



La Plata County
Colorado

Board of County Commissioners

Gwen Lachelt, Chair • Bradford P. Blake, Vice Chair • Julie Westendorff, Commissioner

1101 East 2nd Ave
Durango, CO 81301
(970) 382-6219

April 18, 2018

Durango City Council
949 E. 2nd Avenue
Durango, CO 81301

Dear Members of the City of Durango City Council:

The La Plata County Board of County Commissioners and Sheriff Smith received your request to close the homeless encampment on county-owned land west of the Durango city limits dated March 27, 2018.

The Board shares your concern over the immediate issues facing our community, including:

1. Fire danger
2. Public safety, including public health and sanitation
3. Impacts on neighborhoods

As to fire danger, be assured that La Plata County, in collaboration with area fire-fighting agencies, are keeping a close eye on the situation. As in every year, when the federal, state and local fire agencies determine that weather factors and fuel conditions indicate an increased risk to public safety and firefighting personnel, the Board (or the Sheriff when authority has been appropriately delegated) will implement the applicable fire restrictions based on the science and data available, as directed in Exhibit C of the 2018 La Plata County Annual Operating Plan: INTERAGENCY FIRE RESTRICTION CRITERIA. Any fire restriction will be imposed after careful consideration of the recommendations made by a consensus of the various fire agencies including the fire protection districts, the Southern Ute Indian Tribe, and the San Juan Public Lands agencies. These recommendations will likely be broadly applicable as opposed to constrained to specific parcels.

While the community waits for the city to open an alternative shelter location, the county and the Sheriff will continue to proactively take fire mitigation measures on the county-owned land west of the Durango city limits. These measures include relocating campers out of the wooded areas where they currently reside and moving them to a denuded area adjacent to the landfill cap. We believe that this "bench" area is a safer location not only from a fire prevention perspective, but also because it is adjacent to the existing access road. We feel that this location provides a number of benefits including:

- Improved fire mitigation/defensibility
- Accessibility for first responders
- Accessibility for service providers (trash and portable toilets)
- Reduced camp footprint
- Accessibility for law enforcement

In order to close the encampment, we must ensure that we protect the constitutional rights of the citizens of La Plata County, whether housed or unhoused. Specifically, members of our community must have access to adequate shelter whether through a city-provided location or other options. As to the city's shelter, once the county is provided written confirmation that an alternative shelter location is open and ready to receive campers, the county will initiate closure actions for the bench location, consistent with adopted policies and constitutional constraints. At a minimum, the county requests the following information concerning the alternative shelter location prior to commencing closure actions:

- Location of the alternative shelter
- Hours of the alternative shelter
- Constraints, if any, on the ability for the shelter to serve those who may be physically or mentally impaired or campers with special needs (i.e. children or service animals)
- Directions to the alternative shelter
- Basic rules governing the alternative shelter
- Services available at the alternative shelter

Once closure activities have commenced, we anticipate that it will take approximately 60 days to properly close the encampment in a manner that protects the rights of La Plata County citizens while simultaneously treating the unhoused members of our community with respect. Additionally, we will close the encampment consistent with adopted policies and recent court rulings concerning such activities.

La Plata County looks forward to partnering with the City Council and working together to address the needs of our community. We agree that a collaborative and supportive approach with the city of Durango is in the best interests of our citizens, whether housed or unhoused, and we will continue to align our efforts with the city whenever possible.

Sincerely,

LA PLATA COUNTY
BOARD OF COUNTY COMMISSIONERS



Gwen Lachelt
Chair