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Organization:

Title:

Comments: I am a parciant of the Des Montes ditch, and an avid skier and wilderness user. I support Taos Ski Valley's goal of conscientious development. I applaud their goal to increase ease of access for beginners and non-skiers. The Forest Service has a difficult role in helping Taos Ski Valley Inc. meet its obligations to the public. I believe TSVI has the intention and capacity to be of benefit to this community. Alternative strategies could lessen the negative impacts of planned development.

This development plan is only justified if it provides public good:

- The public funding for TSVI projects is secured on the basis of public good.
- Public lands comprise almost the entirety of the skiable terrain at TSVI, granted by the Special Use Permit (SUP), which justifies this use only as it serves the public good.
- TSVI holds the status of B-Corp, basing its corporate identity on public accountability and benefit.
- The Wheeler Peak Wilderness area is unique as a public resource in New Mexico. We are not Colorado, with a plethora of alpine terrain. We have no other public resource like this in New Mexico, and the duty to maintain and improve upon access cannot be overstated.

Therefore, the public has a right to question and critique any aspect of impact. We have a right to require this development to be of benefit to this community.

These concerns must be addressed in order to avoid the consequences of public harm:

#1 Necessity of an EIS and further public vetting:

Without adequate vetting, the Forest Service is derelict of duty and not fulfilling its legal obligation. There are many avoidable outcomes named in these comments. To not be negligent, an Environmental Impact Statement (EIS) is required. The consensus is overwhelming that the EA is inadequate. We require an extended public comment and RESPONSE period.

#2 Special Use Permit:

The Forest Service has a duty to enforce the terms of the SUP. Modifications of the SUP must be disclosed and approved by the public. The SUP must be upheld, equitably, with no VIP restrictions. The SUP allows for uphill access whenever safety allows, especially outside of the Ski season. Similarly, the development of official hiking trails should not make other areas of the SUP off-limits during the summer months. Many other ski resorts have a culture of honoring public access through the SUP. This is their legal duty. TSVI needs to formalize its policies to comply with SUP requirements and uphold these policies with an attitude of welcome, as do other ski resorts.

#3 Wilderness Access: Ease and Quality of Access

Wilderness access infrastructure must be maintained in kind or improved upon: parking proximity to each trailhead, the quantity of parking, and overnight parking for wilderness users. Access to wilderness must be guaranteed around and through the traffic patterns of skiers and TSVI clients on foot or in vehicles. Modified trails must allow for existing use to continue, including horseback access, snowshoe, and ski/splitboard. The gondola should not compromise the accessibility of parking lots or foot-traffic routes. Any land exchanges with the Forest Service to increase holdings by TSVI and affiliates should not further restrict public access. Without this, there is a failure on the part of the Forest Service to preserve public access.

#4 Wilderness Access: Safety

Safety of ingress and egress must be maintained and improved upon. The re-routing of the Williams Lake Trail

significantly impacted safety by placing the route under El Funko and avalanche terrain. There is a duty on the part of TSVI, the Forest Service, and the Village of Taos Ski Valley to improve upon the safety of egress through all parts of the Ski Valley. Safe egress from Williams Lake is of the utmost concern and must consist of no less than three broad trails or easements across the geometry of the valley, navigable by foot, horse, snowshoe, and ski/splitboard traffic. To be clear, this means that users require the ability to choose what part of the valley they travel through in order to mitigate avalanche danger. Historically, this level of access existed. If access is changed due to blocked easements from private usage, then multiple new routes must be provided to maximize user choice of route. The new easement under el Funko is NOT a viable replacement for the previous easement and historic access routes through the center of the valley, specifically because it creates safety restrictions.

#5 Environmental Impact: Best Available Technology or Best Available Technique (BAT)

There is a duty to consider existing technologies and strategies that would reduce environmental burden (BAT). By comparison, Arapahoe Basin has implemented innovative strategies for mid-mountain infrastructure, energy efficiency, water-saving, and composting toilets. Development plans should exceed BAT at every step. This is particularly true of mid-mountain infrastructure.

#6 Environmental Impact: Water Use Quantity is not Justified By Water Right

Downstream water availability should take priority, regardless of water right. Water usage by TSVI should not impact water availability to any connected community. The timing of water availability in the Hondo and in aquifers varies by week, by month, and by year. The duty of the Forest Service and TSVI is to mitigate their water usage in response to this variability. This obligation extends to the requirements of wildlife and fish. The timing of filling tanks should be cognizant and responsive to the water levels of the aquifer and Rio Hondo. TSVI could address this with a dedicated employee to manage TSVI usage in response to inadequate water levels in the Rio Hondo. This employee would take part in the public process with the acequia associations and the Forest Service and BLM. If TSVI is not willing to meet this necessity of public good, it should not have the right to develop further.

#7 Environmental Impact: Disclosure of Water Rights

As stated, TSVI is invoking no new water rights for this development plan. This forms a public agreement not to increase their existing right. If TSVI will be increasing its water right in the future, this should only be allowed through public approval. Any water rights owned by affiliates of TSVI cannot count as existing water rights.

#8 Environmental Impact: Water Quality and Sources of Pollution

Water from the Ski Valley flows down the Rio Hondo and into domestic food gardens. Any pollutants will soak into this land and expose the people who work it and eat from it. This unique community deserves Third Party Monitoring. Pollutants from the Ski Valley may include sewage, chemicals from the hot tubs and skating rink, and hydraulic fluid. Further pollutants likely exist. Managing and monitoring pollution is a challenge, even for those with good intentions. The Rio Hondo should be monitored on a regular basis to ensure public safety.

#9 Environmental Impact: Endangered Species and Wildlife

I support other comments in requiring further investigation into impacts on endangered species. Any mid-mountain infrastructure should use prefab architectural components and low-impact foundation systems. This would mitigate construction impacts. Given the fragility of the ecosystem, new infrastructure footprints should be examined carefully. There is much improvement that could be achieved working within the existing footprints.

#10 Increased Capacity Impact: Traffic, Housing, etc.

Studies are needed to evaluate how capacity at Taos Ski Valley will impact local traffic and housing costs. The presence of Taos Ski Valley dramatically increases the burden on locals to meet the increased cost of living. To offset this impact, there needs to be a dedicated effort to contribute to local affordable housing.

#11 Social Impact: Local Access

The SUP does not preclude the offering of affordable season passes to locals. Due to the burden of hosting a ski resort, the local community is entirely deserving of affordable passes. Such passes should offer a variety of options, such as a discounted full pass and a discounted weekend and midweek pass. Giving 100 free passes to the Pueblo and not to Hispanic families is a form of environmental racism. Pueblo members should not be limited to 100 passes. No Pueblo member who wants to ski should be excluded. There should be a multitude of discounts and free passes made available to both Pueblo and Hispanic community members. The contributions of local culture to ski culture cannot be overstated. This is what makes Taos Ski Valley a global treasure. We need our local community to have MORE access to skiing, not less. If development at TSVI fails to achieve this, all parties involved are failing, and ski culture around the world is losing out. There is no other Taos Ski Valley.

#12 Social Impact: Mountain Infrastructure, Access

Dedicated to storage cubbies or lockers in base mid-mountain facilities improves accessibility. The ability to store a sack lunch makes or breaks accessibility for lower-income children across the ski industry. Lockers increase accessibility for adults with special dietary needs, and mid-mountain storage means that they are less likely to need to travel to the base. This, in turn, reduces the amount of skier traffic on lift 1 and lift 4.

#13 Social Impact: Accessibility of Jobs and Economy

Jobs at TSVI should be filled, as much as possible, by locals. A study should be conducted to assess why more locals are not working at TSVI. Jobs may not be accessible to locals because of non-obvious reasons: wages not matching local living costs, lack of transportation, work culture and infrastructure, racial and social issues, and amount and flexibility of hours. With public funding, there is a duty to not just offer jobs to locals but to examine and adapt the cultural and social situation. It is the duty of TSVI and local government to assess why this is the case and solve it. Jobs are a crucial part of why TSVI is allowed to operate on public lands.

#14 Local Businesses

TSVI should include in the plan public spaces that will be available for things like local craft markets and food truck vendors. This has been part of the history of Taos Ski Valley. The loss of local independent vendors is not just detrimental to the local economy, but to local culture. TSVI has a role to play in showcasing the greater Taos economic culture.

I hope that it is clear in my comments that I am not "Anti" Taos Ski Valley Inc. and its development. It is not easy to do ethical work. Please do not shirk your duty to this community, nor to TSVI, in seeing this process through. We require an EIS. We require a longer period of public process.

Thank you.

Jacquelin Burnett