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Organization:

Title:

Comments: Re; Project #61930, TSVI Gondola and Other Improvements, Project Objection

Submitted through <https://Cara.fs2c.usda.Gov/Public/CommentInPut?Project61390>

Responsible Official: James D. Duran, forest Supervisor

Reviewing Official: Michiko Martin, Regional Forester

Dear Forester Martin,

I am submitting my objection to the recent Ranger Amy Simms Draft Decision Notice #241029 for Taos Ski Valley Inc's Gondola and Other improvements.

This is a project and activity implementing a land management plan which is subject to a pre decision objection period under Subparts A and B of 36 CFR part 218.

As I argued in my original comments in the Scoping Period (3/28/23), the massive footprint of this project clearly requires a full Environmental Impact Statement (EIS) and complete Hydrologic Study to be performed by USDA US Forrest Service.

The statement of finding "no significant Impact" is totally reckless considering the excessive and unnecessary planned construction, riparian destruction, wildlife disturbance and over utilization of available water sources and supply.

These TOTALLY significant impacts were explained away by Snow Engineering (SE), a private consulting firm hired by TSVI to produce the answers ordered and then to educate the CNF staff as to their position. Additionally, the project's Purpose and Need (as indicated by TSVI's SUP) does not implicate the necessity for these upgrades. And without 'responsibly considering their impact on the community' (and nature) via an EIS, in contrast to the 'sole business needs' of TSVI, CNF is abandoning it's responsibility to the citizens and the land it serves in favor of a business monolith.

The Draft EA states "the combination of shorter winter season and earlier spring melt will have serious impacts on the water resources, ecosystem and the economy of TSV". This clear-eyed and serious admission of the fragile environmental reality does not fit with the practice of allowing a highly impacting entity to self regulate. The Carson National Forrest is supposed to be the Regulating Entity but in this case it has passed the responsibility of decision, inspection and monitoring to TSVI, the Regulated Party. The fox in control of the hen house as it were.

As a parciente of the Arroyo Seco/Rio Lucero Acequia Association, I know that the portion of water that I receive at any given reparto is not a division of rights but a division of supply. Recently, TSVI has purchased vast amounts of water rights from private individuals outside of its watershed position (both from the Rio Chama/SanJuan Diversion project and the Questa area). The utilization of these non geographical water rights here in the Taos valley can only serve to diminish the supply of water available to the people of Taos and local ecosystems. Although TSVI states it will not increase its diversions from the rivers, it will likely make up the difference by pumping from the now TSVI controlled springs and wells which serve to recharge the aquifer for the entire Taos valley. TSVI argues that it is appropriating the necessary water rights from private individuals, however this water does not originate from the Kachina basin but does feed the Rio Grande and are therefore passable to the Interstate Stream Commission and State Engineer. This water use transfer will have a negative net affect to the local watersheds and micro ecosystems as the water used is not replenished by the nonuse of the water rights on the lands to which they are assigned and the water originates. Additionally, the issue of the water sufficiency determination must be examined carefully, particularly in light of the proposed 5,000,000 gallon water storage tank. TSVI purchased water rights in the initial ski area acquisition from the Blake family and has

continued to seek out more available sources. These include more private land in TSV and Arroyo Seco (which are within the affected watershed) but also, from Questa and even large quantities from San Juan/Chama diversion project. These last two purchases are particularly troubling as they are non-connected water sheds, therefore TSVI's purchase and use is not representative of nonuse elsewhere in the watershed. It is not a net zero exchange.

Furthermore, water rights in Taos County are substantially over allocated. Due to variation in supply and climate change we see diminishing supplies for irrigation and domestic well recharge.

It is important to remember the water supply is non-static. Use must follow supply and as the headwater resident, TSVI has the ability to fully execute their allocated water rights regardless of the overall supply leaving the rest of the community and ecosystem with whatever is leftover.

Any high mountain water sucked up for more development can only return to us as more effluent in the Rio Hondo.

Regarding the on mountain restaurant construction and remodel, the Proposed Action seeks to install a septic system or sanitary sewer line based on engineering recommendations, with water supplies coming from an onsite well to support the on-mountain guest service facility at the top of lift 7 and the new Whistle Stop building. These developments would not only require significant quantities of water, but also potentially impact water quality in the project area as well as water quality in the ground and surface waters within the Rio Hondo watershed. The disturbance and compaction of soils along the Lake Fork of the Rio Hondo for installation of the gondola and all its towers will result in impacts to the stream and must be studied diligently.

The EIS must comprehensively evaluate the direct, indirect, and cumulative impacts of the Proposed Action on water resources. Specifically, the EIS must examine the potential impacts to water quality, groundwater supplies, surface water supplies including drinking water, and aquatic wildlife. Special attention must be paid to project elements that threaten drinking and agricultural water supplies for the nearby towns of Taos Ski Valley, Amizette, Valdez, Arroyo Seco, Arroyo Hondo and the Taos valley. As well as vital aquatic habitat for trout in Rio Hondo and the Rio Grande, and essential drinking water sources for terrestrial wildlife.

The EIS should also examine appropriate opportunities to mitigate any/all these impacts. Simply, TSVI's 200 ac/ft per year and its available supply analysis IN THE LOCAL WATERSHED is not outlined in the EA section 39 response to water availability as it should be.

Furthermore, CNF has not considered a No Action Option or provided at least one Alternative Option that is substantially different from the proposed action, as is the policy for a project of this size.

To conclude, I ask that the CNF (as an agency based in science) follow the Precautionary Principle regarding the analysis of these projects. Remembering that these potential impacts cannot be undone, it is imperative that you get it right the first time. The National Forest Service is the representative of the citizenry and the stewards of all our lands. I ask that you fully execute the NFS statutory responsibility to manage NSF lands on behalf of American people, to assert control over water that originates and is used on NFS lands for multiple use purposes, and to apply conditions of use to special use authorizations. These responsibilities are needed to ensure sufficient water supply and wilderness opportunities for all species, downstream users, ranchers, recreationalists, hunters and visitors. There is no remediation that can return a potential mistake of this magnitude to its natural state.

Respectfully Yours,