



Town council splits on airport project

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Passionate pleas and a lawsuit weren't enough to keep the Taos Town Council from moving forward with an airport expansion project this week.

A split council voted Tuesday (Sept. 10) to go ahead with the construction of a new runway at the Taos Regional Airport. Councilors Judi Cantand Fritz Hahn voted against the proposal. Councilors Andrew Gonzles and Fred Peralta voted in favor. Mayor Dan Barrone broke the tie.

The vote came after more than an hour of impassioned comments from people on both side of the issue, which has grown increasingly contentious in recent months.

For decades the town has been attempting to build a second runway at the airport, but the project was stalled because of opposition from Taos Pueblo. Tribal officials finally gave the project their blessing in 2012, and the town was poised to break ground this fall.

However, controversy around the planned expansion has called the project's future into question.

Supporters, including pilots and emergency personnel, say the project will improve safety at the high-altitude airport and improve economic development in the region.

But a growing chorus of opponents has voiced myriad concerns, including worries the new runway will create more noise pollution from air traffic and exacerbate the wealth gap in Taos.

Most recently, opponents have insisted the town failed to abide by the county's land use regulations, depriving adjacent landowners of their right to weigh in on the project details. A lawsuit making those kinds of claims was filed in District Court Monday (Sept. 8). The suit asks a judge to halt the project until the town jumps through the proper hoops for zoning approval. The complaint is also asking a judge to compel the county to require the town to seek such approval.

Six county residents — including writer John Nichols, author of the "Milagro Beanfield War" — are named as plaintiffs. A complete copy of the complaint can be downloaded at taosnews.com

The council's vote Tuesday was to approve a \$300,000 match to be eligible to apply for \$5.8 million in pre-approved state and federal funding to pay for the first phase of the project. At the same meeting, the council also awarded a \$5 million construction contract to the Taos-based

firm Northern Mountain Constructors. The FAA has agreed to provide up to \$23 million to pay for the long-awaited project. The entire project is expected to be finished in two years.

Councilor Hahn gave a lengthy explanation of his reasoning before the council vote, and he said the promise of outside money to pay for the expansion was an obvious lure. "It is so tempting, isn't it, to live off the federal tit," Hahn said.

But in his 20-minute monologue, Hahn said the benefits of the project did not justify the expense. "I feel that we need to invest in the community at large, not a select few," Hahn said, alluding to the argument that the project would generally benefit only wealthy pilots and jet owners.

Instead, Hahn said the town's \$300,000 contribution should go toward projects like acequia revitalization that he touted in the campaign leading up to his election victory in March.

"Am I going for pie in the sky, or something concrete?" Hahn said. "Well I'm a conservative investor, and I'm going for something concrete. If we could become the 'Venice of the West,' would we not only improve our own quality of life and that of our children, but naturally attract visitors who will drive up our beautiful gorge to see the gorgeousness of the Taos Valley."

Many of Hahn's comments were reiterated by Cant, who said she opposed the project because it would improve accessibility for wealthy visitors to Taos at the expense of local taxpayers.

Cantsaid the influx of affluent people to Taos is already driving out longtime locals. "We have a responsibility to those who will become displaced," Cantsaid. "We do not want Taos to lose what charm it is clinging to."

As part of her statement, Cantargued an updated environmental impact study needs to be conducted, in part because of the recent designation of the nearby R'o Grande del Norte National Monument.

But Councilor Gonzles repeatedly voiced objections to what he called "billionaire bashing." He argued the influx of wealthy people to Taos has allowed him and other small business owners to survive, and he said it's allowed him to stay in Taos and raise his family.

"Right now, we survive on the crumbs of these millionaires," Gonzles said. "But the difference is we survive."

Mayor Barrone said after the vote expanding the airport would help bring life to Taos.

While the airport has gotten the council's OK for funding, the town is only beginning the process of getting zoning approval from the county. Late last week, the town formally began steps to file an application with the Taos County Planning Department to get the airport expansion approved. A meeting with county planning staff was held Friday (Sept. 5), and a formal application was submitted Monday (Sept. 9).

That action follows multiple letters alleging the town had failed to get the county's approval for the project. The letters came from the same Santa Fe attorneys that drafted the suit against the town.

In an interview Tuesday, Town Manager Rick Bellis said the letter asserting the town needed zoning approval from the county had nothing to do with the permit application the town filed at the county Monday. Instead, he said the application was put off until the town resolved some outstanding issues.

Bellis said the town was unsure how much the first phase of construction would cost, or how long it would take to complete the entire project. He said there was talk of creating a joint zoning district with the county, though he said the timeline of construction was pushed forward and applying for a zoning permit made more sense.

In addition to zoning approval for the project itself, the lawsuit cites a federal regulation that requires any entity applying for grant funds (in this case the town) to ensure that “appropriate action, including the adopting of zoning laws, has or will be taken, to the extent reasonable, to restrict the use of land next to or near the airport to uses that are compatible with normal airport operations.”

The suit contends the town has taken no such action, and the county has done nothing to restrict land use surrounding the airport.

Opponents of the airport expansion have been circulating a map drafted by the engineering firm hired to plan the expansion. The map shows possible takeoff and landing paths over residential areas, and offers suggestions for zoning in those areas. In some places the proposed zoning is far more restrictive than what’s in place now.

The engineering firm that drafted the map declined to comment because of the pending lawsuit.

At this point, however, there is no indication the zoning shown on that map will be adopted by the county. And in an email to *The Taos News*, a spokeswoman for the FAA gave no indication the agency would withhold grant funding if zoning changes aren’t enacted.

“We obviously support and encourage zoning ordinances that would recognize the proximity of a nearby airport, but zoning is a local issue,” wrote FAA spokeswoman Lynn Lunsford. Lunsford noted the key language in the code cited in the lawsuit is “to the extent possible.” “As far as the FAA is concerned, the town has been doing that,” Lunsford wrote.

Any change to the existing zoning around the airport would have to be adopted by the county commission. The county’s new land use regulations, adopted in June, allow volunteer neighborhood associations to design their own zoning maps and present them to the county commission for approval.

John Durham lives on Tune Drive and heads the Stagecoach Neighborhood Association. Stagecoach and two other neighborhood groups near the airport signed a letter to Mayor Barrone asking that flight paths to and from the new runway be amended to avoid disturbing residential areas. If the town adopts these new approach patterns, the letter says the three neighborhood associations “can support the planned airport expansion.”

“If we could influence the direction that flights land and takeoff, we probably wouldn’t have any increased impacts [from the new runway] out here,” Durham said in an interview Tuesday (Sept. 9).

As the county considers the town's permit application, it's not clear how much input the public will have before a decision is made.

In a Sept. 5 letter, acting Taos County Planning Director Edward Vig'l wrote he met with Bellis and the town public works director Francisco "French" Espinoza to discuss the process by which the town must apply for a permit to do the expansion.

Vig'l wrote the county would review the permit administratively — without requiring a full-blown public hearing process — under a section of the code that allows for administrative approval of public facilities projects. Among the requirements of the application is the preparation of a list of adjacent landowners who must be given notice of the proposed project.

In a response letter, Bellis wrote the town's legal department would like to send notice letters to nearby property owners as soon as Monday (Sept. 8).

Under the county's land use code, nearby property owners must send a letter to the planning director to be personally notified of the planning department's ultimate decision.

The director has 30 days to determine if the application is complete. He has another 30 days to determine if it will be compatible with existing land use in the area.

Once a decision is made, it's likely the project will be able to break ground. However, the land use code gives any of the adjacent property owners the right to appeal that director's decision to the county planning and zoning commission.