

September 4, 2025

IN THE MATTER OF THE APPEAL OF
THE DECISION OF THE TAOS COUNTY
PLANNING COMMISSION MEETING OF
JULY 31, 2025

CASE SUP-24-000013

(Previously docketed as **SUP-25-000003**)

INTRODUCTION

Skyway Towers is proposing that a 195' cellular tower be built on the property of Alfred, Susan and Jacqueline Cordova at 1489 State Highway 522 in San Cristobal, New Mexico. This project has been in the works and in planning stages since early 2024. Residents of San Cristobal, including the appellants listed below, learned of the project only ten days before a hearing was to be held before the Taos County Planning Commission. With little time to prepare, appellants and dozens of residents appeared at the meeting of the Planning Commission and gave testimony. Several residents of San Cristobal submitted written comments in advance of that hearing. Despite the short time frame, a petition was also submitted with over 150 signatures from local residents in opposition to the tower. The petition has now nearly reached 300.

In the view of the appellants, the hearing was simply a rubber stamp on the findings of the Planning Staff. None of the concerns raised by written comments or testimony (except the attempt to disguise a 195' tower as a non-native Sequoia tree in a pinon juniper zone) were addressed in any manner by staff, or by Commissioners. One Commissioner dismissed concerns and accused the protestants of simply being NIMBYs. That is far from the truth, and points of concern and appeal will point out deficiencies in the process and in the decisions made by both staff and the Planning Commission.

Ryan Shaver, attorney for Skyway Towers, began his presentation by stating that more wireless services were needed in San Cristobal, there is no adequate source of service, and that this proposal would close the gaps and be the 'least obtrusive means' to close the gaps. He stated that San Cristobal is a "community in critical need of services."

Commissioner Edelman pointed out that Kit Carson Electric, through an earlier program, had provided access to fiber optic connections (even at no cost for those in need), and went on to question the placement and height of the tower. It was clear that Mr. Shaver had never been in San Cristobal and had certainly had no contact with community members other than those related to the application. Mr. Shaver, at the time of his rebuttal, essentially told the Commission that they could not deny this project because of the doctrine of Federal preemption.

While Federal preemption defines certain of the parameters for review of cellular services (specifically, for instance, if FCC requirements are met, protestants cannot challenge health

concerns based on EMFs), the County has considerable leeway in determining if a proposed project otherwise meets its visions, goals and needs of the community. The Taos County Land Use Plan is critical, along with community sentiment, in determining what is best to meet the connectivity needs in a rural agricultural village. Pertinent facts were ignored, and an incorrect legal standard was proposed and guided the Planning Commission.

In this appeal, we will address the following points:

1. The proposed tower violates multiple Taos County Land Use regulations;
2. There is no need for additional cellular service;
3. The proposed tower would cause significant and irreparable harm to the San Cristobal community and to vital local businesses;
4. The project proposal fails to consider the negative impact on local wildlife, and fails to address the written concerns of the New Mexico Game and Fish Department;
5. The proposed tower would increase safety and wildfire risks in an already vulnerable area of Taos County.

Each of the below-signed appellants is a resident of, and/or property owner in San Cristobal, has standing to appeal, and is affected by the adverse decision of the Planning Commission entered July 31, 2025.

AREAS OF CONCERN AND APPEAL

- 1. The proposed tower violates multiple Taos County Land Use regulations. The assertion that sufficient value is gained by residents is patently false.**

The following sections of the Land Use Regulations have been improperly applied and interpreted, as discussed below:

Section 4.6.1
Section 4.11.1 (C)
Section 4.11.1 (D)
Section 4.11.1 (F)
Section 4.11.2
Section 4.11.4
Section 4.1.1

Compatibility

San Cristobal is a small community that falls within a County Rural Area (formerly Rural Agricultural zone). Section **4.6.1** of the Land Use Code states that development shall be sensitive to and consistent with existing traditional and historic uses, or there needs to be a demonstrated substantial benefit to or in support of, and *not* have a substantial impact on, the immediate neighborhood. San Cristobal has historically been an agricultural community and there has been a recent resurgence of agricultural activities, including healthy soils initiative,

treating over 60 acres of land, workshops on regenerative agriculture, bale grazing, orchard health and pest control and fencing. Young people are actively raising goats and sheep. There was a recent revitalization of San Cristobal Day, at which over 90 people were in attendance. A 195' cell tower would invite unwanted development and disturbance. People who come to live, come for the pastoral nature of the land.

Contrary to the Staff determination, a large cell tower, even if not disguised as a pine tree (or Sequoia) would be an intrusion, and a definite blight on the view scapes of close neighbors. For some, it would be what they are forced to see every day; for others an obstruction on otherwise clear views to the west. Disguised as a tree, or not, it would not “blend in...with the neighborhood character.” (See Finding #3, Decision of the Planning Commission, citing **Section 4.6.1(B)[Visual Compatibility]**) This intrusive structure would be insensitive and inconsistent with all that San Cristobal represents and means to its residents.

Staff found (see Finding #38, Decision of Planning Commission) that Sec. **4.11.1 (C)** was met because the “proposed tower will be placed within the interior of the subject property and therefore will not be within the view of the general public”. This is far from the truth. Every resident of the lower valley of San Cristobal will have a 195' cell tower in their view; the tower will be visible from other parts of the valley; and, it will also be visible when driving State Hwy. 522 from both directions. As testified to by one San Cristobal resident, the visible tower will be a distraction to the driving public at the most dangerous spot on the highway – the steep curve coming down the hill into the valley from the south. This will pose a danger to the driving public.

Staff determined (see Findings #39 and #41, Decision of the Planning Commission) that “in order for the Applicants to comply with the criteria of **section 4.11.1 subsections (D)[Landscaping and Screening] and (F)[Color and Camouflage]** of Taos County’s Land Use Regulations the Applicants will need to disguise the proposed cell tower as a pine tree” “which blends in more with the neighborhood character...” Disguising a cell tower as a tree seems to be the Staff’s panacea to incompatible obtrusive structures. In the end, the Planning Commission rejected that finding, and approved the lattice design of the Applicant. The Staff acknowledged the intrusive nature of a 195' tower and attempted to disguise it. The fact is that it cannot be disguised and cannot blend into the neighborhood character. How then, does the tower blend in and meet the standards for landscaping and color and camouflage? It does not.

The Staff report, and findings of the Planning Commission are deficient in the following ways. The tower is incompatible with the area’s character, fails to meet visual impact standards, and lacks sufficient justification for a co-location exemption. Specifically, the proposed tower conflicts with Taos County Land Use Regulations **Sections 4.11.2 and 4.11.4**, which require minimization of visual impacts, demonstration of co-location feasibility, and adherence to height and setback standards that preserve the intent of the County Rural Area zoning district as defined in **Section 4.1.1**.

Additionally, the staff report failed to consider **Section 4.11.1(E)** and the proximity of the proposed Arroyo Hondo freestanding cell tower. The Planning Commission approved, based on a Staff Report, a freestanding cell tower in Arroyo Hondo, at the north end, on the hill by

Grace Community Church. That tower, if constructed, would be 3.5 miles from the proposed San Cristobal tower. Section 4.11.1E of the County's Land Use Plan provides that free standing cell phone towers *shall not* be within 5 miles of one another.

In summary: the scale and location of the proposed tower are grossly out of character for the community and would violate numerous county land use regulations. Not only would the tower be one of the tallest in the county (only five feet shorter than the tower at Espanola Walmart), the 30-year-lease would impose this industrial blight for at least a generation of residents. This project should be denied.

2. There is no need for additional cellular service. Current evidence shows that all residents are already well serviced by existing telecommunications services, including comprehensive access to emergency services.

The applicant has claimed a need that does not actually exist. Maps provided by the applicant lack specificity and are outdated, as they do not reflect current cellular coverage. Current maps from internet providers show connectivity everywhere except for small individual pockets. ATT's map shows 100% coverage in San Cristobal, and other providers are not far behind -- *using current infrastructure*.

Cellular coverage in San Cristobal

Verizon, T-Mobile and AT&T all provide service in San Cristobal, each covering more than 50% of the valley. AT&T is by far the best carrier, covering 100% of the entire residential area with 4G service, as shown by the coverage map in Appendix B. This enhanced level of service is a fairly recent advance. Only in the last 4-6 months has it been possible to have sustained signal from Taos to San Cristobal and throughout the valley.

While San Cristobal cell users have different levels of cell coverage depending on their service provider and their device, this does not affect their 911 calls and their ability to use their cellphones to transmit location data and make emergency calls. Whether in their homes, in the fields, or on hiking trails, cellular signal is adequate throughout the valley to send cellular location data through 911 on the Next Generation 911 system due to the AT&T cellular coverage. Please see the section on Emergency Services below for a more thorough explanation.

Finally, some San Cristobal residents using newer mobile devices with a cellular subscription have discovered that their providers now offer a satellite connection. A few residents have used Starlink subscriptions. This is a recent capability in San Cristobal and currently only available to residents with newer mobile phones; however it is safe to assume that future connectivity will eventually consist of satellite as a complementary communication technology to cell towers.

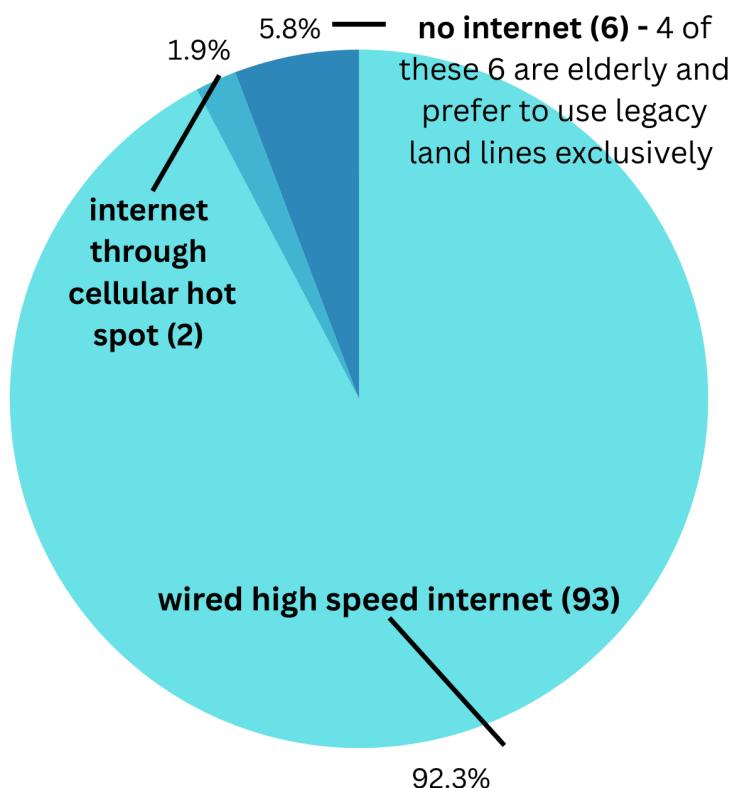
San Cristobal households communications survey

In August 2025, neighbors sponsored a survey to assess the current status of connectivity among San Cristobal residents. The survey, conducted securely and anonymously, garnered

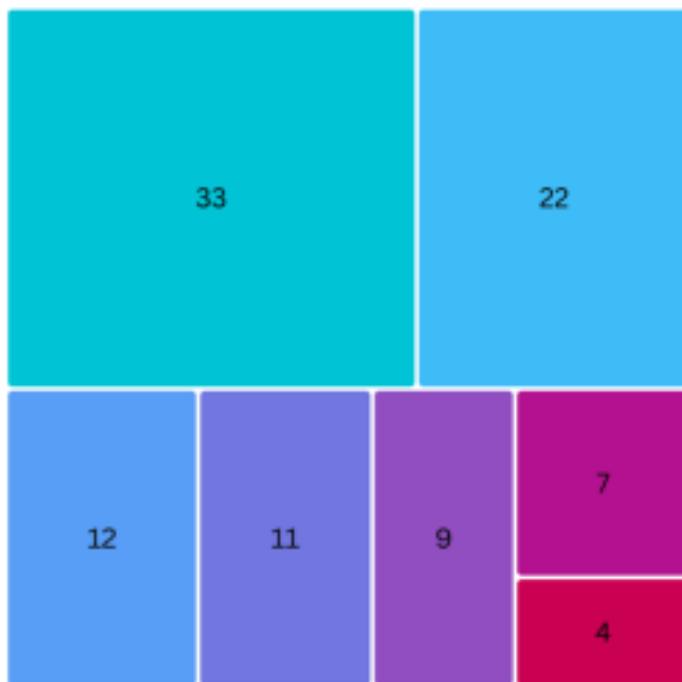
responses from 104 of the 117 currently occupied homes. Residents of all 117 homes were contacted via mail, in-person visits, phone calls, and/or internet messages.

Key findings from the survey included the following:

- **94% of households currently have high speed internet.** The remaining six households are in locations eligible for wired internet (wifi) but have chosen not to connect. Four of the six are elderly and prefer to use legacy land lines exclusively. See graphic below:

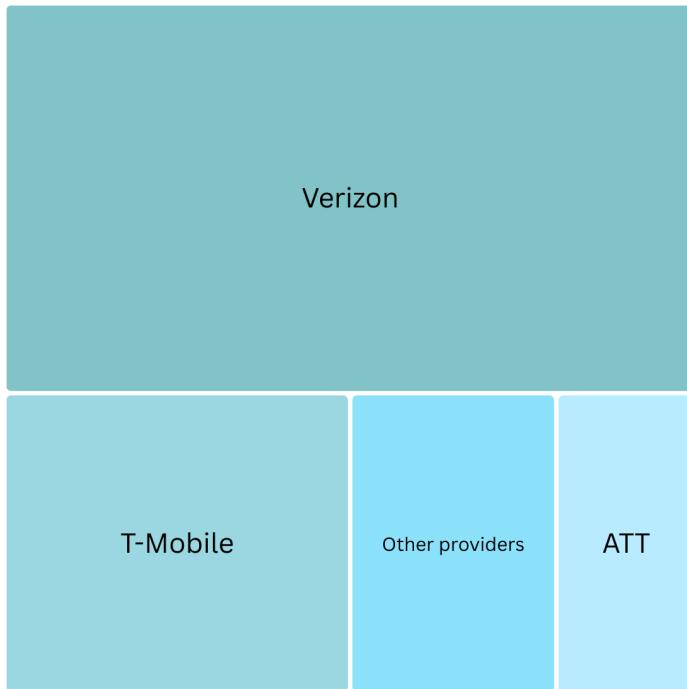


- **100% of households surveyed have the capacity to make and receive calls.** Residents use a variety of methods to make calls, and most have multiple ways to call. The graphic below breaks down call ability by number of households:



33: Cellular and Wifi calling
 22: Wifi calling only
 12: "Land line" only (legacy or internet)
 11: "Land line," cellular and Wifi calling
 9: "Land line" and cellular
 7: "Land line" and Wifi calling
 4: Cellular, Wifi calling, Satellite (and 1 also has a land line)

- **Most households (84%) are able to make and receive calls using cellular service from their homes.** Respondents who don't have reliable cellular coverage from their provider, but do have internet access, use wifi calling. Wifi calling uses a cell phone to route calls over the internet. The graphic below shows the cell carrier usage according to survey results:



- **Residents report that cellular coverage has improved greatly in the last 4-6 months.** Some respondents who believed they did not have cellular connectivity in their homes learned that visitors with other providers were able to make calls.

Cell tower proponents have asserted that many in the valley need the cell tower to access the internet. This is not consistent with the survey findings, which indicate that **ALL residents who want to connect to the internet are already well served**. In addition to household internet, Kit Carson Internet has provided our community center with a 24/7 free internet hotspot available at the San Cristobal Community Center. It is accessible both inside the center and outside, in the parking lot.

The data show that **ALL San Cristobal households are able to make and receive calls** using a combination of cellular or satellite connectivity, wifi calling, or land lines.

The data show that **cellular coverage has recently improved significantly and 84% of households are able to make and receive cellular calls from their homes, and 100% have enough AT&T coverage to contact 911** (see below).

The data show that a small number of San Cristobal households are not able to use signal from the cellular provider they contract with to make regular calls reliably from their homes. These residents use alternate methods to communicate. In the event of an emergency, 911 cell calls from residents that have no coverage will still connect to the strongest coverage (AT&T). This is a nation-wide, built-in system safeguard for emergency response.

Although the survey did not address the proposed cell phone tower, many residents are aware of the issue and added their thoughts to the optional comments section of the survey. Please see the survey report in Appendix A for a full list of comments.

Emergency Services

Everyone agrees on the critical need for residents, visitors and motorists to summon emergency services, and for first responders to be able to quickly and effectively locate those in need of assistance. Cellular service is one way to address this. The section above on coverage clarifies that 911/SOS (available to people with no active cellular plan, so long as they have a recent cell phone that is charged)¹ is comprehensive throughout the San Cristobal area. Those in fields and hiking trails and on the highway are able to use this service to summon help and identify their location. Stronger signal through voice and 4G cellular is available in most places in San Cristobal, as well.

Federal law requires cell providers to connect 911 calls from any cellphone regardless of service provider as priority.² Even where residents have little coverage for everyday calls, their emergency 911 will always be routed to the strongest network signal and provider. This guaranteed service means that anyone with a charged cell phone, *even lacking an active cellular subscription*, is able to access 911/SOS through the strongest signal.³

More importantly, though, cellular service is not the only means of communication. The E911 system is being replaced by Next Generation (NG) 911, an internet-based protocol. Taos Central Dispatch is a part of the early roll out of the system.⁴

¹ See Federal Communication Commission 2024 "FCC Basic and Enhanced Wireless 911 Rules" Website: <https://www.fcc.gov/consumers/guides/wireless-911-service> (Accessed 9/2/2025).

² No matter the service subscription a resident has for regular cellular calls, for 911 calls, they have 100% coverage. For example, if I have a Verizon cell provider, but no signal at my home, my phone will still be able to make a 911 call that uses a stronger network (such as AT&T) in the case of an emergency. This is why for current and Next Generation 911 calls everyone in San Cristobal already has the ability to send their location via cell tower triangulation and other advances, automatically, regardless of which cell carrier service they are subscribed to. For more see Williams, Lynnae, "You Can Call 911 Without Service Or A SIM Card, But There Is A Downside" MSN website:

<https://www.msn.com/en-us/news/technology/you-can-call-911-without-service-or-a-sim-card-but-there-is-a-downside> (Accessed 9/3/25).

³ Since AT&T currently covers all of San Cristobal residential area, users' phones will automatically connect to that strongest cell tower network no matter what cell service they subscribe to, in order to send location and other data during a 911 call. See Federal Communication Commission 2024 "FCC Basic and Enhanced Wireless 911 Rules". Website: <https://www.fcc.gov/consumers/guides/wireless-911-service> (Accessed 9/2/2025).

⁴ Skyway Towers had alleged that residents using wifi calling in an emergency are at a disadvantage. They assume that since those cell users are not using a cell tower network, they will not be able to have their exact location and other data sent automatically to first responders, as Enhanced911 and NextGeneration 911 services allow. However this is a gross misunderstanding of how 911 calls work. Even if a cellular user is using Wi-Fi Calling, once they dial 911 their phone will connect to cellular networks because, according to Verizon, "When you're using Wi-Fi Calling, 911 calls always try cellular service first, even when your device is in Airplane Mode or cellular service is off. If cellular service isn't available and you've set up Wi-Fi Calling, the 911 call routes using the registered address." see Verizon, n.d. "Emergency Addresses" website:

<https://www.verizon.com/support/wifi-calling-faqs/> (Accessed September 2 2025).

Using fast, wired internet, already active in 94% of San Cristobal households, NG911 will provide a greater ability to pinpoint locations, and will allow those calling in to give more information. By law, NG 911 communication may be conducted through cell service, Wifi calling, satellite, landline, or fiber optic connections. As the survey recently conducted in the village shows, residents have more than sufficient connectivity to quickly and easily contact emergency services. Whichever method or device they use, it will automatically convey accurate GPS location data to first responders.

Backhauling is not protected by federal pre-emption

Long-haul *backhaul* refers to infrastructure that connects cell towers to each other or to the core network over long distances, often using tall towers with microwave dishes for direct line-of-sight transmission. Unlike local service towers, which are designed to provide coverage directly to consumer devices in a community, backhaul towers primarily serve as network relays. The applicant claims that this 195–200 foot tower is necessary to “meet community needs,” but the proposed height and design suggest otherwise. Towers of this scale are typically constructed for long-haul backhaul connectivity, not simply to improve local coverage. Community-serving towers are generally much shorter, with sector antennas arranged for 360° service, while the proposed structure’s extraordinary height is consistent with line-of-sight microwave backhaul linking distant towers.

At the July 31 hearing, the applicant’s attorney stated that this tower must connect to another tower **20 miles away**, a hallmark of backhaul rather than localized service. Under the Telecommunications Act, counties are required to accommodate facilities providing **personal wireless services to consumers**, but not to approve infrastructure whose primary purpose is network backhaul. Courts have consistently held that carriers must demonstrate that denial of a facility would leave a **significant gap in consumer coverage** (see *Second Generation Props. v. Pelham*, 313 F.3d 620; *MetroPCS v. San Francisco*, 400 F.3d 715). The applicant has provided no such evidence here. Without independent documentation, such as engineering reports, propagation maps, and call-drop data, the public cannot verify that this facility primarily addresses local service gaps. For this reason, we urge the County to require a formal NEPA Environmental Assessment and full disclosure of the engineering and technical documentation before any approval is considered. Further need and alternative analysis is necessary.

3. The proposed tower would cause significant and irreparable harm to the San Cristobal community and to vital local businesses. It would lower residential property values, negatively impact historically and culturally valuable places, and would violate the rural, agricultural character of San Cristobal.

Property devaluation and Economic Impacts on Local Business

Karen Todd, Licensed Real Estate Broker for Berkshire Hathaway, submitted a letter/comment to the Taos County Planning Department on July 23, 2025. In it she states, “Research confirms that visibility of tall towers can negatively impact[s] residential property values by nearly 10%. Locally, this would significantly affect marketability and investment for San Cristobal homeowners whose views are compromised. This concern is not speculative;

peer reviewed studies and real estate industry date consistently show that proximity and visibility of cell towers reduce buyer interest and drive down home sales prices." Indeed, additional studies even show property value impacts above 20%. According to a survey reported in Realtor Magazine's article, *Cell Towers, Antennas Problematic for Buyers*, "An overwhelming 94 percent of home buyers and renters surveyed by the National Institute for Science, Law & Public Policy (NISLAPP) say they are less interested and would pay less for a property located near a cell tower or antenna." [...] "Of the 1,000 survey respondents, 79 % said that under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas, and almost 90% said they were concerned about the increasing number of cell towers and antennas in their residential neighborhood." This is not a benefit to the community. **Sections 4.6.1(A) and (B)**

San Cristobal is a small, quiet community with no industry and a relatively low per capita income (\$35,468 in 2022). A significant number of residents pursue small scale organic farming, beekeeping, animal husbandry, and other forms of regenerative agriculture. Quite a few earn a living through the healing arts (medicine, massage, etc.) practiced within their home offices. Others are professional landscape painters and photographers whose work depends on the rural and scenic character of the village. Workshops -- including those to paint the very landscape that would be compromised by the tower -- bring in artists and tourist dollars to the County. Several residents augment their income by hosting guests who come specifically for long stay artistic and healing retreats. These small businesses will suffer significantly from the proposed tower.

The core business of the Taos Goji Farm and Retreat Center, which hosts hundreds of guests each year, relies on silence, scenic views, birdwatching and star observation. Construction and operation of the proposed tower would produce noise and visual disruption within clear view of the retreat grounds. The most reliable guests to the Center are seeking peace, dark skies, abundant bird life and breathtaking landscapes. All of this is threatened by the presence of the tallest cell tower in the County. The loss of guests would be devastating to the Farm, its programs, and its employees.

Please refer to Appendix C, a statement of economic impact, attached hereto and incorporated herein by reference.

Historical Preservation

The south entrance to San Cristobal off Highway 522 is the gateway to the D.H. Lawrence Ranch, an historical site run by the University of New Mexico. San Cristobal is also the home of what is now the Goji Farm, which is situated at the old San Cristobal Post Office site. The historic lodge of Taos Goji Retreat & Cabins has long stood as the hub of San Cristobal. The cabins became a known destination for artists and writers, with figures such as Aldous Huxley and D.H. Lawrence, as well as Elizabeth Kubler Ross and Ram Dass, having lived or stayed at the property. The historic cabins, preserved gas pumps, old post office and agrarian setting are integral to its character and appeal. It now operates as a retreat center, where guests come seeking tranquility, open mountain views, and the opportunity for digital detoxification.

The property is currently under formal review by the New Mexico State Historic Preservation Office for eligibility to the National Register of Historic Places. Under 36 CFR Sec. 800.16(I)(1) and Section 106 of the National Historic Preservation Act, properties that are eligible or under consideration for eligibility must be treated as historic properties during the federal project review. To allow construction of a massive cell tower within .36 miles of the ceremonial space of the center, and indirect view, would violate all of the sections of the Taos County Land Use Regulations relating to compatibility and visual integration.

Please refer to Appendix C, the statement of Elizabeth and Hans Eric vom Dorp, attached hereto and incorporated herein by reference.

4. The project proposal fails to consider the negative impact on local wildlife, and fails to address the written concerns of the New Mexico Game and Fish Department.

The following additional sections of the Land Use Regulations have been improperly applied and interpreted, as discussed below:

Section 4.7.1(H)[Environmental Impact Study]

Environmental Concerns

The Staff Report and Finding #11 of the Planning Commission Decision includes comments on environmental requirements. **“Section 4.7.1(H) [Environmental Impact Study]:** The Applicants comply with the criteria of this section with the submission of an environmental impact study which was prepared as part of meeting the requirements of the NEPA (National Environmental Policy Act) as mandated by the FCC (Federal Communications Commission)”

The Applicant hired Trileaf, an environmental, architecture, engineering firm to perform a “NEPA Study”, which is part of the Application packet and which was completed over a year ago, in June, 2024. This Study is far from an *environmental impact statement* under NEPA. Federal NEPA standards require a rigorous process of public notification of a project, an opportunity to comment and express concerns, a review of those concerns, and a final recommendation. None of that has happened here. There was no public notification, opportunity to comment, review of comments, leading to modifications of a project (often), or report after that process. What has been does not qualify as an Environmental Impact Study under the National Environmental Policy Act and **Section 5.7.1(H)** has not been met.

In its study, Trileaf states that after contact and an opportunity to review the project, the New Mexico Department of Game and Fish came back with Project Recommendations. See NMDGF Report of 5/14/2024:

P.1 – “No further consultation with the Department is required based on the project’s location and, *with implementation of mitigation measures described in the Project Recommendation section below, no adverse effects to wildlife or important habitats are anticipated*”. (Emphasis added)

P. 2 – “This is a preliminary environmental screening assessment and report”

P. 6 – “With implementation of the applicable mitigation or avoidance measures included in the project description, and incorporation of the guidance listed below, the Department does not anticipate significant impacts to wildlife or sensitive wildlife habitats” [...] “Because of the potential for communications towers to cause significant impacts to night-migrating migratory bird populations, we submit the following recommendations:”

To paraphrase, the Department's recommendations include co-locating communications equipment, relocation of the tower to an alternate site if significant numbers of breeding, feeding or roosting birds are known to use a proposed site and other construction recommendations. The department recommends a preliminary of burrowing owls by a qualified biologist. It states:

[...] “Burrowing owls [...] may occur within your project area. Burrowing owls are protected from take by the Migratory Bird Treaty Act and under New Mexico state statute [...]”

P. 7 – “Your project is on or near a section of road that has experienced comparatively high incidence of wildlife-vehicle collisions. Coordinate with the New Mexico Department of Transportation to consider implementing mitigation actions that are appropriate to your project area and planned action to reduce wildlife-vehicle collisions. These may include by are not limited to installation of wildlife-proof fencing, installation of wildlife passages such as arch culverts or overpasses, and installation of animal detection systems.”

“Your project could affect important components of wildlife habitat, including fawning/calving or wintering areas for species such as deer and elk, or general high wildlife movement and activity areas for large mammals [...]”

There follows a series of recommendations, including the need to mitigate noise generating activities during wintering and calving/fawning season. The Department **“recommends completion of thorough environmental assessment prior to, and exercising care during, implementation of project activities to avoid adverse impacts to sensitive wildlife and habitats.”**

The Department further recommends minimization of adverse impacts to migratory birds, nests, eggs, or nestlings, and the timing of certain activities. The recommendations are long and numerous, and found at page 3 of the “NEPA Study” and page 7 of the 5/14/2024 DGF Report.

“The list of New Mexico SGCN... and the federal list of Birds of Conservation Concern should be reviewed to fully evaluate potential effects to migratory birds from your proposed project. [...] These conservation measures are strongly recommended to ensure persistence of migratory bird species whose populations are small and/or declining within New Mexico.”

Conservation measures strongly recommended by NMDGF have not been addressed. There is no Environmental Assessment, there is no Environmental Impact Statement, no compliance with NEPA, and there is not a single mention in the Staff Report or Findings of the Planning Commission on how to protect large mammals and habitat, and ensure the continuity of migratory and other bird species. The Study is deficient, and the Staff Report simply states something that is not real, and not true.

Please see the Wildlife Study by Joan Norris, Appendix D, attached hereto and incorporated herein by reference.

5. The proposed tower raises safety concerns and would increase risk of fire in an already vulnerable area of Taos County. Safer alternative locations were not considered by the applicant.

Safety Concern 1: Increased wildfire risk

Cell towers and the associated electrical infrastructure inherently carry fire risks from ordinary wear and tear, wiring faults, and electrical arcs that can generate extreme temperatures. The placement of cell towers near forests like Carson National Forest, which serve as fuel for wildfires, increases the risk of a fire spreading from the electrical components of the tower.⁵

Communication towers are all-metal structures, which make them prime targets of lightning that may come within their vicinity. A twenty-year analysis of National Lightning Detection Network data found that areas particularly near taller towers have seen as much as a 500 percent increase in cloud-to-ground lightning over a small area.⁶

Given these statistics, putting the tallest tower in the county in one of the most at-risk for wildfire areas in the county seems a recipe for disaster. Increased lightning during Taos' storm season has been the cause of most of our recent fires in the region, and wildfire is one of the greatest dangers to life and property in our valley.⁷ This tower will pose an unnecessary danger to our lives, homes, water supplies and wildlife due to this increased fire risk.

Safety Concern 2: Risk to Life Flight Helicopters

The height of the tower is a special concern in this air corridor where Life Flight helicopters come through our valley. Skyway Towers has said that they would not put lights on the tower; however they have not done research on the safety of helicopters coming through this

⁵ Cell towers can also be dangerous in wildfire zones due to increased cloud to ground lightning in the vicinity of the tower.

⁶ According to this study "tower height is positively correlated" with cloud to ground lightning within a one kilometer radius", See Darrel M. Kingfield, Kristin M. Calhoun, Kirsten M. de Beurs (2017) "Antenna structures and cloud-to-ground lightning location: 1995–2015" in Geophysical Research Letters, Volume44, Issue10 28 May, Pages 5203-5212 <https://doi.org/10.1002/2017GL073449>

⁷ *Lightning shakes Taos, sparks wildfire* by Taos News on August 27, 2025
<https://www.taosnews.com/news/environment/lightning-shakes-taos-sparks-wildfire/>

airspace. If the FCC does not require lights for towers under 200 feet, it seems helicopters would be at risk. We respectfully submit that Skyway Towers has not come close to doing due diligence on these questions of safety, and must show us what risks come with this tower.

Safety Concern 3: Distraction for motorists

At 195 feet tall, the proposed tower would introduce an outsized, industrial presence directly adjacent to an already hazardous section of Highway 522. The tower's sheer scale and prominence would draw driver attention away from the road, creating an added safety risk on a highway where accidents are already common and conditions demand full focus.

In conclusion, for all the reasons detailed above, the decision of the Planning Commission cannot stand. The proposed 195-foot tower is inconsistent with Taos County Land Use Regulations, incompatible with the character and safety of San Cristobal, and unsupported by evidence of actual community need. It would impose long-term harm on property values, local businesses, historic and cultural resources, wildlife, and public safety. We therefore respectfully request that the Board of County Commissioners reverse the Planning Commission's approval and deny the Special Use Permit.

Respectfully submitted,

Heather Duncan, 90 Camino del Medio
Ian Duncan, 90 Camino del Medio
Mary Poirier Gilroy, 68 Camino del Medio
James T. Gilroy, 68 Camino del Medio
Marta Glover, 86 Camino del Medio
Arifa Goodman, 101 Camino del Medio
Kathy Namba, 31 Carlitos Road
Peggy Nelson, 146 Camino del Medio
Joan Norris, 37 Carlitos Road
Barry Norris, 37 Carlitos Road
Frances Reynolds, 34 Schreiber Road
Morris Reynolds, 34 Schreiber Road
Fabi Romero, 86 Camino del Medio
Charles Ross, 75 Camino del Medio
Johnna Rowe, 24 Medina Road
Christopher Rowe, 24 Medina Road
Mandy Sackett, 217 Camino del Medio
Jayne Schell, 38 Spotted Owl Road
Debi Taylor, 14 Spotted Owl Road
Chris Taylor, 14 Spotted Owl Road
Karen Todd, 30 Schreiber Road
Eric vom Dorp, 1530 Old State Road 3
Elizabeth vom Dorp, 1530 Old State Road 3
Julia Wise, 75 Camino del Medio
Summer Wood, 31 Carlitos Road
Caroline Yezer, 1 Schreiber Road

Appendices

Appendix A: San Cristobal 'Stay Connected' Survey

Appendix B: Wireless Coverage in San Cristobal

Appendix C: Economic Statement from Taos Goji Retreat & Cabins

Appendix D: Wildlife in San Cristobal, New Mexico

Appendix E: Visual Renderings of Cell Tower

SAN CRISTOBAL 'STAY CONNECTED' SURVEY

Preliminary Report, September 2025

Purpose: Share results of the completed community survey analysis prior to creating a graphically inviting, community facing, easily accessible report. The second report will anchor a community meeting to discuss results and next steps, to be held at the annual meeting of the San Cristobal Neighborhood Association in October.

Presented by: Summer Wood and Kathy Namba, Co-Directors of Ampersand LLC, a research and evaluation firm. This work was conducted by San Cristobal neighbors with Ampersand's support to ensure rigor, confidentiality, and accuracy.

INTRODUCTION / ABOUT THIS SURVEY

This survey came about to answer one basic question: *How connected are we in San Cristobal?*

When we need to call someone, access information on the internet, or summon emergency services, how effectively can we do that? Are there gaps in communication access that could put San Cristobal residents at risk?

To find out, a group of neighbors reviewed maps of the valley and developed a master list of households. Households were grouped into nine geographical areas to make certain that all parts of San Cristobal, from the valley floor to the highest reaches, were equally represented.

A group of ten neighbors helped reach out to each home in the community. Each household was provided the chance to complete one survey. The data that was collected was, and will remain, anonymous and not connected to anyone's physical address.

The survey itself is simple and could be completed in about a minute. People could answer by filling out a paper form; by reporting their answers to the survey walker who came to their house or called on the phone; by clicking an online link they requested through email; or by coming in person to the community center one Saturday and enjoying free coffee and donuts.

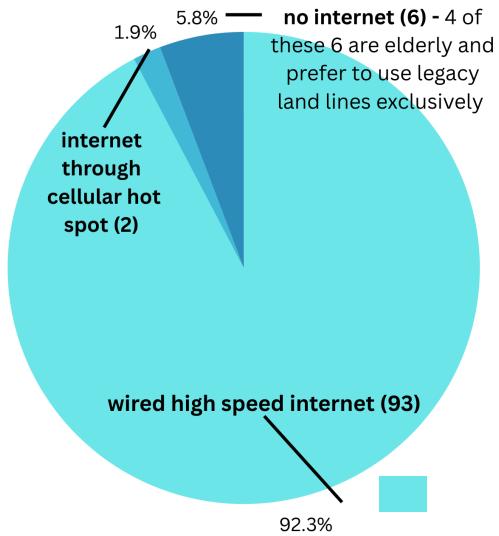
The comprehensive efforts of this group of survey collectors revealed that we have 117 currently occupied homes here. Thanks to the interest and good will of neighbors, we received 104 responses. That's a 90% response rate, a remarkable return for any survey!

Ampersand entered these responses into a secure spreadsheet and conducted analysis using standard statistical practices. Please see the appendix for copies of the survey itself, instructions/script for survey collectors, and a letter mailed to all San Cristobal residents that accompanied the survey and explained its use and safeguards.

Please read on to learn what we found out.

INTERNET ACCESS

94% of San Cristobal households have reliable, high speed internet. The remainder choose not to have it.



Simply put: everyone who wants internet in their home in San Cristobal currently has it.

Of 102 responses to the question, **96 people (94%) reported they currently enjoy internet access in their household**. Most use the high speed fiber internet from Kit Carson Telecomm (71), or Taos Net's fast line-of-sight (21), or Starlink satellite internet service (2). Only two households use their cellular connection (2) as an internet hot spot. In some cases, residents use more than one internet provider.

Those who don't have internet access choose not to have it. Not everyone wants

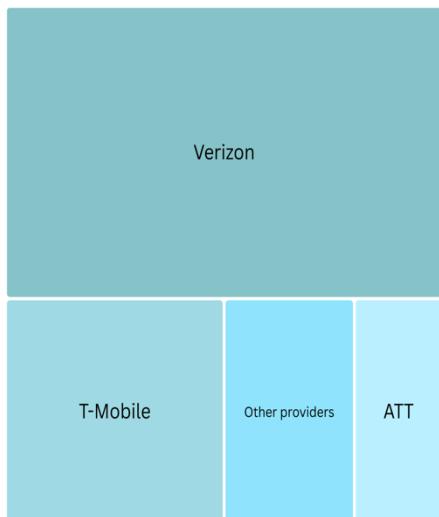
or needs this access. Four of the six who don't have internet use a legacy land line for their communication needs, and have no interest in using internet or cellular service. Two others have a cell phone but choose not to have internet in their home.

Some mentioned being aware of the free, 24/7 internet access available inside or in the parking lot of the San Cristobal Community Center, and remarked on the value of that for kids in the valley.

CELLULAR PHONE USE

Similarly, the vast majority of San Cristobal households use cellular phones, both within and outside of their homes. 97 households have cell phones and active plans. Only 6 do not. Providers include Verizon, T-Mobile, ATT, and a variety of smaller cell service providers.

Most households (84%) are able to make and receive calls using cellular service from their homes.



94% of San Cristobal households use cell phones. 84% are able to make and receive calls using cellular service in their homes.

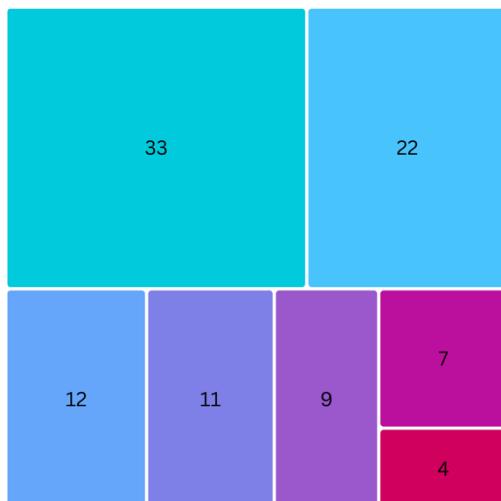
Residents report that cellular coverage has improved greatly in the last 4-6 months. Some respondents who believed they did not have cellular connectivity in their homes learned that visitors with other providers were able to make calls.

Cellular coverage data by company became evident over the course of the survey. It is clear, now, that ATT has the most comprehensive coverage in the community, offering 100% coverage over the San Cristobal area. While San Cristobal residents have in the past favored Verizon as a provider, **ALL who have a charged cell phone -- no matter their provider, EVEN those who do not have a current subscription -- are able to use the comprehensive ATT network to place 911/SOS calls.**

MAKING AND RECEIVING CALLS

The data show that **ALL San Cristobal households are able to make and receive calls** using a combination of cellular or satellite connectivity, wifi calling, or land lines. Residents use a variety of methods to make calls, and most have multiple ways to call. The graphic below demonstrates the protective redundancy most households retain in their ability to make and receive calls.

100% of households surveyed have the capacity to make and receive calls. Residents use a variety of methods to make calls, and most have multiple ways to call. **84% of cell phone users can make and receive cellular calls from their homes.**



33: Cellular and Wifi calling
22: Wifi calling only
12: "Land line" only (legacy or internet)
11: "Land line," cellular and Wifi calling
9: "Land line" and cellular
7: "Land line" and Wifi calling
4: Cellular, Wifi calling, Satellite (and 1 also has a land line)

The data show that a small number of San Cristobal households are not able to use signal from the cellular provider they contract with to make regular calls reliably from their homes. These residents use alternate methods to communicate.

Many use Wifi calling, which routes calls using a cellular device over the internet. For some residents with a restrictive plan, using Wifi calling at home allows them to save their plan minutes.

Many residents maintain land lines, which use legacy connections through Century Link or connect a conventional house phone to the internet, through Kit Carson

Telecomm fiber optics, the Magic Jack service, or similar pathways.

All of these calling methods are legally protected ways to access E-911 and Next Generation (NG) 911. Taos Central Dispatch is currently in the process of transitioning to NG 911, which uses an internet protocol to increase the amount of data available to first responders. The strong

presence of internet connection in San Cristobal is an asset for protecting residents and informing emergency services as this transition proceeds.

In the event of an emergency, 911 cell calls from residents that have no coverage through their own provider will still connect to the strongest coverage (AT&T). This is a nation-wide, built-in system safeguard for emergency response.

The table below shows the responses to questions about what methods households have available to them to call. Additionally, 52 respondents (half of all households) report that they regularly use internet-based apps like FaceTime, Zoom, Google Voice, or the like to communicate.

Do you have a...	Yes	No
Land Line? (legacy or internet)	42	59
Cellular phone?	97	6
Satellite connection? (e.g. Starlink; not including new mobile capacity)	8	77

OPTIONAL QUESTIONS / COMMENTS

The survey concluded with three optional questions, and the majority of respondents took the opportunity to share their thoughts. The lists below compile randomized responses to these questions.

Please note: survey collectors were careful to remain nonpartisan in their role, neither advocating for nor against the proposed cell tower. They made clear to survey respondents that the purpose of the survey was to address a question raised by the tower proposal: was everyone able to access the internet, make and receive calls, and summon emergency services? Nevertheless, several households were aware of the proposal and took the opportunity to comment on it.

Do you have any concerns about communications in the valley? n= 59

Not so far

No In fact, service has improved in the last 4-6 months. I have connections when I am hiking all the hills around SC

YES. We are opposed to a 200+ ft. cell tower proposed for this valley. We have had no problem with communications, except when power & cell outages occur. Taos Net is a great service so is Kit Carson.

No

Yes, I am worried that people who do not use the Post Office here may not see notifications (some use the Taos Post Office)

No, just an unnecessary tower

No, it seems there's good connectivity for both cell phone and internet. I use Kit Carson fiber optics for my landline phone.

None

No, it's actually improved.

No

No concerns

Not really

No - interested in local alert system

No concerns

We keep our landline to make sure we have phone service. However when electricity goes out we have had NO service. Our understanding is Century Link may be pulling out of rural areas (hope not!) & aren't replacing batteries in the green boxes outside. Also, Kit Carson replaced batteries at the Hondo station @4 mos. ago & said we should have wifi in the event of power outage again.

No

No

No concerns

None

It's only gone from "i need to climb the highest structure fast" to "i can take calls almost anywhere"

None

No

No, I'm very satisfied with my service.

If there is no electricity I have no phone - not even landline

Landline is worse now.

Within the last 6 mos. we have great cell service, we don't need tower.

If in the event of an emergency we need to be able to get a signal

Fire issue

No!

No concerns, my cell phone works fine.

No

No, very much appreciate Kit Carson fiber

Only occasionally do we have to use wi-fi calling. It would be nice to have reliable cell service but we are both conflicted on the necessity for a giant, old technology tower to make it happen

We don't feel the communication concerns are inherently tied to being in your home. The communication concern directly in the valley outside of the benefit for motorists in emergency situations is mainly for our aging farmers and ranchers on the off chance something were to happen to them in a field while working with heavy equipment or livestock. Most carry phones in case of emergency but many times do not have the service to actually call if an emergency were to happen.

No tower

No tower

When electricity goes out - how to make a call in an emergency

No tower!

No, communication is working fine for us.

None

Because I usually do not answer the phone, I have a code, to call me, let it ring 3 times then hang up and call back immediately. You may need to repeat.

It would be nice to have a signal but if I have to choose between no signal and a cell tower I prefer to drive up the hill to get a signal

Yes. If I lose power, then I lose my WiFi connection and normally cannot make or receive calls.

Most definitely. Need better cell service for public safety.

Not anymore. Some years ago, it was difficult but no longer.

No

No. I work from home and have no concerns. I work from home and never have a problem.

No, adequate communication

I'm not in the community WhatsApp by personal choice and am curious whether there is a phone tree in case of emergencies?

Yes, no cell service unless over wifi

Don't want cell service at house, wifi calling works fine

Not at all, I have perfect cell phone reception without internet. I am also able to make a wifi call too if I want to.

No

Not for me. Kit carson fairly reliable wifi and land line service, and since I switched to TMobile I've had good cell phone service in the house and in the yard.

No. We are happy the way it is.

No, we're good here. When my son rides his bike through the valley I remind him that he can always connect through Wifi at the community center.

No, it's been great to us.

No, just don't want tree tower

No, because it's working

Anything else you'd like to share about communication in the valley? n=31

Century Link for landline does not take care of its batteries or wires very well. We did stick with it, and they finally came through after 3-4 visits. Lesson: stay on them, and hold them accountable.

Thank you so much for doing this!

Old conversations are moot - like Lama Fire in the 1990's. Only current info of last 3 months is valid. Kit Carson has no problem contacting me about emergencies or power outages.

We feel LumenTechnologies/CenturyLink deliberately began to allow the landline system to degenerate as of Jan 1, 2025

Do not support proposed tower.

No cell tower!!!

I get cell reception on 5 mile walks in Kit Carson NF South the DH Lawrence Road.

I am happy with my land line at home.

I am ok.

I get a good cell signal and a tower wouldn't improve it.

I have to go to Llama to get cell service.

Having cell service on highway between Hondo and Questa will increase accidents. Currently people know there is no service so they put their phones. Cell tower at transfer station is ideal situation.

Would like to see tower by dump if need tower. Dump has no cell/emergency service. Put cell tower where there is activity/need and benefit county with income:

*bikers,

*level ground,

*easy access/installation,

*currently no service there at transfer station.

Serves greater community if tower in higher, better location like transfer station.

The county has created their own liability with not having service for bicyclists, etc on highway.

County should correct this by putting tower in the place that best serves the need at the high, level, easy access transfer station that currently has no cell service.

It is a necessity. Growth needs to happen and this would be a good start to the rural community. Thank you, [name redacted]

Concerns for fire safety and people safety.

We don't have any issues.

The communication is totally acceptable in the valley. We should leave it all as is, with no need for additional cell phone tower.

Thanks, team :)

Thanks for organizing this!!!

So i just received from our t-mobile carrier a message about satellite servers. So it's kinda stupid to rely on old technology if the satellites are what is the near future. That being said, if satellites go down, then what?

I highly value face-to-face communication with my fellow residents in San Cristobal.

We are for improved cell service. With good cell service, there are ways to notify residents of emergency situations, via mass communication.

The church bell is often used to announce the passing of a valley resident. I'd like to see us also get permission to ring it for emergencies.

Don't want a cell tower.

Thank you so much for doing this hard work for our valley!

There must be less impactful ways to provide reliable communication in the valley than a 200 foot cell tower.

My partner and I moved here from the heart of Los Angeles to heal in this mystical valley. Beautiful places like this with no service must be protected. We need this oasis where societal expectation that we must be reachable at all times, that we must always have access to the internet, don't matter. We came here to be in communion with the land, to be in community with our neighbors. We do not need or want a cell tower! We would be happy to make a public statement if necessary. We are very passionate about protecting San Cristobal. We think if someone wants convenience like that go live in town or in a big city!

Not lacking for service back in the valley and do not want the 195' cell tower

Deep appreciation for your care and initiative

Moved here to get away from internet pollution. If they do this I WILL leave. I am trying to get pregnant and feel it will NOT be safe.

No, it's working

CONCLUSION AND RECOMMENDATIONS

This very simple survey tells a clear story. Here in San Cristobal:

- **EVERY HOUSEHOLD (100%)** has the capacity to reliably make and receive calls. Residents use a variety of methods that work for them. Most have some degree of redundancy.
- **NEARLY EVERY HOUSEHOLD (94%)** has internet access. By far the majority use reliable high speed connections from Kit Carson Telecomm or Taos Net. Additionally, free 24/7 internet access is available inside and in the parking lot of the community center.
- **NEARLY EVERY HOUSEHOLD (94%)** uses one or more cell phone(s). Most subscribe to Verizon, followed by T-Mobile, ATT, and various other smaller companies.
- **MOST HOUSEHOLDS (84%)** can make and receive cellular calls from their home. Even though ATT has the most comprehensive coverage (100% of the community receives 4G

signal), residents with other providers report greatly improved coverage within the last four to six months. Many report that they can make continuous calls from Taos to their homes.

- A FEW HOUSEHOLDS use legacy land lines serviced through Century Link. These mostly elderly residents do not want internet or cell phones. Still, for future protection, providing an internet-connected conventional phone could provide additional security. Fortunately, all these households are located in areas where wired internet is readily available.
- 911/SOS CALLS ARE PRIORITIZED regardless of carrier, and such calls will route through whatever cell signal is strongest (currently ATT with 100% coverage).

Survey results suggest the following recommendations:

- Hold a community meeting to review these results and discuss what they mean for and about San Cristobal.
- Provide technical support for San Cristobal residents who do not know how to use the emergency features on their cellular phones. (Anecdotal responses indicate that many are unclear about whether/how they can reach emergency services if their cell signal is weak.)
- Address community concerns about Century Link land lines and their maintenance program. Review opportunities for redundancy for those few households that currently rely exclusively on these.
- Stay tuned to the rapidly changing landscape of satellite connectivity. If areas of limited cellular coverage persist in the fields, pastures, corrals and hiking trails (still to be determined), pursue ways to provide free or low-cost, satellite-enabled devices to those residents who frequent these areas.
- Continue to engage community in discussion around issues of communication, collective care, and self determination.

APPENDIX

Appendix items:

- Survey form
- Letter to residents
- Instructions/script for survey collectors

SAN CRISTÓBAL: HOW DO YOU STAY CONNECTED? (Each household respond only ONCE, please)

Do you have access to the internet in your home? (please circle one) YES NO

If YES, who is your internet provider? (e.g. Kit Carson Telecomm, Taos Net, Starlink, other)

Please write here: _____

If NO, **could** you have internet access in your home? Please describe:

If NO, do you use the internet at another location in San Cristóbal? (For example, the community center or a neighbor's house.) Please describe:

Do you or others in your home use a cell phone, either at home or out of the home? YES
NO

If YES, what cellular provider do you use? (e.g. Verizon, T-Mobile, Consumer Cellular, etc.)

Please write here: _____

Is it possible to make and receive cellular calls at your house?

(please circle one) YES NO I DON'T KNOW

Do you have a land line in your home? (please circle one) YES NO

Do you have satellite connection in your home? (please circle one) YES NO

If yes, please describe: _____

How do you make and receive calls from your home? (mark **any/all** that apply)

- land line
- cell phone using cellular service
- wifi calling using your cell phone
- satellite calling using your cell phone
- internet communication apps like FaceTime, WhatsApp, Google Voice etc.

other (please specify: _____)

THANK YOU FOR YOUR TIME AND CARE!!! We will post a sign at the post office and on the community bulletin board announcing a meeting in September to share the aggregated results of the survey.

***** please see back for optional questions *****

[Optional] Do you have any concerns about communication in the valley? Please write here:

[Optional] If you would like someone to contact you about your concerns, please provide your name and contact information:

[Optional] Anything else you'd like to share about communication in the valley? Please write here:

Feel free to add additional comments below!

THE GREAT SAN CRISTÓBAL “STAY CONNECTED” SURVEY!

Hello! A group of San Cristóbal neighbors are working together to learn more about communications access in our community. We want to make sure that San Cristóbal residents and visitors to the valley are able to **make and receive calls**, and that we can all **access the internet** for health, educational, emergency, social and other needs. We want to be sure that San Cristóbal residents and visitors are **safe and connected!**

How this information will be used: This survey is completely anonymous. Neither your name nor your physical address will be connected to your response. We will share the aggregated results with the community at a meeting at the Community Center in September.

How you can participate: There are lots of ways to share your voice and help this effort!

- Neighbors will be visiting homes in-person between Sunday, August 17 and Saturday, August 30 to ask you to fill out paper surveys. If you are not home, we will leave a paper copy and a stamped envelope for you to return it by August 30.
- If you would rather fill out an online survey, please email your request to wood.summer@gmail.com.
- If you would like to respond to the survey by phone, please call Kathy Namba at 575-779-4676 and leave a message requesting a call back.
- You may also come to the Community Center on Saturday, August 23, between 8am and noon and fill one out – and enjoy free coffee and donuts!

To find out more: Please contact Summer Wood at wood.summer@gmail.com or 575-779-0997.

* * *

Purpose: The purpose of this survey is to: (1) find out whether residents can make calls and access internet services, and (2) identify any concerns or challenges that may exist.

Who is invited: Each household in San Cristóbal should respond **once**. If you have multiple residents at your home who use different ways of communicating, please mark any answers that apply. (For example, one person may make calls using a cell phone, another using the land line, and a third may make internet calls. Please mark all three, but please complete **only one survey per household.**)

If you choose to share your name and contact info, someone from the group will reach out to see if there's a way we could help with any communications concerns you may have.

Important: These questions are all specific to making calls and accessing the internet *in your San Cristóbal home, only.*

SURVEY WALKERS - SUGGESTED SCRIPT

Hello! [Introduce yourself]

A group of San Cristóbal neighbors are working together to learn more about communications access in our community. We want to make sure that San Cristóbal residents and visitors to the valley are able to **make and receive calls**, and that we can all **access the internet** for health, educational, emergency, social and other needs. We want to be sure that San Cristóbal residents and visitors are **safe and connected!**

How this information will be used: This survey is completely anonymous. Neither your name nor your physical address will be connected to your response. We will share the aggregated results with the community at a meeting at the Community Center in September.

Each household in San Cristobal should respond **once**, for the whole household.

Here is a paper copy of the survey for you to fill out. Would you like to read it and fill it out now? It should take less than five minutes, and I'm here to answer any questions you may have.

[Gently urge folks to do it now. If they don't want to, ask if you can leave the paper survey and a stamped envelope to mail it. It must be received **no later than August 30**, but the sooner the better.]

FAQs:

- Is this about the proposed cell tower?

The cell tower issue raised some questions and concerns around communication in our community, especially around emergency services. We want to know that everybody is safe and has a way to contact emergency services, so we're starting with this survey to find out what the need is.

- Will my name or address be connected to my response?

No. We assign a code to each household in San Cristobal so we can be sure each household has the chance to contribute their voice by submitting one survey. We also want to be sure to avoid responses from people outside of San Cristobal. Once the surveys are collected, the codes will be destroyed. No one will ever know how you responded.

- How will this information be used?

We will group the responses from each of nine geographic areas in San Cristobal, and create a report that shows combined responses. This will give us a picture of whether some areas need more resources to help them contact emergency services, make and receive calls, or access the internet. We'll share that information with the community at a meeting in September, and then, as a community, we'll discuss how to best address any needs that are identified.

- What if I want help with my communications concerns?

If you write your name and contact info, someone will reach out to you so we can discuss your concerns.

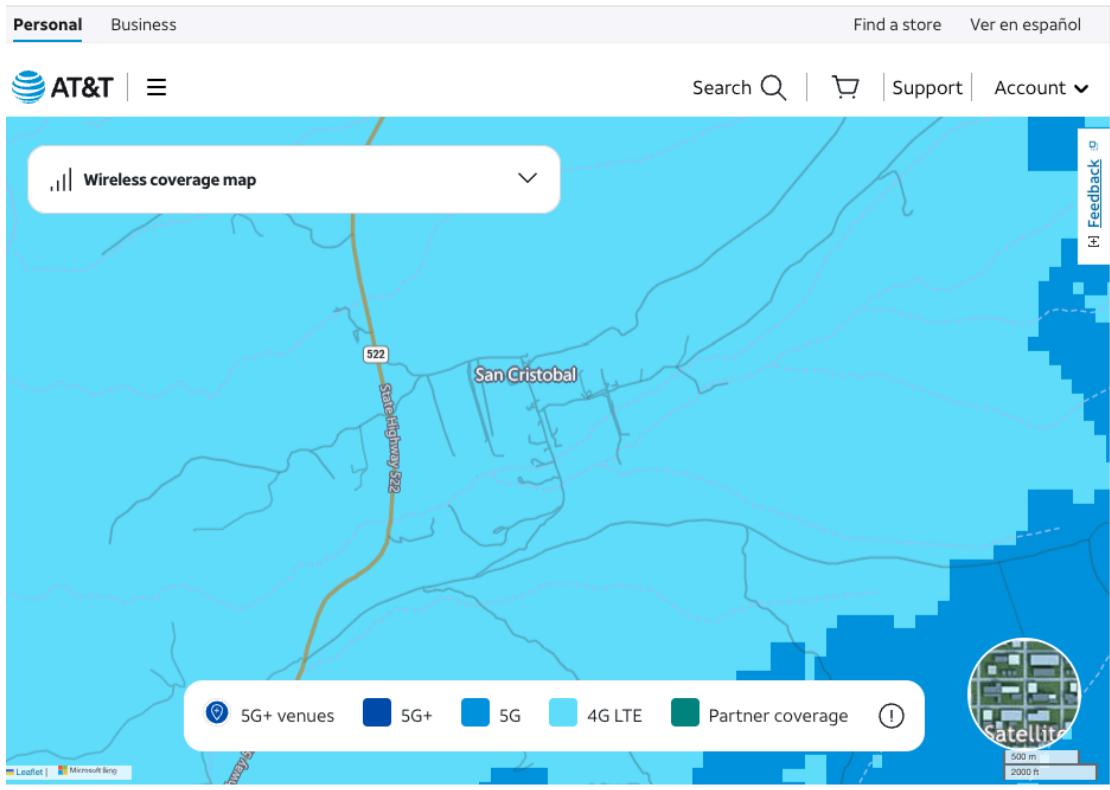
- I have more questions.

Feel free to call Summer Wood at 575-779-0997 or email wood.summer@gmail.com

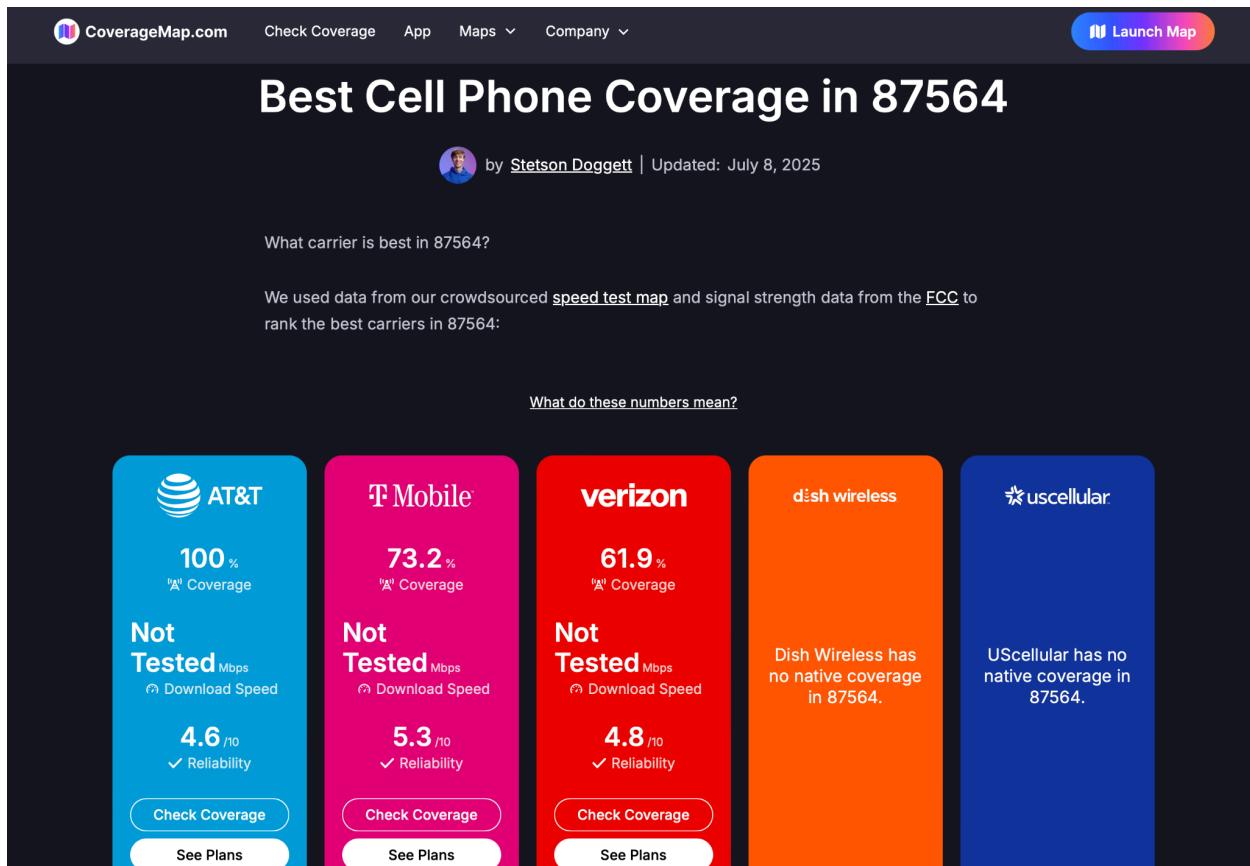
Appendix B

Wireless Coverage in San Cristobal

The AT&T Wireless Coverage map shows 100% coverage in San Cristobal, as shown in the map below accessed on September 3, 2025.



[CoverageMap.com](#) shows sufficient cell coverage throughout the 87564 zip code, shown below and accessed on September 2, 2025.



TAOS GOJI RETREAT AND CABINS

1528 & 1530 OLD STATE ROAD #3 SAN CRISTOBAL, NM 87564

Taosgoji@gmail.com 575/776-3971

August 26, 2025

Taos County Commissioners

Dear Commissioners:

Built in the 1920s, our historic lodge, Taos Goji Retreat & Cabins—formerly the San Cristobal Trading Post—has long been the hub of our community. Over the years, it served as the store, post office, sheepherders' cabins, motel, gas station, and gathering place for San Cristobal. The historic cabins, preserved gas pumps, and agrarian setting remain central to its character and appeal.

Today, this legacy supports our operation as a retreat center. Guests come specifically for the tranquility, the open mountain views, the farm appeal, and the opportunity for digital detox in a setting that reflects the valley's history.

This property is currently under formal review by the New Mexico State Historic Preservation Office (SHPO) for eligibility to the National Register of Historic Places. The evaluation is being conducted by Steven Moffson, State & National Register Coordinator. Under 36 CFR §800.16(l)(1) and Section 106 of the National Historic Preservation Act, properties that are eligible or under consideration for eligibility must be treated as historic properties during federal project review.

The proposed construction of a 195-foot cell tower in close proximity would irreparably damage this historic context. Its steel frame and height would dominate the scenery, transforming a pastoral and historic valley into one overshadowed by industrial infrastructure.

In a rural valley where the primary draw is open skies, mountain views, and an uninterrupted historic setting, such a structure becomes a visual intrusion. It breaks the harmony between land, architecture, and scenery. For visitors seeking wellness, meditation, and spiritual retreat, the tower is not a neutral utility—it is a deterrent and an eyesore. It directly undermines the qualities they travel here to find.

Public perception of cell towers is overwhelmingly negative, particularly among guests who value natural beauty and silence. Even without conclusive scientific evidence of harm, the mere sight of such a structure is enough to cause retreat leaders to relocate and guests to choose other destinations. Construction noise and activity would further disrupt yoga, meditation, and silent retreats. This would lead to cancellations and measurable revenue losses.

For a historic lodge, this intrusion is especially damaging. Guests are drawn by the historic charm, agrarian setting, and sense of retreat the property provides. The presence of a towering, modern utility pole within view irreparably alters that experience. Even if the lodge buildings remain intact, the surrounding environment—the viewshed—is part of what conveys their historic character. Under Section 106 standards, this disruption to setting, feeling, and association is a recognized adverse effect on historic properties.

In short, the proposed 195-foot tower is both an aesthetic blight and an economic threat. Its industrial scale and design are fundamentally incompatible with the setting of a historic lodge whose value rests on its scenery, serenity, and cultural legacy as the historic hub of San Cristobal.

Respectfully submitted,

Elizabeth vom Dorp, Owner

Taos Goji Retreat & Cabins LLC

September 3, 2025

Wildlife in San Cristobal, New Mexico

At the foot of the Sangre de Cristo Mountains and bounded on all sides by Carson National Forest, San Cristobal provides a home for multiple species of wild animals, including abundant birds, many of which are migratory, species of greater conservation need (see below for definition) and two of which are listed as threatened, the bald eagle and the Yellow Billed Cuckoo.

Those of us who live in San Cristobal, and many who visit, see wildlife ranging from rabbits and raccoons to deer, elk, foxes, bears and cougars among many other mammals. Reptiles, insects including pollinators, amphibians and fish are also present. The photographs included on the website are taken by San Cristobal residents.

The New Mexico Department of Game and Fish has submitted their [2025 State Wildlife Action Plan for New Mexico](#) (SWAP) to the U.S. Fish and Wildlife Service (USFWS). It is currently under review for approval. This is a revised and updated version from the 2017 plan. USFWS does allow the Species of Greatest Conservation Need (SGCN) list and other information in the document to be used prior to the document's final approval.
(wildlife.dgf.nm.gov/conservation/state-wildlife-action-plan)

Below in the section about Birds, the list of birds seen in San Cristobal shows the designation of Species of Greatest Conservation Need **SGCN** as assigned by the New Mexico Department of Game and Fish. This designation means that the animal meets at least one of the following:

Climate Change Vulnerability: Species that are less likely to be able to acclimate to changing climate conditions.

Decline: Species that either are currently experiencing or have historically experienced a substantial long-term decline in habitat or numbers.

Disjunct: Species that have populations geographically isolated from other populations of the same species and are thereby disproportionately susceptible to local decline or extirpation.

Endemic: Species that are limited to New Mexico.

Keystone: Species that are of demonstrable importance for ecosystem function (Cottee-Jones and Whittaker 2012). These species may contribute more to the conservation of biological diversity, through their impacts on other species, than expected based on their relative abundance, and their removal is likely to lead to a reduction in species diversity or change in community structure or dynamics.

Vulnerable: Species for which some aspect of their life history and ecology makes them disproportionately susceptible to decline within the next 10 years. Factors include, but are not limited to, concentration to small areas during migration or hibernation; low reproductive rates; susceptibility to disease, habitat loss, wildfire, and anthropogenic overexploitation. (2025 SWAP page 13)

Birds

San Cristobal is a natural sanctuary for birds due to the quiet, undeveloped nature of the valley. The habitat is varied and attracts many different species. There are a number of ponds, open grasslands, forests of piñon, juniper and ponderosa.

Cottonwoods line San Cristobal creek down the center of the valley. Fruit trees are abundant and include apricot, plum, pear, apple, cherry, peach, chokecherry and crabapple. The distinct areas of the valley attract different birds, for example the Steller's Jay prefers coniferous forest while the Meadowlark likes open fields.

Bird sightings from ten households in various regions of San Cristobal were collected. The contributors include a household within the 0.5 mile radius of the proposed cell tower, another resident just outside the radius, guests at the Goji Berry Farm and six residents located in the eastern end of the valley, one north of the post office hidden in trees, one on Medina Road, and five different households on Camino del Medio up valley heading to San Cristobal Canyon.

Following are the 139 different birds we have seen as residents and visitors in the valley from 2010 to present. The asterisk beside some birds denotes their susceptibility to the threat imposed by "Transportation and Service Corridors" as described in the 2025 SWAP's Appendix E on pages 559-581. The initials SGCN beside some of the birds denotes their designation in 2025 SWAP as *Species of Greatest Conservation Need*, as described on pages 19-23.

Birds seen in San Cristobal that fall into the category of **THREATENED**:

Federal: **Yellow Billed Cuckoo**

New Mexico: **Bald Eagle**

Please note, at the writing of this report, the birders in the residence located within the 0.5 mile radius of the proposed cell tower, and their next door neighbors, confirm the calls of two or more great horned owls coming from the location of the proposed cell phone tower in the night. Their reports of these calls on many consecutive nights imply the area is used for hunting and/or nesting.

Birds Observed in San Cristobal:

American Avocet

Brewer's Blackbird

Red-winged Blackbird

Yellow Headed Blackbird * SGCN

Western Bluebird * SGCN

Bushtit

Lazuli Bunting * SGCN

Yellow-breasted Chat

Mountain Chickadee * SGCN

Black-capped Chickadee

American Coots

Brown Headed Cowbird

Brown Creeper

Red Crossbill

American Crow

Yellow Billed Cuckoo* SGCN (Federal: Threatened)

American Dipper SGCN

White Winged Dove

Mourning Dove

Eurasian Collared Dove

Long Billed Dowitcher *

Wood Duck

Bald Eagle *	SGCN	(NM: Threatened)
Golden Eagle	SGCN	
Cassin's Finch *	SGCN	
Gray-crowned Rosy Finch	SGCN	
House Finch		
Northern Flicker		
Ash-throated Flycatcher		
Cordilleran Flycatcher		
Gray Flycatcher		
Olive-sided Flycatcher *	SGCN	
Western Flycatcher		
Lesser Goldfinch		
American Goldfinch		
Canada Goose		
American Goshawk		
Great-tailed Grackle		
Black-headed Grosbeak *	SGCN	
Evening Grosbeak *	SGCN	
Blue Grouse		
Dusky Grouse		
Northern Harrier *	SGCN	
Cooper's Hawk		
Ferruginous Hawk*		
Red Tailed Hawk		
Sharp-shinned Hawk		
Great Blue Heron		
Black Chinned Hummingbird		
Broad Tailed Hummingbird	SGCN	
Calliope Hummingbird		
Rufus Hummingbird		
Pinyon Jay *	SGCN	
Steller's Jay	SGCN	
Western Scrub Jay		
Woodhouse's Scrub Jay	SGCN	

Dark-eyed Junco	
American Kestrel *	SGCN
Kildeer *	SGCN
Belted Kingfisher	
Golden crowned Kinglet	
Ruby crowned Kinglet	
Mallard	
Black-billed Magpie	SGCN
Western Meadowlark *	SGCN
Northern Mockingbird	
Common Nighthawk *	SGCN
Clark's Nutcracker	SGCN
Red-breasted Nuthatch	
White-breasted Nuthatch	
Pygmy Nuthatch	SGCN
Bullock's Oriole *	SGCN
Burrowing Owl *	SGCN
Great Horned Owl	
Northern Pygmy Owl	
Saw-Whet Owl	
Screech Owl	
Rock Pigeon	
Western Wood-Pewee *	SGCN
Wilson's Phalarope	
Black Phoebe	
Say's Phoebe	
Band Tailed Pigeon *	SGCN
Common Poorwill	
Common Raven	
American Robin	
Spotted Sandpiper*	SGCN
Williamson's Sapsucker	SGCN
Red-naped Sapsucker	SGCN
Northern Shoveler	

Loggerhead Shrike*	
Pine Siskin*	SGCN
Townsend's Solitaire	
Brewer's Sparrow *	SGCN
Chipping Sparrow *	SGCN
Fox Sparrow	
House Sparrow	
Lark Sparrow *	SGCN
Lincoln Sparrow	
Song Sparrow	
Vesper Sparrow *	SGCN
White Crowned Sparrow	
European Starling	
Northern Rough-winged Swallow	
Barn Swallow	
Tree Swallow	
Violet Green Swallow *	SGCN
Western Tanager	
Brown Thrasher	
Hermit Thrush	
Juniper Titmouse	SGCN
Canyon Towhee *	SGCN
Green-tailed Towhee	SGCN
Spotted Towhee *	SGCN
Wild Turkey	
Cassins Vireo	
Solitary Vireo	
Warbling Vireo	
Plumbeous Vireo *	
Turkey Vulture	
Audubon's Warbler	
Black-throated Gray Warbler *	SGCN
Hermit Warbler	
MacGillivray's Warbler	

Orange-crowned Warbler	
Virginia's Warbler *	SGCN
Wilson's Warbler *	SGCN
Yellow Warbler	
Yellow-rumped Warbler	
Cedar Waxwings	
Lewis's Woodpecker	SGCN
Downy Woodpecker	
Ladder-backed Woodpecker	
Hairy Woodpecker	
Red-headed Woodpecker *	SGCN
Bewick's Wren *	SGCN
House Wren	
Rock Wren	SGCN
Common Yellowthroat	

Our view of problems associated with the Trileaf's "Informal Biological Assessment"

On page 3 of the report prepared by Trileaf on June 28, 2024 for Skyway Towers, New Mexico Fish and Game responded with the following concerns:

"The project area appears to be within Crucial Habitat as identified in the Crucial Habitat Assessment Tool (CHAT) layers provided in the New Mexico Environmental Review Tool (NMERT). This indicates that a diversity of species of conservation concern and sensitive or important habitats for wildlife are likely to be found in the project area. The Department recommends completion of thorough environmental assessment prior to, and exercising care during, implementation of project activities to avoid adverse impacts to sensitive wildlife and habitats.

All migratory birds are protected against direct take under the federal Migratory Bird Treaty Act (16 U.S.C. Sections 703-712), and hawks, falcons, vultures, owls, songbirds, and other insect-eating birds are protected under New Mexico State Statutes (17-2-13 and 17-2-14 NMSA), unless permitted by the applicable

regulatory agency. To minimize the likelihood of adverse impacts to migratory birds, nests, eggs, or nestlings, the Department recommends that ground disturbance and vegetation removal activities be conducted outside of the primary migratory bird breeding season of April 15 - September 1. Breeding season may begin earlier for raptors or when working in low-elevation habitats such as deserts. If ground disturbing and clearing activities must be conducted during the breeding season, the area should be surveyed for active nest sites (with birds or eggs present in the nesting territory) and avoid disturbing active nests until young have fledged. For active nests, establish adequate buffer zones to minimize disturbance to nesting birds. Buffer distances should be at least 100 feet from songbird and raven nests; 0.25 miles from most raptor nests; and 0.5 miles for Ferruginous Hawk (*Buteo regalis*), Golden Eagle (*Aquila chrysaetos canadensis*), Peregrine Falcon (*Falco peregrinus*), and Prairie Falcon (*Falco mexicanus*) nests. Active nest sites in trees or shrubs that must be removed should be mitigated by qualified biologists or wildlife rehabilitators. Department biologists are available to consult on nest site mitigation and can facilitate contact with qualified personnel.

The list of New Mexico SGCN (Species of Greatest Conservation Need) [...] and the federal list of Birds of Conservation Concern should be reviewed to fully evaluate potential effects to migratory birds from your proposed project. Federal agencies are also required under Executive Order 13186 to implement standards and practices that lessen the amount of unintentional take attributable to agency actions. These conservation measures are strongly recommended to ensure persistence of migratory bird species whose populations are small and/or declining within New Mexico.”

Further, on page 67 of the Trileaf Report:

“Trileaf performed an Informal Biological Assessment” for the site of the proposed cell tower “to document whether the proposed undertaking will affect listed or proposed threatened or endangered species, designated critical habitats, wetlands and migratory birds.” They came to the following conclusion regarding migratory birds:

“The proposed Site and design process for this project could not conform to all the United States Fish and Wildlife Service (USFWS) recommendations to decrease potential effects on migratory birds. Therefore, it has included mitigating factors such as structure placement within minimally sensitive areas, avoiding placement near wetlands and large water bodies, limiting structure height to 199 feet, and eliminating the need for guy wires. While the Site is located among the Central and Pacific Flyways, our Site investigation has determined that the project area is not located in an NWI-mapped wetland, waterway, wildlife refuge, national wilderness area, native grassland or forest area, ridgeline, mountain top, coastline or area commonly known to have high incidences of fog or low clouds, where migratory birds may be found. Based upon the efforts undertaken during this IBA as well as the current data made available, we have concluded that this project will not have a significant effect on migratory birds; however, the presence of migratory birds cannot be ruled out.”

Our Position

The above conclusion by Trileaf that the project will not have a significant effect on migratory birds is unfounded. In the 2025 SWAP on page 52, threats are defined as “factors that can adversely affect the long-term persistence of Species of Greatest Conservation Need (SGCN).” There are 10 threats listed and discussed; #4 in the list is “Transportation and Service Corridors,” which includes cell towers. It is stated that the threat is “Habitat fragmentation, behavior modification from noise and activity, spread of invasive species, direct mortality from collisions with vehicles and utility lines, and raptor electrocution. Corridors include highways, secondary roads, logging roads, railroads, powerlines, cell phone towers connected by access roads, oil and gas pipelines and airplane flight paths.” See Table 8 pages 53-54 and Appendix E pages 559-601.

In the list above of birds seen in San Cristobal, an asterisk denotes birds listed as susceptible to the “Transportation and Service Corridor” threat as per 2025 SWAP.

On page 69 of the Trileaf NEPA report:

“Threatened or Endangered Species:

Trileaf has researched the listed or proposed threatened or endangered species and designated critical habitats for the project area. This includes any such species that have been reported to exist within the action area where the project is located. The list of federally threatened or endangered species acquired through the USFWS Information for Planning and Consultation (IPaC) project planning tool is site-specific. The state list of threatened or endangered species was acquired from the Biota Information System of New Mexico (BISON-M) and is broken down by county".

Note: On page 70 a table shows the Bald Eagle to be one of the birds considered Threatened in New Mexico. Trileaf stated "Habitat assessment indicated no potential habitat present." Many of our local birders have seen Bald Eagles in San Cristobal!

On page 100 of the Trileaf NEPA Report:

"Burrowing owl (*Athene cunicularia*) may occur within your project area. Burrowing owls are protected from take by the Migratory Bird Treaty Act and under New Mexico state statute. Before any ground disturbing activities occur, the Department recommends that a preliminary burrowing owl survey be conducted by a qualified biologist using the Department's burrowing owl survey protocol. Should burrowing owls be documented in the project area, please contact the Department or USFWS for further recommendations regarding relocation or avoidance of impacts".

One of our San Cristobal birders recorded these notes:

- **May 22, 2019. Recorded an unidentified bird in a tree on the slope. (Possibly a Burrowing Owl.) Burrowing owls are active and often hunt in the daytime, which is when this recording was made.**
- **March 13, 2020. Burrowing owl in the late afternoon sat on a fence post outside the patio wall (south). It extended its barred feathers, perhaps hiding a caught creature, and then flew off up the slope into the woods. All the birds disappeared from the feeders."**

Important Resources

- Environmental Health Trust (EHT) is an environmental think tank encompassing research, education and policy advocacy on the impacts of wireless technology on wildlife. (<https://www.wildlifeandwireless.org>)
 - Albert M. Manville, II, Ph.D., Senior Wildlife Biologist, Division of Migratory Bird Management, USFWS. Manville was co-author to a landmark three-part 2021 research review on effects on wildlife published in *Reviews on Environmental Health* which details the impacts on birds and states current science should trigger urgent regulatory action citing more than 1,200 scientific references which found adverse biological effects to wildlife from even very low intensities of non-ionizing radiation with findings of impacts to orientation and migration, reproduction, mating, nest, den building, and survivorship.
 - “[A Briefing Memorandum: What We Know, Can Infer, and Don't Yet Know about Impacts from Thermal and Non-thermal Non-ionizing Radiation to Birds and Other Wildlife](#)” by Albert Manville, July 14, 2016.
 - Albert M. Manville, U.S. Fish & Wildlife Service “Concerns Over Potential Radiation Impacts of Cellular Communication Towers on Migratory Birds and Other Wildlife” 2007. Manville presented the research and proposed recommendations to Congressional staff members on the impacts of cell towers, including the radiation, on birds.
- Birds, both migratory and non migratory, face population decline due to threats to their habitat. Millions of birds are directly killed by collisions with man-made structures, including cell towers. The building of these towers destroys areas of habitat permanently and interferes with wildlife corridors.
(<https://www.fws.gov/library/collections/threats-birds>)
- The Plight of the Pinyon Jay is described in this article:
<https://undark.org/2022/10/19/in-new-mexico-a-fragile-ecosystem-under-pressure/>

Mammals

The following is a list of mammals observed in San Cristobal.

Mule Deer

Elk

Coyotes

Black Bears
Gray Foxes
Red Foxes
Jack Rabbits
Cottontail Rabbits
Mountain Lions
Big Horn Sheep
Ermine
Skunks
Raccoons
Least Chipmunks
American Red Squirrels
Abert's Squirrels
Weasels
Gophers
Prairie Dogs
Bats

In the National Environmental Policy Act (NEPA) report prepared by Trileaf on June 28, 2024 for Skyway Towers, on pages 3-4, the New Mexico Department of Game and Fish offered the following recommendations:

“Your project is in an area of important habitat for large mammals such as elk and bighorn sheep. Thus, the Department recommends restricting noise-generating activities during wintering and calving/fawning seasons. These seasons are November 15-April 30 for wintering and May 15-June 30 for calving fawning in northern New Mexico. Further mitigation recommendations for large mammals can be found in the project report. [...]”

The project area appears to be within Crucial Habitat as identified in the Crucial Habitat Assessment Tool (CHAT) layers provided in the NMERT. This indicates that a diversity of species of conservation concern and sensitive or important habitats for wildlife are likely to be found in the project area. The Department recommends completion of thorough environmental assessment prior to, and

exercising care during, implementation of project activities to avoid adverse impacts to sensitive wildlife and habitats.”

On page 101 of the TriLeaf NEPA report, the New Mexico Department of Game and Fish has identified a corridor for deer and elk crossing the highway in the vicinity of the proposed cell tower, described below:

“Your project is on or near a section of road that has experienced comparatively high incidence of wildlife-vehicle collisions. Coordinate with the New Mexico Department of Transportation to consider implementing mitigation actions that are appropriate to your project area and planned action to reduce wildlife-vehicle collisions. These may include but are not limited to: installation of wildlife-proof fencing; installation of wildlife passages such as arch culverts or overpasses; and installation of animal detection systems. [...]”

Your project could affect important components of wildlife habitat, including fawning/calving or wintering areas for species such as deer and elk, or general high wildlife movement and activity areas for large mammals. Mitigation measures should focus on high use sites and movement areas based on collar data and expert knowledge of Department and land management agency personnel. Management recommendations within these areas may include the following: Restrictions on noise-generating activities during wintering and calving/fawning seasons, specific timing of which may vary throughout the state.”

Reptiles, Amphibians, Fish and Insects

Bull, rattle, garter, gopher and whip snakes have been seen in the valley as well as many lizards. Frogs and toads sing in the evenings from various ponds or along the San Cristobal Creek.

We have fish in the streams of the valley, including the Rio Grande Cutthroat Trout, only found in northern New Mexico and southern Colorado. The Rio Grande Cutthroat Trout is listed as susceptible to the “Transportation and Service Corridor” threat as per 2025 SWAP, page 570.

Bees and Wasps

A resident beekeeper in the western portion of San Cristobal (to the east of highway 522 and just outside the 0.5 mile radius of the proposed cell phone tower, reports he has found the following families of bees and wasps in San Cristobal:

Apidae: honey bees, bumble bees, carpenter bees, long-horned bees, squash bees, digger bees, cuckoo bees, stingless bees, and orchid bees

Halictidae: Sweat bees, metallic bees, stripped sweat bees

Colletidae: Plaster bees, cellophane bees, masked bees, and fork-tongued bees

Sphecidae: Thread-waisted wasps

Vespidae: Paper wasps, yellowjackets, hornets, and potter wasps

Scoliidae: Flower wasps, mammoth wasps, or scarab hawks/hunters

Pompilidae: Spider wasps, spider-hunting wasps

Tiphiidae: solitary wasps whose larvae are parasitoids of various beetle larva

According to the Environmental Health Trust, researchers are connecting the decline in honeybees, pollinators and other insect populations to numerous factors including pesticides, parasitic mites, climate change and consider EMF (electromagnetic fields) to be a significant contributor.

Resources

- [State Wildlife Action Plan for New Mexico](#)
- [Environmental Health Trust \(wildlifeandwireless.org\)](#)

This *Wildlife in San Cristobal* report was compiled by: Joan Norris with contributions from San Cristobal Residents

Appendix E

Visual Renderings by Barry Norris

This perspective shows the proposed tower to scale, from the Norris' yard, and suggests substantial visual impacts on all nearby residents.

