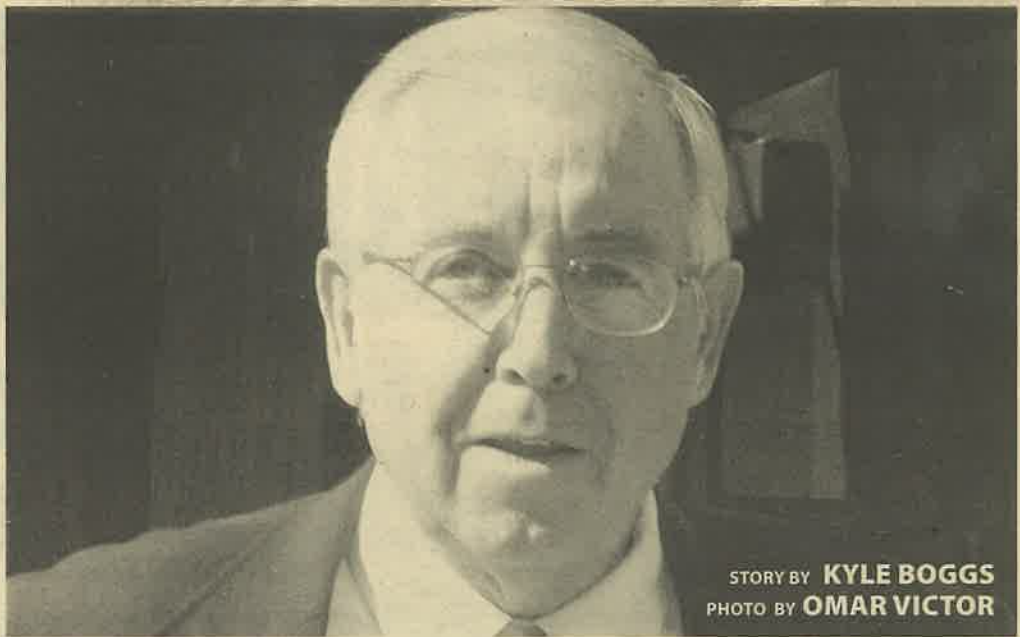


# BOROWSKY SAYS HE'S SELLING SNOWBOWL TO SKI FRANCHISE, YET FOREST SERVICE & CITY SAY NO NEW LEASES ARE ON THE TABLE



STORY BY **KYLE BOGGS**  
PHOTO BY **OMAR VICTOR**

On Wednesday, October 29, 2014, the owners of **Arizona Snowbowl** ski resort announced it was selling to a Colorado businessman, **James Coleman**. The *Arizona Daily Sun* announced the sale would be finalized in a week, however, by mid-January of this year, the sale is still not complete. The complications involved in the sale of the resort are reminiscent of the last time the resort was sold and reflective of the legacy of controversy that has surrounded this resort since the early 1970s.

"Discussions regarding the sale are ongoing," said Forest Service Public Affairs Officer, **Brady Smith**, "But as of today the Arizona Snowbowl ski resort has not been sold to another party. The ski area is still operating under its previously issued Special Use Permit." Regarding the process for such a complicated sale, Mr. Smith said, "The sale of such a resort involves an evaluation process and requires new owners to satisfy a set of stipulations before the new owners can operate the ski resort on the national forest. In other words, there are financial and technical determinations, which any new prospective buyers must satisfy. Essentially, prospective buyers must demonstrate financial stability and capability, as well as evidence that supports their ability to operate a ski resort and conduct associated business operations," said Mr. Smith.

Regarding whether or not the sale would require a new EIS (**Environmental Impact Statement**) a re-issuance of a Special Use Permit, or have to go through a new NEPA (**National Environmental Policy Act**) process depends on the structure of the sale. "The Forest Service has not been presented with the final structure or terms for any sale," said Mr. Brady, "so we cannot answer this question at this time." According to Mr. Brady, "a new EIS would be necessary if there was a significant departure from the current master development plan."

The last time the resort sold, however, the process took just as long. On June 12, 1992 Fairfield Communities, an Arkansas-based company who had owned and operated Snowbowl since 1982, announced that they were putting the resort up for sale at an auction. The previous ski season was the best on record — in terms of snowfall and number of guests — in 52 years. However, according to the *Arizona Daily Sun*, Fairfield, the developer of a 2,200 acre residential community, town homes and condominiums in east Flagstaff, had purchased the resort to "increase the appeal of their time-share units." After attempting to divest and consolidate their businesses with little success, Fairfield filed for bankruptcy.

Failing to sell the resort for a posted \$6.5 million, Fairfield put the resort up for auction in Los Angeles. The bidding started at \$4 million. At least four bidders made offers, none of which met the \$4 million minimum. In August of 1992, the *Arizona Daily Sun* announced the resort had been sold privately to an "in-state" buyer, whose identity could not be revealed until the process was complete.

Finally, in November of 1992, it was made official in a press conference: Arizona Snowbowl Limited Partnership purchased the ski area for \$4 million. **Eric Borowsky**, president of EGB Enterprises, was to be the general partner, the majority owner of the resort. After describing how much he enjoyed skiing at Snowbowl, calling it one of "Arizona's landmark facilities," he announced his plans for future expansions to "make skiing more enjoyable."

After some initial improvements to the trails, expansion of the Hart Prairie Lodge and other additions to its facilities, in 2001 Snowbowl filed for permission from the Forest Service for more developments, including the use of reclaimed wastewater to make artificial snow. The owners and management of the resort maintained the use of man-made snow was essential to the success of their business, as it would provide more consistent ski seasons.

However, a year prior to Snowbowl submitting its application for development, the San Francisco Peaks was designated a **Traditional Cultural Property**. This validated the cultural and spiritual beliefs of at least 13 regional Native American tribes who hold the mountain sacred. Since the early 1970s the Hopi Tribe and Navajo Nation have relentlessly opposed further development on the Peaks.

The use of municipal reclaimed wastewater to make snow was and still is the most contentious detail of Snowbowl's expansions, which led to multiple lawsuits, protests, and other demonstrations such as tree sits, road blockades, and hunger strikes. Since 2010, more than 50 people have been arrested for such actions.

While a few other resorts use a percentage of reclaimed wastewater to make snow; in 2012, Snowbowl became the only resort in the world to make snow out of 100% reclaimed wastewater. This got the attention of some Northern Arizona University professors, whose work deals with water management from the perspective of geology, toxicology and the biological sciences, among others. Nationally, Snowbowl's move grounded a larger conversation on water quality and appropriate use.

The Hopi Tribe still has an active lawsuit against the City of Flagstaff, who is selling the resort the water. The lawsuit stipulates that using reclaimed wastewater to make snow is an illegal use of this water and the City approved it under a narrow interpretation of **Arizona Department of Environmental Quality's** regulations.

**Stacey Glaser**, Marketing Director for Sipapu Ski & Summer Resort, has been answering questions regarding Snowbowl's sale on behalf of Mr. Coleman, who grew up in Texas but has lived and worked in the Southwest most of his life. Like Mr. Borowsky, Mr. Coleman will be the managing partner of the resort, alongside a group of investors, the identities of which are still "being worked out."

Mr. Coleman currently owns two ski resorts in New Mexico: Sipapu Ski & Summer Resort, as well as Pajarito Mountain Ski Area in Los Alamos. He is in the process of buying the Arizona Snowbowl as well as Durango Mountain Resort, where he lives in Colorado. Not just an owner of resorts, Mr. Coleman "has been in development and in real estate and he has properties throughout the Southwest: a property in Albuquerque, a condo community in Austin, a couple in Tucson and a condo community in Vail," she said. "He has offices in Phoenix, Austin, and in Durango."

When asked the extent to which Mr. Coleman was aware of the long standing controversy over development on the San Francisco Peaks, including the objection to using reclaimed wastewater to make snow, Ms. Glaser responded, "Yes, he is certainly informed on the conversation and what has happened." Regarding any future plans to consult with regional tribes or attempt to mend what some have regarded as a "tarnished relationship" between the tribes and the resort, Ms. Glaser said she couldn't comment on what Mr. Coleman's plans are.

However, according to the Forest Service, "On December 2, 2014, Coconino National Forest Supervisor **Earl Stewart** met with Hopi Chairman **Herman Honanie** in Washington DC regarding a potential sale of Snowbowl ... On January 14, 2015, the Coconino National Forest mailed letters to the Tribes to inform them the ski resort had not yet been sold," and Mr. Smith noted there are no further consultations or meetings scheduled, adding: "Any communication that a prospective buyer/new owner might have with the Tribes is independent of Forest Service actions."

When asked why he decided to sell the resort, Mr. Borowsky told this writer: "We didn't decide to sell it; we received an unsolicited offer and we put it out for a vote among the partners." Because it is a transaction between two private parties, Mr. Borowsky commented that any details regarding the process or the sale amount is confidential.

In August 2014, Snowbowl's contract with the **City of Flagstaff** to purchase reclaimed wastewater to make snow was amended and extended by 20 years. Because Mr. Coleman approached Mr. Borowsky in March with interest in purchasing the resort, and because Snowbowl General Manager JR Murray didn't formerly request this amendment to its contract until July, many attuned citizens have been curious about the timing. Was the amended contract part of the negotiation process?

Mr. Borowsky claims it was not. "We had been working on that for years, because the litigation wasted ten years of our former contract," he said. "So it was about getting back to what we originally agreed on with the city."

When asked to reflect over the last ten years of controversy, the court cases, the protests, the diverse opposition to the use of reclaimed wastewater to make snow, all of which has resulted in a striking divisiveness in Flagstaff, Mr. Borowsky said he wouldn't have done anything differently.

"We tried everything to settle the matter and the opposing parties tried everything to stop us, so it's shame that we all wasted all that time and money and litigation, but there was nothing else we could do." He added *The Noise* is "one of the few" publications "who are listening to the activists anymore," he said before simplifying the complexity and diverse involvement of a decade's long controversy. "You think a handful of activists are more important than 300,000 citizens of Arizona? The activists have cost the tribes a lot of good will and created a lot of unnecessary disruption for the city and for the tribes and for the Snowbowl."

Of course, the controversy has involved economic and recreational arguments, which have been quite visible in the *Arizona Daily Sun*, *Flagstaff Business News*, and many outdoor recreation magazines. There are, however, rich and complex arguments which attempt to negotiate cultural respect, water resources in scarce landscapes, public health and use of public lands that speak to the reasons why this controversy has persisted, has been covered nationally, and has captured the attention of people from all over the world. **N**

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