

# EverVail Workforce Residential Neighborhood



Master Planned EverVail workforce housing.

## *Letters to Vail*

VAIL HOMEOWNERS ASSOCIATION

May 9, 2022

**EverVail and Timber Ridge Workforce Housing  
Projects:**



**TOV to condemn Booth Heights site to preserve bighorn sheep habitat.**

The fifty-year debate to preserve the Booth Height portion of Gore Valley's wildlife habitat has taken a decisive turn in the wildlife's favor. The Vail Town Council in a 4-3 vote (Yes: Foley, Staufer, Mason and Langmaid; No: Seibert, Coggin and Davis ) have authorized commencing the condemnation of the Booth Heights site.

During the public hearing, VR made an allegation that the TOV is siding with NYMBY's in the Booth Creek Subdivision which adjoins their proposed Booth Heights development. When put in historical context, VR's claim rings hollow.

In the 1970s, Vail Resorts (VR) predecessor, Vail Associates (VA), developed the Booth Creek Subdivision located north of I-70 at the eastern end of the Vail Golf Course.

At that time, the TOV and VA were aware that wildlife habitat needed to be



**Historical context makes VR executive's claim of TOV NYMBYism ring hollow.**



protected throughout the subdivision. Upon recommendation from wildlife authorities, large tracts of the subdivision's land were set aside as a wildlife preserve. And, its single family and duplex residential neighborhoods were developed so that wildlife could pass unmolested. The company subdivided the home sites to provide, at the TOV's urging, opportunities for the local workforce to build their homes which many did.

The Booth Heights site was involved in the subdividing. VA, because of the site's proximity to the East Vail I70 interchange, wanted to build a commercial truck stop and service center on the site. Wildlife officials urged that the site not be developed because of its importance as a critical migration corridor and habitat for wildlife. [Their recommendation remains to this day \(see below\)](#). The TOV rejected the truck stop concept and zoned the land for single family and duplex residences.

TOV officials, at the time, noted that if the need ever arose, the TOV would consider condemning the site to protect the effectiveness of the wildlife preserve that had been established within the subdivision and on adjoining land. The present Town Council is fulfilling that promise.

Sometime thereafter, the Booth Heights property was "lost." For many years, it was thought to be owned by CDOT and/or the TOV as open space. Then, a few years ago, it was discovered that as the successor to VA, VR owned the land. VR was allowed to pay a few years back taxes and proceed with its plans to develop the site.

#### **Expand or Contract:**

The TOV sought a compromise with VR, exchanging the development at Booth Heights for the TOV's approval and financing of nearly \$30 million in workforce housing at the Residences at Main Vail on Town owned land. VR, it has been reported, will likely defend the Booth Heights condemnation in a lengthy court fight.

It could be that building workforce housing is not the issue at all for the company. Priorities may be about regaining stock value and public esteem after receiving widespread consumer criticism about overcrowding. Driving up the price for the Booth Heights land may assuage stockholders, but it does nothing to solve the community's need for an additional 1000 units of workforce housing and overcrowding will still remain.

Perhaps for VR, it is less expensive to litigate over a lesser amount of workforce housing in an undesirable location which in effect delays building nearly twice the amount of workforce housing that can be built on the company's EverVail land in west Lionshead. A complete neighborhood of workforce housing well-located in the Town Center was promised to the community when the TOV and VR agreed upon the EverVail Master Plan in 2017, after nearly a decade of study and negotiations.

Progress toward gaining TOV approvals to develop EverVail was proceeding when costs and control issues intervened bringing progress to a halt in 2018. The halt is delaying workforce housing and transportation improvements intended to sustain business opportunities and avoid overcrowding in the Town Center. The community anticipated that these improvements would occur in conjunction with the TOV's approval of the more than a decade long redevelopment of the company's Golden Peak, Vail Village and Lionshead ski base areas that began in the mid-1990s.

Resolution and progress have become necessary. If overcrowding remains intractable, calls to follow the emerging trend in global tourism to adopt tourist reservation quotas that are in sync with the community's carrying capacity could well fall within the realm of possibility for Vail.

It remains to be seen if costly litigation over the Booth Heights condemnation will ensue or if the TOV and VR will take the opportunity to allocate their resources to move forward to build both the EverVail and the second phase of the Timber Ridge workforce housing projects. The TOV has been working diligently to have the Timber Ridge project under construction as soon as conditions permit.

The EverVail workforce housing project needs to have its development approvals reinstated which if aggressively pursued can be accomplished without undue delay. The EverVail workforce housing component can proceed separately, giving more time to adjust the master plan for the complex transportation and service issues associated with VR maintenance

yard and surface parking lots. The end result is if both the Timber Ridge and EverVail projects are pursued then the TOV's 2027 goal of acquiring an additional 1000 units of workforce housing can be achieved.

Today, alliances are being recalibrated. There is greater awareness of the consequences of promises made, kept and broken.

Community credibility is on the line. Hard and fast decisions are to be made, decisions that will either reverse or further Vail's decline in consumer ratings. Overselling and not delivering on the totality of the Vail experience is the surest pathway to decline.

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## COLORADO

### Parks and Wildlife

Department of Natural Resources

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Honorable Kim Langmaid  
Vail Town Council  
Town of Vail  
75 S. Frontage Road  
Vail, CO 81657

May 3, 2022

Re: Public Comments for Resolution No. 22

Dear Mayor Langmaid, and Town Council Members,

The following is a written submission of CPW comments from the Vail Town Council Meeting dated May 3<sup>rd</sup>, 2022 (Please note this includes additional information that was not given during public comment due to time limitations):

Thank you for the opportunity to provide comment. As you know, CPW is a referral agency that functions as a resource to municipal governments among many other entities. As such, we do not take sides, we present facts and provide information to decision makers as it relates to the wildlife resource, so that decision makers might be able to operate with the best available information.

#### Herd History/Species Info:

With regards to the Gore/Eagle's Nest bighorn sheep herd: This is an endemic herd, they are native to this valley. This is one of only a few premier high elevation alpine sheep herds in the state that has had negligible or no human intervention as a part of management.

- Specific to bighorn sheep, they are a niche species, not a generalist species. What this means is that they need a highly specific set of biological conditions to exist and persist on the landscape. If they don't have access to steep escape terrain, open sight lines, cliffs, and specific south facing slopes that provide forage in the winter, they simply won't exist. The Gore/Eagle's Nest sheep herd is already extremely limited in the amount of winter range that is available to it.
- The current, most pressing limiting factors and threats to this particular herd are habitat loss, specifically; loss of winter range, and potential for disease transmission. I wish I could say this is isolated to Vail, but this is happening all over the Western U.S.

#### Clarification - SAM Layers:

As for a number of points needing clarification and correction: CPW's Species Activity Map layers and habitat boundaries represent large landscape level generalization of wildlife habitat and how particular species might utilize habitat types. These layers serve to supplement on the ground knowledge of wildlife managers and biologists. Wildlife does not recognize geo-political boundaries, and these layers are most accurately interpreted at a broad landscape level. Furthermore, selective application and use of wildlife habitat layers without CPW consultation can serve to distort the information. The area in question is in fact



bighorn sheep severe winter range, and sheep use of the parcel in question is routinely documented, as further denoted by Triumph's own consultant biologist.

**Mitigation:**

In 2019 the Town of Vail convened a group of biologists to include CPW staff to discuss mitigation efforts. During discussions there was unanimous agreement that the best way to achieve 100% efficacious mitigation was to find an alternative development site. This was done. It is also important to note that this extensive and collaborative process to find a new site, and thus provide a "win-win" for housing, developers and wildlife alike was achieved.

- That being said, mitigation still routinely results in a net loss for wildlife. In looking at local elk herd populations as a case study for mitigation effectiveness, the efforts to minimize or negate impacts do not survive the test of time. Mitigation measures, over time, are forgotten, go unenforced, or entities slowly gravitate away from the agreed upon or desired conditions.
- Additionally, impacts to wildlife are not created equal. High density, and high intensity human use will elicit a different level of disturbance than that of lower intensity, distributed human impacts.
- Furthermore, all species have a threshold for the amount of disturbance they can withstand. That is to say, current ambient amounts of disturbance does not mean wildlife will tolerate additional impacts.

**Closing:** In closing, CPW is here to collaborate with communities to address pressing wildlife issues, but collectively, we should not wait until herds are imperiled in order to drive us to action. It is increasingly necessary to work proactively to ensure that wildlife has a chance to exist not just for us but for future generations.

CPW appreciates the opportunity to provide comments on this Resolution. For any questions or concerns, please contact District Wildlife Manager Devin Duval at (970) 930-5264

Sincerely,



Devin Duval  
District Wildlife Manager - Vail District

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VHA provides clear and concise discussions of matters affecting the Vail community in the belief that an informed citizenry will be an engaged citizenry. We intend to promote more citizen involvement and community discussions of issues facing the Town. If these are issues that concern you, please make your views known to [town officials](#). Public discussion of current issues by concerned citizens creates an environment to further community initiatives. We heartily encourage your input in shaping the road ahead.

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Join VHA as a Paid-Subscriber or Member. Contact:

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