and it should go right to the top of the mountain where Chair 2 eventually lands.

The gondola line should also intersect any mid mountain restaurant. This way the gondola could be used to ferry supplies to and from the restaurant.

The following is an example of interviewing guests.

<https://www.tandfonline.com/doi/full/10.1080/10548408.2020.1763229#d1e1620>

Interviews tell us what guests want from their experience. This is how demand for a base-base gondola should have been discovered. Through interviews with guests on the mountain. But no guest interviews have been done.

Neither myself, nor Mr. Bacon, nor anyone reading this proposal knows if the gondola will be utilized. Without a demonstration of demand, we are just guessing and praying Mr. Bacon's magic wand is just that, magic.

Sincerely,
Alexander

Alexander Levy