

Opponents appeal airport project permit

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Eight Taos County residents are appealing the approval of a permit for the Taos Regional Airport expansion.

The town of Taos owns the airport and is planning the construction of a second runway with funding from the federal government. After nearly three decades of studies and debate, the town appears poised to break ground on the \$24-million project.

The appeal means the permit will likely go before the county planning and zoning commission for consideration. The county land use regulations specify that a hearing must be set within 45 days of the appeal date.

Another appeal by either party would then go to the county commissioners.

It's not clear at this point whether the appeal will delay work on the ground, though county officials have indicated the town is free to start construction while the appeal works its way through the administrative process.

Supporters of the new runway argue it will improve safety at the airport and put Taos in a better position for economic development. Detractors have raised a slew of concerns, including increased pollution, effects to property values and worsening the divide between the county's rich and poor.

The appeal, filed with the county Jan. 23, takes aim at zoning issues and argues the project lacks "sensitivity and consistency in both use and visual impact" to the existing area.

Acting planning director Edward Vigil gave the permit application the green light in late December. In making his decision, Vigil leaned on a stack of federal reports and studies that were used to justify the project and consider its effects. Vigil concluded that the project met the county standards for matching existing uses in the area.

But the appeal to that decision argues Vigil made 11 "factual errors" in his decision. Among the critiques, the appeal says Vigil incorrectly concluded the project is "sensitive to the neighborhood" and would have "no direct effect upon off-airport land uses."

The appeal also says the permit should have gone through a much more stringent permitting process that included additional public input.

The county says the permit only needed Vigil's OK because the project is a "public facility."

The appeal repeatedly points to a land-use map prepared by the town's engineering contractor. The authors of the appeal contend the map shows "incompatible" land use in the area surrounding the airport.

The same people appealing the permit approval are also plaintiffs in a lawsuit seeking to stop the project until zoning changes are made around the airport.

Attorneys bringing the suit have argued the public has not had enough input on what the impacts of the new runway will be. They've also pointed to the same land-use plan as evidence that additional zoning restrictions are necessary.

Town and county attorneys have consistently argued they are under no requirement to adopt more zoning.

A court filing from the town attorney argues that existing land use restrictions around the airport are more restrictive than land use rules shown on the contractor's map.

A hearing in the lawsuit was held before Judge Jeff McElroy Jan. 8.

Plaintiffs in the case are asking for an injunction to halt the project until zoning changes are adopted.

At the hearing, the judge suggested the true intent of the lawsuit wasn't to get zoning implemented, but to sink the airport expansion entirely.

No ruling has yet been made in that case.