



**Office of the County Manager**  
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May 3, 2024

Minority Leader Rose Pugliese  
200 E Colfax  
RM 307  
Denver, CO 80203

Dear Minority Leader Rose Pugliese:

As SB24-213: "Exempt Certain Structures from County Regulation" comes to the House, I would like to express Eagle County's strong opposition to the bill.

Eagle County has well-established backcountry culture and industry. That industry comprises both "hut" systems operated by non-profit organizations and individual backcountry units (some of which are actually operated quite well by the hut organization). The county has both supported the backcountry industry and its associated commercial operators and protected the backcountry experience with its land use and other authorities in collaboration with users, operators, and owners.

Local land use authority is how local communities work collectively to serve the greatest interest of our entire community. Without that authority, individual interests will likely supersede the collective interest of the backcountry experience -- a textbook "tragedy of the commons."

We have discussed this bill with our largest backcountry operator, 10th Mountain Division Huts, and they have expressed satisfaction with their work with land use authorities where they operate, and they have concern about the unknown and unintended consequences of this bill.

As far as short term rental regulations interfering with backcountry rentals -- which is a truly unique experience and consideration -- local authorities already can exempt this use from STR regulations, for obvious reasons. If they choose not to do that, they have their own very good and local interest for that decision.

We are very open to considering and discussing the interest and local nexus that may exist for this bill, and we would welcome an adequate amount of time to do that. The lack of stakeholder outreach for SB-213 demonstrates that the end of session is inadequate time for that discussion.



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Regarding the language in the bill, it is dangerously vague. Legal departments from Eagle and other mountain communities have all concluded the vague language in the bill will inevitably complicate both owner decision-making and government regulation/enforcement. That in turn will lead to forcing clarification through the courts, which rarely achieves legislative objectives. This language can likely be improved with time, but almost certainly not in a satisfactory way this late in the session.

Thank you for your thoughtful consideration of Eagle County's grave concern over this bill at this late moment in the session, and we respectfully ask for your opposition of SB24-213.

Sincerely,

Jeff Shroll

County Manager