



THE TAOS NEWS

Best U.S. Weekly Paper- NNA 2007, 2008, 2010
Inland Press Nation's Best Weekly Newspaper 2009

Airport appeal March 4

By J.R. Logan

The Taos News, 2/26/2015

Work on the expansion of the Taos Regional Airport has begun, but opponents are continuing their fight to have the project halted.

A hearing on a permit giving the project a green light is scheduled to go before the Taos County Planning Commission, Wednesday (March 4) at the Taos County Commission chambers on Albright Street. The meeting is scheduled 6 p.m. The town's contractor broke ground on the construction of a second runway last week. The work follows nearly 30 years of disagreement over the purpose and need of the \$24 million project, which is being funded almost entirely by the Federal Aviation Administration.

The town cleared what appeared to be its final hurdle late last year when the Taos County Planning Department approved a construction permit for the project. The acting planning director approved the project based on a federal study (conducted by the FAA) that purported to show the project would have minimal environmental and social impacts.

Supports of the expansion contend the second runway will improve safety at the airport and better position Taos for future economic development.

Dogged critics of the airport expansion have questioned the government's motives in pushing the project, and have gone to great lengths to halt construction. Most recently, a Santa Fe law firm filed suit against the town and county on behalf of a group of Taos residents — John Nichols, Dilia Martinez, Phillip Reyna, Ernest Concha, Daniel Romero, Bonnie Korman, Edward Sylvester, Jennifer Sylvester and Judy Sutton.

The plaintiffs' attorneys were asking a Taos judge to stop the project until the county adopted more stringent zoning in the area around the airport to protect landowners from changing flight patterns associated with the new runway. A report commissioned by the plaintiffs suggests the current zoning is inadequate and the new runway poses a safety risk to nearby residents.

Taos district court judge Jeff McElroy refused to halt the project earlier this month, stating the plaintiffs had not provided sufficient evidence to show additional zoning was required. McElroy also said the plaintiffs did not complete the appeal process at the county level.

The March 4 meeting with the planning commission is part of that process.

In its application for a building permit, the town said the neighborhoods surrounding the airport have already adopted zoning that would protect the area from “negative aesthetic or economic impact.” The letter also said the town has proposed a joint town/county zoning effort for long-range planning around the airport.

But 2013 emails obtained by *The Taos News* shows the town was taking steps to enact additional zoning restrictions as suggested by the engineer picked to design the project. Based on a map attached to the email string, the engineer said certain uses, such as residential, would be “normally unacceptable” inside the proposed flight path for the new runway, including the Earthship community west of the R’o Grande Gorge as well as existing subdivisions in the Tortuga Lane area.

Plaintiffs in the case have leaned heavily on the map as proof that more needs to be done to adequately zone the airport area. The same group is appealing the planning director’s decision, and among their claims is that the county failed to appropriately take into consideration the map’s contents.

The 2013 email exchange shows that then-town planner Rudy Perea (now a county employee) had requested a meeting to go over “proposed zoning regulations” shown on the map. Then-deputy county manager (and current town manager) Rick Bellis responded that “there should be some sort of zoning for the airport” whether or not a proposed annexation by the town went through. That annexation attempt ultimately failed.

Bellis noted that zoning limitations would largely be dictated by FAA rules, which “appears to be the case in what they [the town] are recommending.”

Bellis said in an email this week he was referring only to the town-owned airport property, not adjacent areas. He said his comments as a town and county employee have been “100 percent consistent.”

In a court filing, the town said the plaintiff had “misconstrued” the map, and argued the current zoning restrictions are “more restrictive” than what is shown on the drawings. The filing said the map was prepared at the request of the county assessor to better understand the effect on property values of the annexation attempt.