



**Bighorn sheep prime habitat in East Vail may remain off limits for housing development.**

# *Letters to Vail*

**VAIL HOMEOWNERS ASSOCIATION**

**April 19, 2022**

## **Booth Heights Project Reignites Controversy**

Vail Resorts has reignited a fire storm of controversy [after announcing its intent to move forward with a controversial housing project that will all but eliminate prime Bighorn Sheep habitat in East Vail](#). The announcement has precipitated a decision by the Vail Town Council to consider taking the necessary steps to condemn the Booth Heights property at their upcoming meeting on April 19th. VHA is receiving letters from leading Vail citizens calling for the Town to move forward with condemnation. According to a Town official the TOV approvals for Booth Heights housing proposal, per Resolution 9 of 2021, were extended to November 20, 2023. Additional DRB/PEC review is necessary if anything from the approved plans change. It is anticipated that additional DRB approval will be needed, but the status of any changes is

not known at this time. A building permit has not been applied for. VHA supports the TOV preserving the Bighorn Sheep habitat in perpetuity.

The following are some insightful comments from community leaders

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**The Booth Heights Debate has nothing to do with work force housing.**

Rob Ford. Former Mayor of Vail

Vail needed work force housing 30 years ago when I was Mayor. I spent 4 long years in town hall working on housing options. Vail needs work force housing today. And guess what. Vail will most likely need more work force housing 30 years in the future.

Booth Heights is not a location appropriate for work force housing. The fact that Vail has been pondering work force housing on this site for the last 2 plus years is a strong testament to how far Vail leadership has strayed from the founders' original goals of quality, density control, and excellent management of wildlife and the great outdoors of the White River National Forest. These simple principles with lots of hard work-built Vail into the most popular and successful resort in North America. As Vail leadership forgot about these goals and adopted the "business at any cost" mind set, Vails standing as a premier resort went straight down. Now Vail in not even listed in the top 10 ski resorts in North America. Good Job!!! Think maybe it is time for a reset.

The Booth Heights land parcel is pristine and has been for Vails entire lifetime. It is home to a beautiful strong herd of bighorn sheep that have been here since before Vail was founded. To even consider killing this herd of sheep for work force housing and ruining this pristine ground is outrageous. Our founding fathers would be absolutely appalled. Vails leadership should be ashamed that this project got as far as it did. How could you become so blinded as to get us into this mess? This ground should have been placed in open lands protection since day one.

When the present ownership of Vail Resort took over and adopted the epic pass, Vail leadership was all too eager to step on the gas pedal of development. More people. More money. Vail Resorts monetized, for their benefit, the quality that the founding fathers had worked so hard build. Today, the town, the mountain is totally overrun with people. Quality is gone and has been for some time. This past season, Vail Resort exported to their other resorts their style of bringing in massive amounts of visitors and providing terrible services and quality. Their northwest resorts did their best to call Vail Resorts out on this. They came up with petitions. They lobbied the forest service. They got the photos of huge lift lines to the media. The stock price got hit. You have to fight for quality. Where was Vail in all of this? Not a word from our leadership. Absolutely pathetic.

I think it is time to get back to our roots of quality first. Fist step. Condemn the Booth Heights parcel. No negotiations. No discussions. Just get it done. All the town has done over these 2 years is increase the condemnation costs by adding zoning. Just get it done and start to look elsewhere for more appropriate housing sites. Step two, force Vail Resorts to work with the town on limiting the number of skiers on Vail Mountain to get some quality back into the experience. They will not do this willingly. So outlaw parking on the frontage road. No discussions. Just do it. They will come to the table when forced to.

Bob McLaren, our town manager years ago, used to say municipal politics is a contact sport. It is far past the time for our Town Council to suit up for the game and to start leading the charge back to quality. Stand up for our founding principles starting with quality. Get it done. It will be a long hard-fought battle to get back into the top rankings of ski resorts but please start here and now.

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On behalf of the Gore Valley Alliance:

[Debbie King Ford](#)

The Booth Heights project is finally coming to a head with VRI earlier this week announcing their intentions to start construction followed by Vail councilman Kevin Foley announcing the Town of Vail's intentions to begin the implementation of condemning the property. Without getting mired in the details, the council has let it be known that they have tried to negotiate in good faith with VRI to no avail, leaving eminent domain (condemnation) as the only viable solution to securing the ground as open space and saving the sheep habitat. Instituting eminent domain is quite powerful, precedence was set when it was used years ago to create Ford Park.

There is as yet a final financial valuation of the ground, a judge will determine that. The town does have RETT funds available to put towards the purchase the ground. It could also be possible for other organizations, foundations and individuals to contribute towards the purchase.

[Please write or call the council members](#) to show your support of this process. This could be the last chance to secure the ground and save the sheep habitat.

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### **SHAME ON YOU, VAIL RESORTS**

[Merv Lapin](#)

Shame on you, Vail Resorts – Rob Katz, Kirsten Lynch, Beth Howard

The recent announcement that Vail Resorts (VR) plans to build a \$17 million project for workforce housing on Booth Heights – the Bighorn sheep habitat. Wow. Where have you been since 1964? And why the announcement now?

My guess is that VR finally realized that if you want good employees, you must fairly pay them and provide reasonable housing. VR has never done either. And VR still does not provide sufficient wages to make it possible for long term non-management employees to remain here. My guess is that the motivating factors are that there is a labor shortage, but also recently the Town has reduced the number of residential units that it leases to VR.

What is even more galling is Beth Howard's claim that VR is "doing our (VR) part to mitigate environmental impacts". Independent and former Colorado Department of Wildlife experts have testified that the Booth Heights projects will wipe out the remaining Bighorn sheep herd. She did not address that this large multi-family project is not compatible with the neighborhood nor the sheep habitat.

VR's loyalty and obligations are to their stockholders not to the Town.

How much of the building announcement and simultaneous article by Beth Howard, vice president of VR, are due to trying to increase the value of the property due to the Town's effort to buy the property under eminent domain?

But, also, the Town should bear shame for past Town council's naivete in dealing with Vail Resorts. There is no moral conflict of interest code that would have prohibited a VR employee serving on the PEC and a VR employee serving on Town Council from casting the deciding votes that gave VR a substantial increase in value with new zoning. This zone change may now increase dramatically the cost to the Town for condemnation. I remember when Ted Kindel, a Vail founder, resigned from Town Council when he became affiliated with Vail Associates.

Vail Resorts should do the RIGHT THINGS and

- 1) donate the land to the Town as perpetual open space, thereby taking the increased valuation as a tax deduction;
- 2) build sufficient quality workforce housing either on EverVail or down valley for your full-time and seasonal employees. EverVail is appropriate for the size of the structures and could provide for 300-400 workforce units;

- 3) create a quality experience for our guests and residents by limiting the number of skiers on the mountain. I avoid skiing on the weekends due to the danger of being hit. There is a reason that Vail has slipped from the top 3 to 8-15<sup>th</sup> place.

The Vail Town Council should also do the RIGHT THINGS by

- 1) begin immediately condemnation action, for the benefit of its citizens, to purchase Vail Heights for open space and EverVail for workforce housing. EverVail might also be less expensive;
- 2) immediately cease any leasing of Town controlled housing, not only to Vail Resorts, but also to the top five employers (excepting the School District). ALL of Town controlled housing is subsidized and should be reserved to employers of 50 or less employees;
- 3) implement a Code of Ethics that prohibit any person serving on a Town public body from voting on an issue that affects their present employers or employers from the past 3 years;
- 4) purchase land suitable for future housing needs west of Dowd Junction;
- 5) implement a requirement that all projects over a cost of \$500,000 be competitively bid, but allow other quality issues to be taken into consideration.

Merv Lapin has served eight years on Vail Town Council, 4 years on Vail Planning Commission, 4 years on Eagle County Planning Commission, 4 years on Vail Water & Sanitation District, 8 years on the Vail Recreation District. Merv has been a resident of Vail since 1966.

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In *Letters to Vail*, 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 for these *Letters* 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 our community initiatives. We heartily encourage your input in shaping the road ahead.

You are also welcome to join-in as a Paid-Subscriber or Member. Contact:

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