

# State of Colorado Public Action Plan

*2021 Marshall Fire and Straight-Line Winds in Boulder County  
Disaster ID 4634*



*Photo Credit: Jack from Boulder, Colorado, US - PXL\_20211230\_204354467*

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# Executive Summary

## Overview

The U.S. Department of Housing and Urban Development (HUD) announced that the State of Colorado will receive \$7,415,000 in funding to support long-term recovery and mitigation efforts following the 2021 Marshall Fire and Straight Line Winds event in Boulder County (DR-4634) through Colorado’s Department of Local Affairs (DOLA ). Community Development Block Grant – Disaster Recovery (CDBG-DR) funding is designed to address the needs that remain after all other assistance has been exhausted. This plan details how funds will be allocated to address the remaining unmet needs in Boulder County, Colorado.

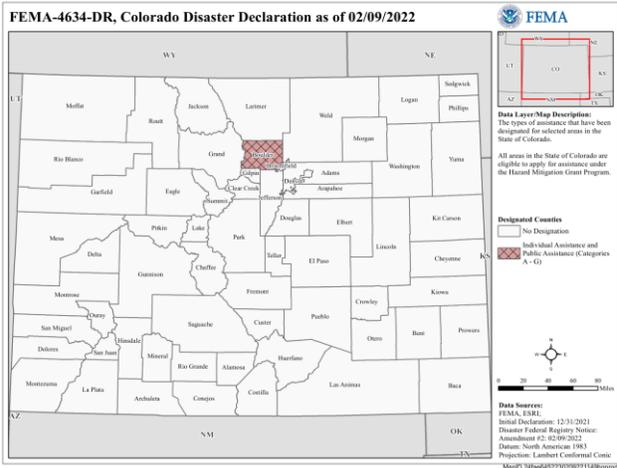
To meet disaster recovery needs, the statutes making CDBG-DR funds available have imposed additional requirements and authorized HUD to modify the rules that apply to the annual CDBG program to enhance flexibility and allow for a quicker recovery. HUD has allocated these funds, through the publication of the [Federal Register, Vol. 87, No. 100, May 24, 2022](#). This allocation was made available through the Disaster Relief Supplemental Appropriations Act, 2022 (P.L. 117-43).

## Disaster Specific Overview

On December 31, 2021, the [President approved a major disaster declaration](#) (formally referred to as DR-4634) to the state of Colorado to supplement state and local recovery efforts in the areas affected by fire and straight-line winds occurring December 30, 2021 – January 7, 2022.

The major disaster declaration activated the FEMA [Public Assistance Program](#) and [Individual Assistance Programs](#) for Boulder County. No other counties were included in the declaration. Based on HUD’s allocation methodology, zip code 80027 was identified as a “Most Impacted and Distressed” area, which is entirely within the confines of Boulder County.

Figure 1: FEMA DR-4634-DR Presidentially Declared Disasters, by County



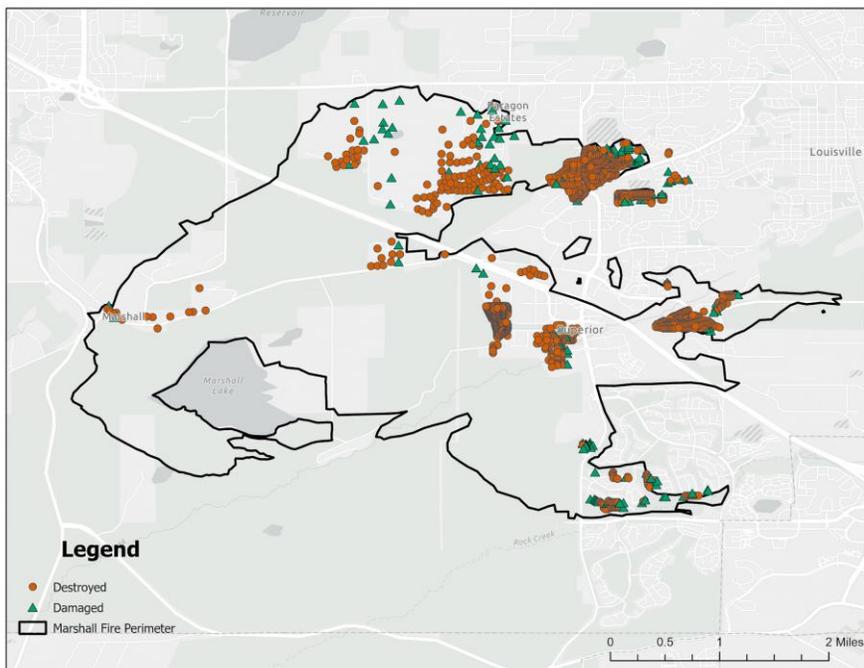
On December 30, 2021, grassland fires fueled by winds gusting to up to 100 miles per hour destroyed significant portions of neighborhoods in the communities of Superior, Louisville and unincorporated Boulder County. Governor Jared Polis issued a verbal disaster declaration on December 30, 2021. President Joseph R. Biden approved an expedited major disaster declaration, identified as incident number FEMA-4634-DR-CO on December 31, 2022. Damages from the fire were primarily residential as outlined below:

- 6,000 acres burned
- 1,084 homes destroyed
- 257 homes damaged
- 30 commercial buildings damaged
- 7 commercial buildings destroyed

According to Boulder County, the valuations for damaged and destroyed residential properties by impacted jurisdictions were as follows:

- City of Louisville: value of residential damage is approximately \$229,199,184
- Town of Superior: value of residential damage is approximately \$152,757,462
- Unincorporated Boulder County: value of residential damage is approximately \$131,255,944

**Figure 1.2: Map of Burn Area and Damage (Source: Boulder County)**



## Summary

To develop the CDBG-DR Public Action Plan, Colorado partnered with local governments and their established outreach efforts to better understand the needs of vulnerable populations, including individuals of low and moderate income, elderly, disabled, those living in areas identified for recovery through CDBG-DR, non- English speaking persons and non- native English speakers, and other disadvantaged populations. Local governments provided the State with information from surveys and local planning efforts. Some examples of this citizen involvement included meeting regularly with groups:

- Marshall ROC (Restoring Our Community)
- Superior Rising
- Marshall Together
- Equity committee of the Resilient Rebuild

Engagement with these organizations started January 3, 2022 with the formation of the State Recovery Task Force, and it varied from daily to weekly to monthly meetings. This was immediately followed by the Disaster Housing Task Force, which started meeting January 6, 2022, and continued twice weekly through February 15, 2022.

Additionally, Boulder County, and the impacted communities within, have developed and consolidated a number of resources for their survivors including access to financial assistance, support services, and long term recovery plans in an effort to improve communication and transparency. Each provides excellent resources for survivors related to recovery topics such as home rebuilding and renovations, business recovery, health, and human services. Links to these respective websites are listed below.

- Town of Superior: <https://www.superiorcolorado.gov/community/marshall-fire-information/marshall-fire-faqs-and-resources>
- City of Louisville: <https://www.louisvilleco.gov/living-in-louisville/residents/louisville-rebuilds-marshall-fire-recovery>
- Boulder County: <https://www.bouldercounty.org/disasters/wildfires/marshall/>

The State will hold its public comment period from August 17, 2022 through September 17, 2022, and will hold a public hearing on August 17th, 2022 from 6-8 p.m. in Louisville, Colorado at the Louisville Recreation and Senior Center at 900 West Via Appia. The State will ensure that all hearings are recorded and made available to the public. This CDBG-DR Action Plan includes an unmet and mitigation needs analysis, as well as recovery and mitigation programming, which reflect the best available data at the time of publication.

This hearing is available simultaneously to the public as an in-person and virtual meeting (via Zoom). The meeting facility is physically accessible and provides accommodations for persons with disabilities.

In order to ensure effective communication, the meeting provides simultaneous Spanish translation services and ASL interpretation for those attending in-person and virtually.

## CDBG-DR Budget

The Federal Register Allocation Announcement and Consolidated Notices (Notices) require HUD grantees to address unmet needs associated with the rehabilitation, reconstruction, and new construction of affordable housing and housing for vulnerable populations. Vulnerable populations are defined by HUD as a group or community whose circumstances present barriers to obtaining or understanding information or accessing resources. The Federal Register Notice also requires grantees to demonstrate a reasonably proportionate allocation of resources relative to areas and categories (i.e., housing, economic revitalization, and infrastructure) of greatest needs identified in the impact and unmet needs assessment or provide an acceptable justification for a disproportionate allocation.

The Notices also include the following expenditure requirements, which are reflected in Table 1:

- **Program Administration Costs:** Limited to 5%—or \$370,750—of the total allocation.
- **Mitigation Activities:** At least 15%—or \$967,000—must be used for mitigation activities and/or through the incorporation of mitigation measures into recovery activities. The activities. The State will define mitigation activities and establish mitigation measures within each program.
- **HUD-Identified Most Impacted and Distressed (MID) Areas:** At least 80%—or \$5,932,000—of the total allocation must benefit the HUD-identified areas. This includes 80% of expenditures for program administration.
- **Benefit to Low- to Moderate-Income (LMI) Persons:** At least 70% of the allocation (less planning and administration costs) must be used for activities that benefit LMI persons.

The table below summarizes how the State estimates it will meet or exceed HUD's expenditure requirements. Actual expenditures will be tracked and reported publicly on the CDBG-DR website. Descriptions of how these funding decisions reflect the Unmet and Mitigation Needs Assessments and the State's guiding principles are included within each of the program descriptions further below in the Action Plan.

## Unmet Need and Proposed Allocation

The total impact to the State, as outlined in Table 2.1 below, is approximately \$635 million. Of this amount, approximately \$267 million in resources allocated to assist recovery have been identified, yielding an unmet need of approximately \$369 million.

The fire itself impacted primarily residential properties with roughly 89% of the identified need being in housing. This was largely single-family owner occupied housing with approximately 10 to 15% being rental properties. This led to the State prioritizing housing rehabilitation and reconstruction with the CDBG-DR grant.

While the economic recovery needs were also significant at approximately 10% of the unmet need, this was largely economic loss due to a decline in customer base rather than physical damage. Therefore

reconstruction of housing and allowing the return of these lost customers is our top priority. Additionally, the State is leveraging other sources to provide assistance to those businesses on the margin.

Mitigation is essential to the reduction of future damages and the State is grateful for the additional CDBG-DR funds dedicated to this purpose. Demand and priorities for mitigation will be targeted towards additional home hardening for our most vulnerable populations and meeting local government priorities as identified in their hazard mitigation plans. Planning and capacity funds will also be made available to ensure su

Based on the unmet needs assessment, and in consultation with our local partners, the State is proposing the allocation of funding identified in Table 1.2 below:

**Table 1.2: Proposed Allocations Summary**

Program Category	Program	Budget	MID Budget*	% of Allocation	Maximum Award	National Objective	Estimated Outcome
Housing	Homeowner Rehab and Reconstruction	\$5,477,250	\$5,477,250	74%	\$100,000	LMH / UN	140 Units
Housing	Small Rental Rehab and Reconstruction	\$600,000	\$600,000	8%	\$100,000	LMH	12 Units
<b>Program Subtotal</b>		<b>\$6,077,250</b>	<b>\$6,077,250</b>	<b>82%</b>			<b>152 Units</b>
MIT - Hsg	Wind & Wildfire Housing Mitigation	\$370,000	\$370,000	5%	\$20,000	LMH	25 Units
MIT - INF	Local Govt Mitigation Assistance	\$267,000	\$267,000	4%	NA	UN / LMA	2 Projects
MIT-PLAN	Local Govt Mitigation Planning and Capacity	\$330,000	\$330,000	4%	NA	NA	3 Grants
<b>Mitigation Subtotal</b>		<b>\$967,000</b>	<b>\$967,000</b>	<b>13%</b>			
ADMIN	Administration	\$370,750	\$370,750	5%	NA	NA	NA
<b>Total</b>		<b>\$7,415,000</b>	<b>\$7,415,000</b>	<b>100%</b>			

# Unmet Needs Assessment

## Overview

On the afternoon of December 30, 2021, what would be called the Marshall Fire began in unincorporated Boulder County near the intersection of Marshall Road and Colorado Highway 93. Driven by straight-line hurricane force winds, the fire soon burned over 6,000 acres in Boulder County including unincorporated county lands and portions of the Town of Superior and the City of Louisville. Over 1,000 residential structures and 7 commercial buildings were destroyed with another 149 residential and 30 commercial structures damaged. The fire swept across county lands, Superior and the Denver/Boulder Turnpike (US Hwy. 36) and associated frontage roads before reaching Louisville.

Colorado has a history of facing challenges from natural hazards. For example, many of the small communities impacted by the floods of 2013 are located in the wildland/ urban interface and are accustomed to taking preventive measures related to fire risk. The High Park Fire and Waldo Canyon Fires of 2012 damaged approximately 500 homes, and the Black Forest Fire and West Fork Fire Complex in 2013 damaged a combined 114,000 acres of land. Since that time however, the Cameron Peak Fire of 2020 led to the destruction of 200 homes and the East Troublesome Fire that same year resulted in the loss of 400 homes and a path of destruction from the west entrance of Rocky Mountain National Park across the continental divide to the doorstep of the Town of Estes Park.

The Marshall Fire was a new type of fire to present-day Colorado as it was a prairie fire rather than a forest fire. From its ignition point, the fire roared across open lands and open space until meeting isolated county developments or the more densely developed communities of Superior and Louisville where homes were lost in an urban conflagration within a matter of minutes. As indicated in our unmet needs assessment, this was predominantly a housing disaster. As indicated in the housing assessment, 97% of the structures identified as damaged or destroyed were residential properties. There was also commercial property damage and economic losses as well as impacts to infrastructure, but not to the extent of the residential property damage.

The unmet needs assessment is divided into categories of housing, infrastructure, economic recovery and mitigation and detailed in the sections below. It details estimated impacts less funds available from other sources to assist in the prioritization of funding activities that inform the use of the CDBG-DR

Below is a description of Colorado's unmet needs through July 2022. The State's initial assessment of total fire-related damages is approximately \$657,441,700. This includes impact to housing, infrastructure, and economic sectors. We are working closely with the federal state, and local partners, to identify additional unmet needs and will adjust our recovery efforts appropriately. The

State’s ongoing unmet needs assessment will include information from local communities, federal funders workshops, local long-term recovery groups, and information from other sources. We will work closely with HUD if additional information results in any future amendments to the action plan.

The State must conduct an analysis of the impact the disaster had and the remaining needs that have not been addressed through other funding sources. The unmet needs analysis represents a specific moment in time. As more information becomes available, and as critical recovery projects progress and costs evolve, the estimate of impact will adjust accordingly.

Disaster Recovery funds are divided into three categories of eligible activity: Housing, Infrastructure and Economic Revitalization. The unmet needs analysis is a detailed look at each sector evaluating the impact of the disaster, the resources available, and the remaining needs under each category. The sections below provide more detail on the analysis of each of these sectors. The results of that analysis is summarized below:

**Table 2.1: Summary of Unmet Needs by Recovery Category**

	Housing	Infrastructure	Economic Revitalization	Total
<b>Estimated Impact</b>	<b>\$538,753,709</b>	<b>\$48,626,070</b>	<b>\$70,061,921</b>	<b>\$657,441,700</b>
Federal	\$17,564,420	\$43,696,070	\$2,460,825	\$63,721,315
State	\$22,000,000	\$0	\$434,978	\$22,434,978
Insurance	\$132,311,473	\$0	\$17,000,104	\$149,311,577
Non-profit / Private	\$20,000,000	\$2,000,000	\$9,415,000	\$31,415,000
<b>Unmet Need</b>	<b>\$346,877,816</b>	<b>\$2,930,000</b>	<b>\$40,751,014</b>	<b>\$390,558,830</b>

In addition to the needs identified above, the investment in mitigation activities is critical for the long term resilience of impacted communities. Preliminary estimates of needed investments in mitigation for housing, infrastructure resilience, and mitigation projects in the pipeline indicate an additional need of anywhere from \$8 million to \$26 million dollars.

The analysis below and the limited amount of funding available are the primary drivers for the program mix identified in section 4 of the Action Plan. The clearest driver of community recovery will be the rebuilding of residential housing, which in turn will bring about the return of a customer base for local businesses and an increase in tax base for community infrastructure. These investments combined with

the funding of mitigation priorities will promote rebuilding while increasing resilience in the event of future disasters.

## Housing Unmet Need

Preliminary damage assessments confirmed that the majority of structural damage was in residential properties, predominantly single family homes. In most disasters, the preliminary damage assessment would give us a broad picture that could be better informed by the addition of FEMA and SBA data to allow us to get more clarity on individual household characteristics and needs. For this particular disaster, an alternative method of housing damage evaluation was required primarily due to the lack of reliable FEMA data. Of the roughly 1,200 impacted structures, only 85 had a verified real property loss. This was largely due to high rates of insurance in the area which leads to an initial denial of FEMA benefits. Rather than follow the traditional HUD methodology, the State merged known damaged addresses with FEMA and SBA data for some detail on real property damages, but relied more heavily on assessor data using the square footage provided multiplied by an average cost per square foot.

Our starting point was the preliminary damage assessment of structures conducted by the County, which utilized a property loss model based on the assessed value of the property. A summary of the structural damages as determined by Boulder County is outlined in the table below and available on [the Boulder County website](#).

**Table 2.2: Structure and Assessor Value Destroyed/Damage Summary**

Type	Total	County	Superior	Louisville
Residential Structures Destroyed	1,084	156	378	550
Residential Structures Damaged	149	48	58	43
Residential Damage Value*	\$513,212,590	\$131,255,944	\$152,757,462	\$229,199,184

*Source: Boulder County Damage Assessment (Jan. 6, 2022). \* Boulder County Assessor is the source of actual value.*

The analysis of housing disaster damages was conducted by utilizing multiple data sources including the initial damage assessments, FEMA and SBA administrative data, assessor data, and data from the US Census bureau to evaluate impacts by both housing type and tenancy of the household. Boulder County is unique in that it has a relatively large renter population due to the proximity of a major University and a number of homes that are both owner occupied and renter occupied.

### (1) Single Family v. Multi-Family Needs; Owner Occupied v. Tenant

Estimates were generated as follows. First, unique addresses from FEMA claims data were assigned the values of “owner only”, “renter only” or “both”, if there were both owner and renter claims at the same address. Second, addresses from Boulder County’s damage assessment were coded as “damaged”, if they were impacted but not destroyed. Third, FEMA and damage assessment tables were joined on a standardized address field.

Total structure counts differ slightly from the values in Table 2.2 . This is because FEMA claims were not made for every address in the damage assessment dataset and only addresses with valid owner/occupant values were evaluated.

Nonetheless, this estimate provides insight into occupation characteristics of fire-affected residences. The majority (over 70 percent) of affected properties were destroyed homes that were likely owner-occupied. Over 10 percent of destroyed units were likely renter-occupied.

**Table 2.3: Proportion of Owner or Renter vs. Damaged or Destroyed Units per Area**

Area	Damaged			Destroyed			Total
	Owner	Renter	Both	Owner	Renter	Both	
Unincorporated Boulder County	19	1	0	90	13	11	134
City of Louisville	58	9	0	635	92	77	871
Town of Superior	13	1	0	7	7	1	29
<b>Total</b>	90 (8.7%)	11 (1.1%)	0 (0%)	732 (70.8%)	112 (10.8%)	89 (8.6%)	1034 (100%)

Source: FEMA Information Data and Analysis for Disaster Number 4634, Microsoft Excel File (May 16, 2022); Boulder County "Damaged and Destroyed List 2022-02-10", Excel File (2022).

The tables below indicate estimated unmet need for owner occupied units by jurisdiction for households above LMI (80% of the area median income) and those that are non-LMI (above the area median income). Figures are derived from a combination of FEMA data, estimates of rebuild cost based on square footage, and assumptions regarding rates of underinsurance.

**Table 2.4: Estimated unmet needs for non-LMI owner occupied households**

Municipality / County	Est. Count	Ave. SQ. FT.	Estimated Rebuild Cost	Estimated Insurance	FEMA Award	Estimated Unmet Need
Boulder Unincorporated	84	2,824	\$75,299,852	\$64,080,174	\$94,616	\$11,125,062
Superior	189	1,794	\$107,893,705	\$91,817,543	\$19,684	\$16,056,478
Louisville	435	1,461	\$287,462,300	\$244,630,417	\$23,662	\$42,808,221
<b>Total</b>	<b>708</b>	<b>1,712</b>	<b>\$470,655,856</b>	<b>\$400,528,134</b>	<b>\$137,962</b>	<b>\$69,989,761</b>

**Table 2.5: Estimated unmet needs for LMI owner occupied households**

Municipality / County	Est. Count	Ave. SQ. FT.	Estimated Rebuild Cost	Estimated Insurance	FEMA Award	Estimated Unmet Need
Boulder Unincorporated	18	1,634	\$9,368,931	\$7,236,562	\$9,408	\$2,122,961
Superior	52	1,641	\$27,170,631	\$20,986,596	\$61,080	\$6,122,956
Louisville	48	1,495	\$29,573,370	\$22,842,471	\$3,496	\$6,727,403
<b>Total</b>	<b>118</b>	<b>1,581</b>	<b>\$66,112,932</b>	<b>\$51,065,629</b>	<b>\$73,984</b>	<b>\$14,973,319</b>

**Table 2.6 Estimated unmet need for rental housing**

Jurisdiction	Est. Count	Ave. SQ. FT.	Estimated Rebuild Cost	Estimated Insurance	Estimated Unmet Need
Boulder Unincorporated	28	2,197	21,088,956	\$17,946,702	\$3,142,254
Superior	85	1,851	53,991,235	\$45,946,541	\$8,044,694
Louisville	191	1,628	\$106,797,268	\$90,884,475	\$15,912,793
<b>Total</b>	<b>304</b>	<b>1,744</b>	<b>\$181,877,459</b>	<b>\$154,777,718</b>	<b>\$27,099,741</b>

**Table 2.7: Fair Market Rents - Boulder County**

Year	Efficiency	One-Bedroom	Two-Bedroom	Three Bedrooms	Four-Bedrooms
FY 2022	\$1,284	\$1,449	\$1,748	\$2,352	\$2,786
FY 2021	\$1,279	\$1,428	\$1,724	\$2,360	\$2,721

Source: [www.huduser.gov/portal/datasets](http://www.huduser.gov/portal/datasets)

**(2) Public Housing and Affordable Housing**

There are two Public Housing Authorities in the impacted County; the Boulder County Housing Authority (BCHA) and Boulder Housing Partners, which serves the City of Boulder. No PHA units were impacted by the disaster. Four voucher holders were temporarily displaced due to the evacuation.

**Multifamily Assisted Housing**

No multifamily assisted housing units were affected by the disaster.

**Public Housing Authorities Damaged**

No public housing authority units were affected by the disaster.

### Social Equity, Fair Housing and Civil Rights

Through its long-established policy making and program design processes, the State of Colorado is committed to using data, performance metrics, and qualitative and quantitative information to ensure programs help advance equity and reduce barriers. This section outlines the Colorado policy-making governance structure, the agency’s guiding documents, and includes additional analysis of impacts to vulnerable populations, members of protected classes under fair housing and civil rights laws, racially and ethnically concentrated areas, concentrated areas of poverty, socially vulnerable areas, and historically underserved communities.

This information provides a foundation for understanding the additional needs of survivors and for ensuring programs are implemented equitably, or in a manner that understands and addresses disparities and additional needs across race, ability, class, age, ethnicity, gender, and other characteristics.

**Table 2.8: Demographics of Disaster Impacted Population**

Demographic	Boulder County	MID Estimates	MID %
Total Population	324,682	32,750	10.09%
Under 5 years old	4.4%	1,772	5.41%
65 years and over	14.4%	3,655	11.16%
Population with a disability	8.1%	2,255	6.9%
White or Caucasian	91.3%	27,103	82.74%
Black or African-American	1.6%	266	0.81%
American Indian and Alaska Native	1.3%	98	0.3%
Asian	6.3%	3,650	11.14%
Native Hawaiian and Other Pacific Islander	0.2%	12	0.04%
Other	3.9%	1,626	4.96%

Source: U.S. Census Bureau (2022) 2016-2020 American Community Survey, tables B01001, B02001, S1810.

Figure 2.9: Boulder County Children Per Household

**Boulder County Children Per Household**

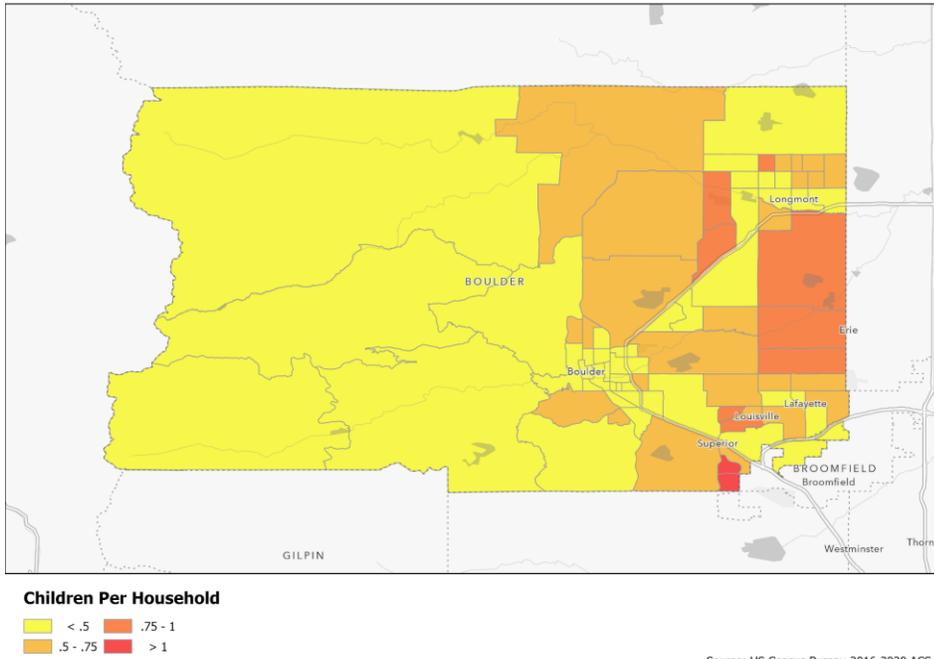
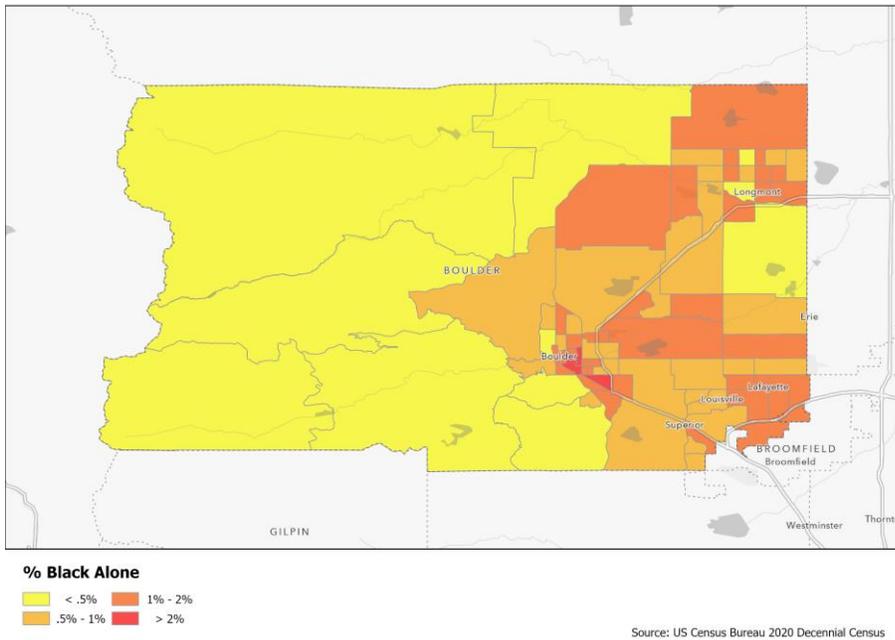
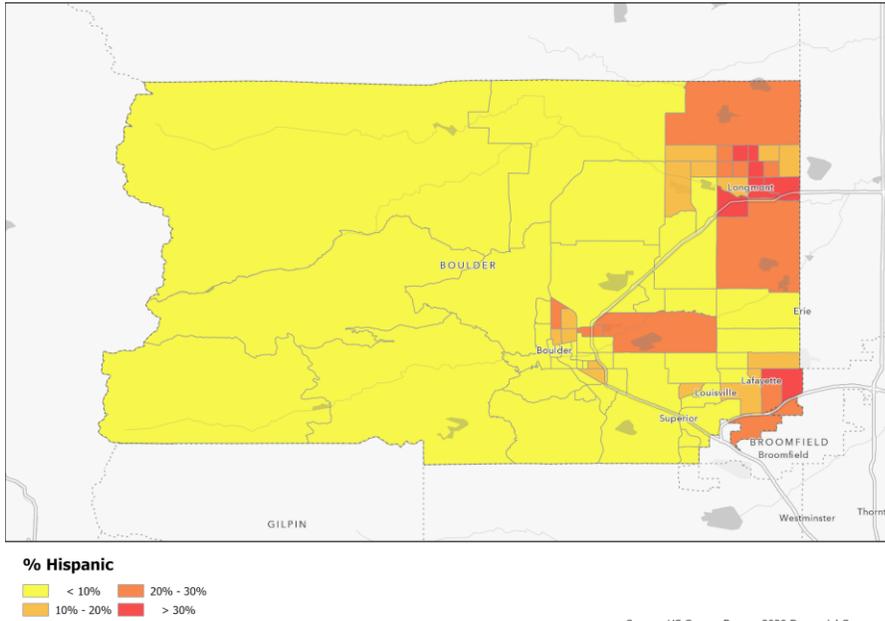


Figure 2.10: Boulder County Black Population

**Boulder County Black Population**



**Figure 2.11: Boulder County Hispanic Population**  
**Boulder County Hispanic Population**



**Figure 2.12: Boulder County American Indian Population**  
**Boulder County American Indian Population**

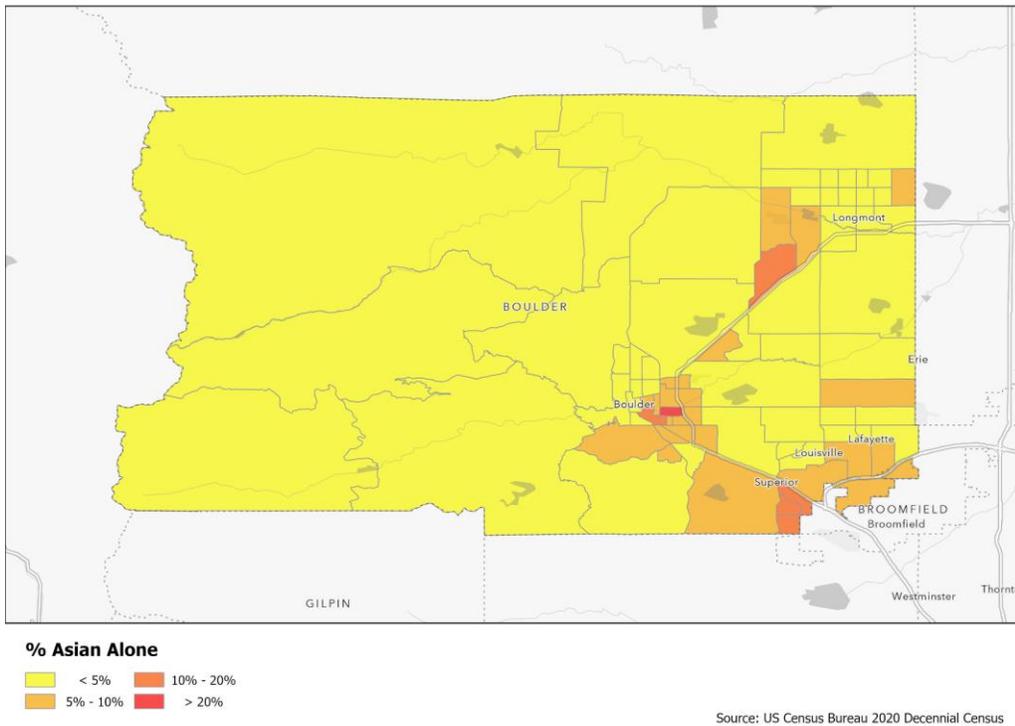


Figure 2.13: Boulder County American Indian Population

**Boulder County American Indian Population**

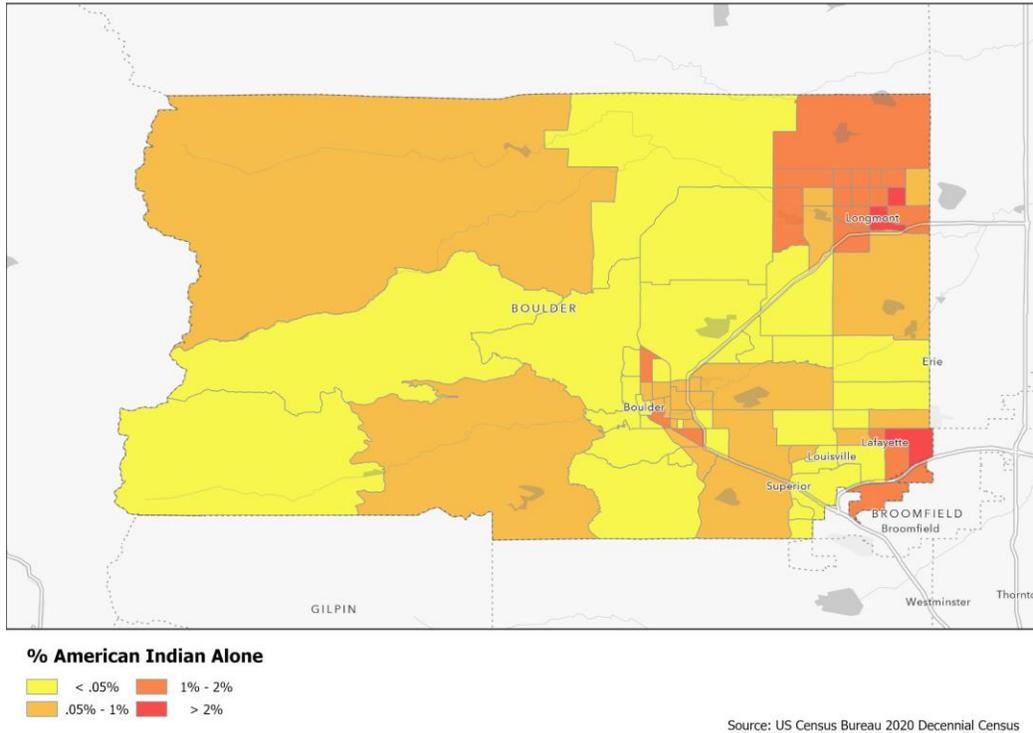
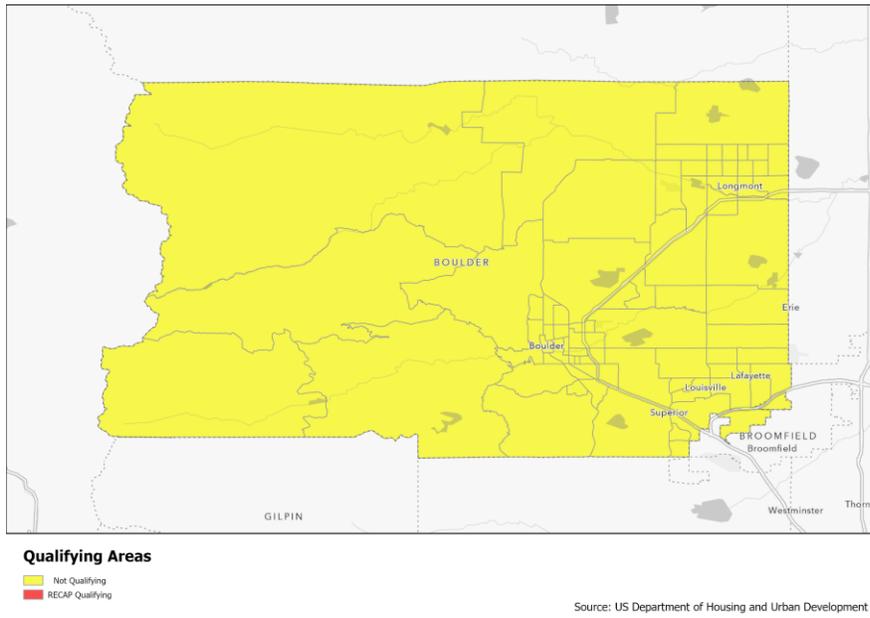


Figure 2.14: Boulder County Racially or Ethnically Concentrated Areas of Poverty  
Boulder County Racially or Ethnically Concentrated Areas of Poverty



As shown below, income in the areas affected by DR-4634 are above the median household and per capita income figures for Colorado. For households, the median household income is \$12,245 over the

median for the State or 14% higher. For persons, the median per capita income is \$9,231 over the median for the State or 19% higher.

**Table 2.15: Income Demographics**

Income/ Econ Demographics	Statewide - Colorado	Areas Impacted by Disaster - Boulder County	HUD MIDs
Median Household Income	\$75,231.00	\$87,476.00	\$117,618.00
Per Capita Income (mean)	\$39,545.00	\$48,776.00	\$32,755.00

Source: U.S. Census Bureau (2022) 2016-2020 American Community Survey, tables B19013 and S1902.

Despite the median income demographics identified above, a substantial number of persons in the impacted area have income below the poverty level. Nearly 35,000 persons have income levels below the poverty level in Boulder County in the last 12 months.

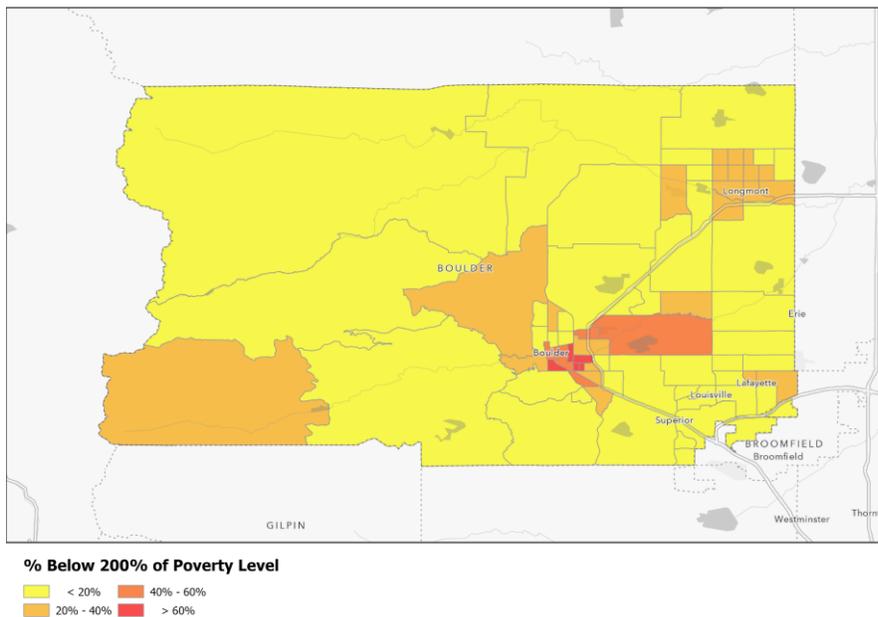
**Table 2.16: Income Demographics - Low Income**

Income/ Econ Demographics	Statewide - Colorado	Areas Impacted by Disaster - Boulder County	HUD MIDs
Persons with income in the past 12 months below poverty level	544,232	34,918	1,554

Source: U.S. Census Bureau (2022) 2016-2020 American Community Survey, table S1701.

**Figure 2.17: Boulder County Low Income Population**

**Boulder County Low Income Population**



Boulder County and the City of Boulder have the highest proportion of LMI persons at 40.59% and 50.44% respectively. Lower proportions of LMI persons are seen in the communities of Superior and Louisville.

**Table 2.18: LMI Analysis - Overall**

Category	Total LMI Persons (HUD FY 21)	Total Pop (HUD)	% LMI (HUD)
Boulder County	121,695	299,790	40.59%
Superior	2,380	19,440	18.57%
Louisville	4,720	12,815	24.28%
City of Boulder	47,690	94,595	50.44%

Source: HUD Exchange FY 2021 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data.

**Table 2.19: LMI Analysis - Federally Declared Disaster Areas**

Jurisdiction	Non-MID - Total LMI Persons (HUD FY 21)	Non-MID - Total Population	Non-MID- Percentage LMI	MID-Total LMI Persons	MID-Total Population	MID- Percentage LMI
City of Boulder	47,690	94,545	50.44%			
Louisville	4,720	19,440	24.28%			
Superior	2,380	12,815	18.57%			
Boulder County	121,695	299,790	40.59%	6,483	32,755	19.79%

Sources: HUD Exchange FY 2021 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data; U.S. Census Bureau (2022) 2016-2020 American Community Survey, tables B01001 and B19001. MID estimates were calculated based on income distribution for Boulder County to minimize estimation error for smaller geographical units and an average household size of 2.38 people per household.

Note that the City of Boulder LMI data is largely skewed due to the presence of a major university and a large student population. The LMI percentages in Louisville and Superior more accurately reflect the LMI population directly impacted by the disaster.

Indicated below, Boulder County and the City of Boulder saw the most number of manufactured housing units impacted by the disaster.

**Table 2.20: Manufactured Housing Units Impacted by Disaster**

Jurisdiction	Number of Units Pre- Disaster (Nov 2021)	Number of Units Impacted	% Total of Units in Jurisdiction
Boulder County	524	406 (wind damage)	77%
City of Boulder	1,298	50 (wind damage)	35%

City of Louisville	99	0	0%
City of Superior	14	11 (destroyed)	79%
<b>Total</b>	<b>1,935</b>	<b>467</b>	

Sources: Boulder County (2022) Email; City of Boulder (2022) Email; City of Louisville (2022) Email; City of Superior (2022) Email; Boulder County Assessor "2021\_Manufactured\_Home\_Site\_Addresses" Excel File (Aug 5, 2022). According to the most recent American Community Survey, just over 4% of the population of Boulder County speak English "less than very well".

**Table 2.21: Limited English Proficiency Breakdown of Disaster-Related Areas**

County/Muni	Estimate Speak English Less than 'Very Well'	% Speak English Less than 'Very Well'
Boulder County	12,884	4.20%
<b>Total</b>	<b>12,884</b>	<b>4.20%</b>

Source: U.S. Census Bureau (2022) 2016-2020 American Community Survey, table S1601.

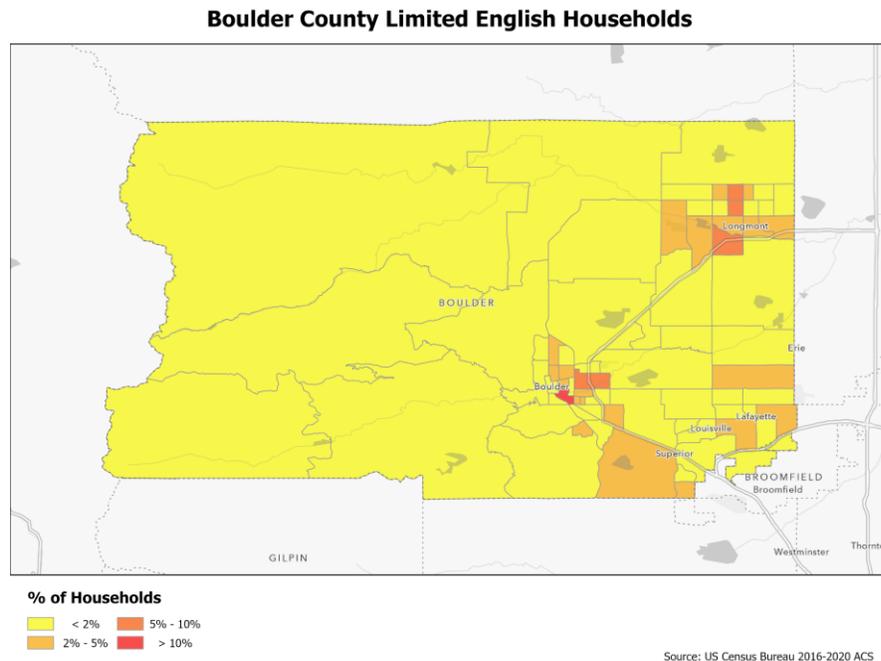
Limited English-speaking characteristics in Boulder County are identified in the table below.

**Table 2.22: Boulder County Limited English Speaking Households**

Boulder County	Number	Percent	Limited English Speaking Households - Number	Percent Limited English Speaking Households - Percent
All households	127,365	100%	2,185	1.7%
<b>Households speaking:</b>				
Spanish	10,223	8.0%	281	10.2%
Other Indo-European Languages	5,745	4.5%	112	5.5%
Asian and Pacific Island Languages	3,801	3.0%	196	20.3%
Other Languages	839	0.7%	61	6.6%

Source: U.S. Census Bureau (2022) 2016-2020 American Community Survey, table S1602.

Figure 2.23: Boulder County Limited English Speaking Households



## Colorado Housing Challenges

The City and County of Denver, the City of Aurora, the Boulder Broomfield Regional HOME Consortium (Consortium), and area housing authorities agreed to collaborate to fulfill a requirement by the U.S. Department of Housing and Urban Development (HUD) to analyze barriers to housing choice. [The study was published in 2019](#). The report concluded the following challenges facing Boulder County:

- Most racial and ethnic minorities, and especially African Americans, face much lower rates of homeownership than non-Hispanic White residents. The Boulder Valley ownership rate for African Americans is just 33 percent—and a very low 13 percent in Boulder—compared to 40 percent for the region overall.
- Resistance to housing development in general, and a strong preference for open space preservation, creates barriers to creation of affordable housing.
- Of all jurisdictions, persons with disabilities reported the most frequent and consistent barriers in the City of Boulder. In Boulder, getting requested reasonable accommodations, including service animals, was reported to be a significant barrier. (Section V, page 4)
- Lack of affordable housing for workforce near employment centers.
- Hispanic households are much more likely to face housing problems than residents of other races in Boulder County. Large families and "non" families (single person households and residents living with unrelated roommates) also face high rates of housing problems. (section III, Page 2)

The State will use these findings to make sure that the homeowner and rental rehabilitation and reconstruction programs prioritize LMI residents and landlords who serve LMI tenants. Coordination with local partners to reach out to disabled and underserved populations will occur before the application is published. The State will work with residents and local governments to ensure homes are built in line with requirements, and to standards that make them more energy efficient and resilient to the spectrum of natural hazards faced in the impacted areas – not just wildfires. The State will allow for the repair or replacement of damaged private infrastructure - such retaining walls- in its housing programs.

### **Social Vulnerability Index and Disadvantaged Communities**

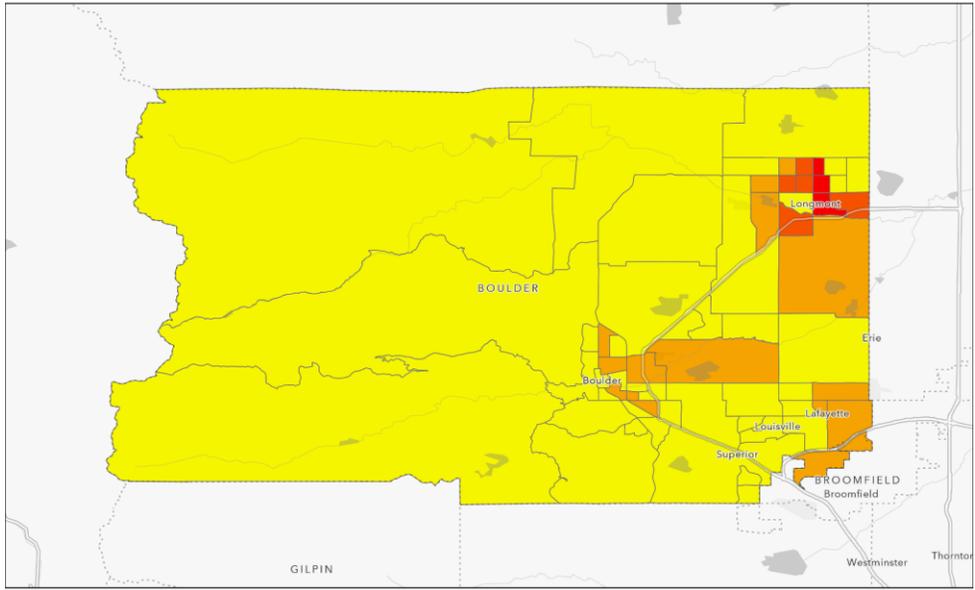
In 2021, President Joe Biden signed Executive Order 14008, Tackling the Climate Crisis at Home and Abroad. The Executive Order states that “40 percent of the overall benefits” of federal investments from covered programs should flow to disadvantaged communities.<sup>37</sup> This is to ensure that any federal funds directed toward climate mitigation and adaptation largely benefit historically underserved communities. One of the ways that agencies and covered programs benefit disadvantaged communities is by identifying target populations with the Centers for Disease Control and Prevention’s (CDC) Social Vulnerability Index.

The CDC’s social vulnerability index is a ranking system that combines 15 social factors including poverty rate, unemployment rate, income, educational attainment, ages 65 and older, ages 17 or younger, civilians with a disability, single-parent households, minority, speaks English “less than well,” multi-unit structure, mobile homes, crowding, no vehicle, and group quarters.

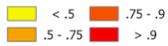
The percentile ranking represents the portion of counties nationwide that are equal to or lower in vulnerability to the county. A higher ranking indicates higher vulnerability. For instance, a percentile ranking of .75 means that 75 percent of counties in the country are LESS vulnerable and only 25 percent are more vulnerable. As the table below shows there are portions of Boulder County that are .5 or greater on the SVI.

Figure 2.24: Overall Social Vulnerability Index Percentile in Boulder County

**Boulder County Social Vulnerability**



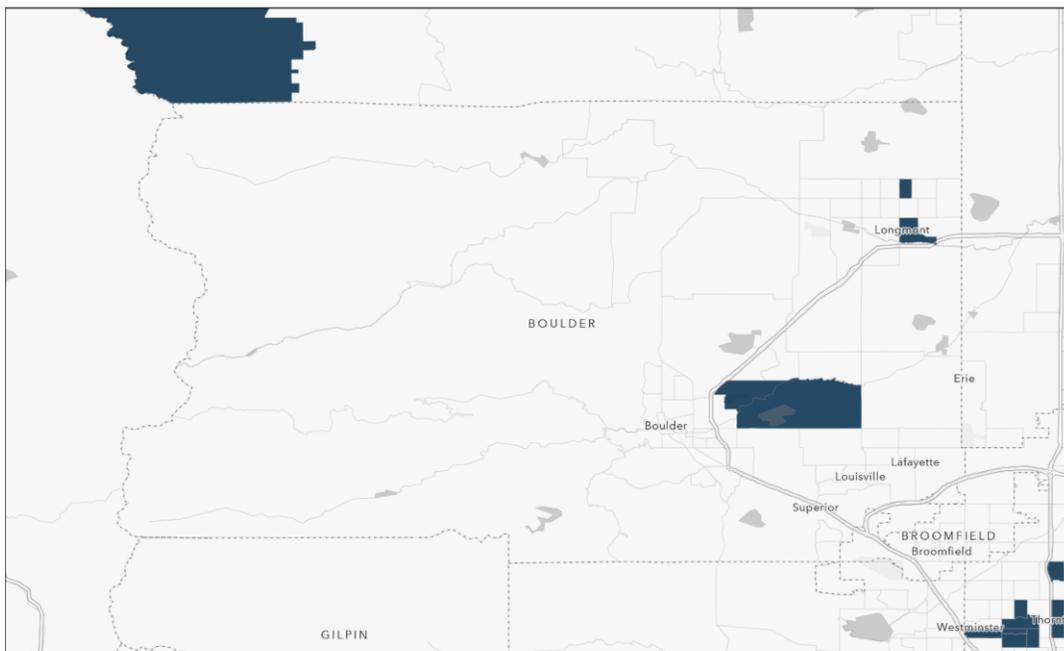
Higher Number = More Vulnerable



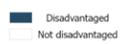
Source: CDC Social Vulnerability Index

Figure 2.25: Boulder County Environmental Justice

**Boulder County Environmental Justice**



Justice40 Areas



Source: ESRI Demographics

**Table 2.26: Point-in-Time Count - Type of Shelter**

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Boulder County (2020)	335	235	118	688

Source: Metro Denver Homeless Initiative PIT Count (2020).

**Table 2.27: Point-in-Time Count - Impacted by Disaster**

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Area wide (Boulder County 2022)	375	None given	82	457

Source: Metro Denver Homeless Initiative PIT Count (2022).

**Table 2.28: Assisted Housing Impacted by the Disaster**

County/ Muni	Total Housing Choice Vouchers	Total Impacted Housing Choice Voucher Units	Total LIHTC Units	Total Impacted LIHTC Units	Total Public Housing Dwelling Units	Total Impacted Public Housing Dwelling Units	Remaining Unmet Need
Boulder County Housing Authority	900	4	540	0	908	0	0
<b>Total</b>	900	4	540	0	908	0	0

Sources: Boulder County 2022, City of Boulder 2022, City of Louisville 2022, City of Superior 2022.

## Infrastructure Unmet Need

### Conditions pre-disaster

A mix of county density housing, open space and developed communities made up the lands impacted by the Marshall Fire and Straight-Line Winds. U.S. and State highways and many collector and local roads down to the level of alleys are inside the perimeter of the disaster. Regional and local parks and trails, drainages, trails and recreational amenities were affected by the incredibly fast moving event. While the disaster impacted the local and regional infrastructure, the extensive residential rebuilding process is anticipated to require the reconstruction of local roads including all the associated infrastructure (curb, gutter, drainage, utilities, sidewalks, landscaping, etc.). For many of the severely burned areas these residential subdivisions will essentially be rebuilt from the ground up.

Public assistance includes a wide range of work from extensive debris removal across the area to impacts to community water systems, public utilities, public buildings, open space infrastructure, irrigation ditches, fire suppression and emergency operations.

**Disaster Damage and Impacts - Infrastructure**

Table 2.19 identifies the total infrastructure impact due to the declared disaster.

**Table 2.29: Total Cost and Need by PA Category**

PA Category	Est. PA Cost	Local Match	Resiliency	Total Need (Local Match + Resiliency)
A- Debris	\$30,260,244.64	\$3,026,024.45	\$0.00	\$3,026,024.45
B- Emergency Measures	\$4,029,045.14	\$470,404.49	\$0.00	\$470,404.49
C- Roads and Bridges	\$4,061,991.00	\$406,199.10	\$609,298.65	\$1,015,497.75
D- Water Control	\$18,708.60	\$1,870.86	\$2,806.29	\$4,677.15
E- Building and Equipment	\$3,383,855.88	\$338,385.58	\$507,578.38	\$845,963.96
F- Utilities	\$4,479,753.37	\$447,975.32	\$671,963.00	\$1,119,938.32
G- Other	\$2,387,312.90	\$238,731.28	\$358,096.93	\$596,828.21
Z- Management Costs	\$5,159.29	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>\$48,626,070.82</b>	<b>\$4,929,591.08</b>	<b>\$2,149,743.25</b>	<b>\$7,079,334.33</b>

Source: Colorado Department of Public Safety (2022).

Mitigation projects are still under development. No eligible Hazard Mitigation projects are approved at this time.

**Table 2.30: Infrastructure Unmet Need Summary**

Category	Amount
FEMA PA Infrastructure Cost	\$48,626,070
+ 15% Resiliency	\$2,149,743.25
Less FEMA Share	(\$43,696,070)
Less Other ( Boulder Community Foundation)	(\$2,000,000)
<b>Total Infrastructure Unmet Need</b>	<b>\$5,079,743</b>

## Economic Revitalization Unmet Need

### Disaster Damage and Impacts - Economic Revitalization

Prior to December 30, 2021, southern Boulder County and the communities of Superior and Louisville were in the midst of post-Christmas activities and residents were preparing for the good things that the new year of 2022 would bring. Large and small retail and service establishments centered around the intersection of U.S. Hwy. 36 and Marshall Road, McCaslin Blvd. and Centennial Parkway were in the final two days of sales for the year. Everything changed that Thursday when what was a very windy day turned into a wind-driven firestorm that raced into the communities. The economic destruction from the Marshall Fire and Straight-Line Winds event was significant. Homeowners in the 1,084 homes destroyed were displaced as well as thousands others forced to evacuate. This included a population with limited English proficiency. Businesses that employed hundreds of Coloradans were forced to close, leaving some area residents unemployed. Besides the structural damage to commercial properties, business operations were disrupted, some for extensive periods of time.

**Table 2.31: Total Business Loans Approved by SBA**

NAICS	Count	Average Loan	Average Verified Loss
53 - Real Estate and Rental	30	\$313,133	\$670,541
54 - Professional, Scientific & Technical Services	7	\$31,000	\$22,018
All Other Industries	8	\$145,175	\$352,804
<b>Total</b>	<b>45</b>	<b>\$239,387</b>	<b>\$513,173</b>

The approved loan information gives us some indication of industries impacted and relative damages. Any 2 digit NAICS that had less than 3 businesses was aggregated for privacy reasons since loan and loss amounts are included. These other industries included utilities, construction, manufacturing, health and social services, arts and entertainment, accommodation and food service, and other services.

In looking at the loan amount compared to the verified loss, there were some notable trends. For the 5300 series only 10% had a loan that met or exceeded their loss. For the 5400 series that percentage was 86% and in the "all other" category it was 75%.

### Declined Loans by NAICS

This analysis was limited to businesses that provided a NAICS code and had a reason code that indicated insufficient finances or credit issues. Most of the declined businesses without a NAICS code also did not provide a business name and the application information was suspect. Eliminating those without NAICS codes reduced the number of declined from 97 to 53. Of those 53, 24 were declined for financial reasons while the other 29 were declined for reasons such as "not a qualified business". The table below focuses on those 24 declined applications that appear to be legitimate but were rejected for financial reasons such as lack of repayment ability or unsatisfactory credit history.

**Table 2.32: Declined Loans Excluding NAICS 5300**

NAICS	Count	Average Loss*	Estimated Total Loss
54 - Professional, Scientific & Technical Services	4	\$32,709	\$130,834
62- Health Care & Social Assistance	7	\$37,383	\$261,678
81 - Other Services	5	\$29,768	\$148,840
All Other NAICS	8	\$70,583	\$564,663
<b>Total</b>	<b>24</b>	<b>\$46,083</b>	<b>\$1,106,016</b>

\*Average loss was calculated using those applications that were approved or declined for financial reasons. NAICS 8100 was adjusted due to outliers.

Assuming that these 24 declined applicants have a need, this provides an estimated need of \$1.1M. This does not account for those who withdrew or never applied due to an inability to take on debt. Fourteen of these 24 were able to provide proof of a verified loss prior to being denied.

**Table 2.33: Structure and Assessor Value Commercial Destroyed/Damage Summary**

Type	Total	County	Superior	Louisville
Commercial Structures Destroyed	7	0	3	4
Commercial Structures Damaged	30	2	14	14
Commercial Damage Value	\$65,979,347			

Source: Boulder County Damage Assessment (Jan. 6, 2022). \* Boulder County Assessor is the source of actual value.

**Table 2.34: Economic Revitalization Unmet Need Summary**

Category	Amount
Commercial Real Estate Loss	\$65,979,347
SBA Verified Loss - Excluding Rental	\$4,082,574
+15% Resiliency for Business Rebuilding	\$10,509,288
Less SBA Approved Loans - Excluding Rental	(1,378,400)
Less Insurance or Other Resources	(27,932,482)
<b>Total Economic Revitalization Unmet Need</b>	<b>\$51,260,327</b>

## Mitigation Only Activities

Mitigation unmet needs are more difficult to quantify as they are not tied to specific damaged property. In order to estimate the unmet needs for mitigation we combine three components; housing mitigation, infrastructure based mitigation, and project based mitigation. Housing mitigation assumes serving a range of 200 to 400 households with an additional \$10,000 in home mitigation resources. The infrastructure component assumes anywhere from 5% to 15% of additional costs in our current infrastructure unmet need using the FEMA’s Public Assistance dollars as the base. Finally, we incorporate a range to finance projects that are under development as outlined below in the local hazard mitigation plans. These three components combined give us an overall estimate of hazard mitigation needs. These estimates are very preliminary and are expressed in ranges based on a low assumption and a high assumption.

**Table 2.35: Estimates of mitigation needs**

<b>Component</b>	<b>Low Estimate</b>	<b>High Estimate</b>
Housing	\$ 2,000,000	\$ 4,000,000
Infrastructure	\$ 2,431,000	\$ 7,294,000
Projects	\$ 3,900,000	\$ 14,700,000
<b>TOTAL</b>	<b>\$ 8,331,000</b>	<b>\$ 25,994,000</b>

The mitigation activities in the recovery efforts will address the risks as identified in the Boulder County Hazard Mitigation Plan 2022-2027 as well as stated needs from the local governments and community members identified in the weekly Long Term Recovery working group that includes local, state and federal officials as well as representatives from community organizations focused on long-term recovery from the Marshall Fire. The mitigation programs focus on flood, wildfire and wind mitigation but have the flexibility to address other mitigation needs as expressed in the Boulder County HMP. The programs allow for direct tie-back to DR 4634 as well as incorporating eligible mitigation measures that have no tie-back to the disaster event.

The Boulder County Hazard Mitigation Plan includes several hazard mitigation project ideas to reduce long-term risks to hazards. Following are a few examples of Identified HMP projects that inform the mitigation only activities:

## **Mitigation Unmet Needs Assessment**

### **Colorado’s Enhanced State Hazard Mitigation Plan**

Colorado’s state-level natural hazards mitigation planning efforts are led by the Colorado Division of Homeland Security and Emergency Management (DHSEM). The mission and vision of Colorado’s planning efforts in this area are to create a disaster-resilient State of Colorado such that natural hazard events result in no loss of life, minimal property damage, and limited long-term impacts on the economy.

Colorado’s Enhanced State Hazard Mitigation Plan (E-SHMP) provides statewide and regional information on the natural hazards most likely to occur in the State. The E-SHMP also reports on the potential impacts of natural hazards on people, property, and the environment, and establishes a mitigation strategy to reduce those impacts. Each 5-year update to Colorado’s E-SHMP must be approved by FEMA in order for the State to receive federal funds to carry out mitigation planning and projects. The plan was approved by FEMA on April 8, 2020.

The hazard mitigation planning process began with the identification of a broad-reaching State Hazard Mitigation Team (SHMT), which helped to guide the development of the State Plan. The next steps involved a detailed identification of all-natural, technological, and human-caused hazards that can impact Colorado and an assessment of the vulnerability, and ultimately the risk, presented by those hazards. The next stage included a thorough evaluation of the state's current mitigation capabilities, followed by an update to the state's mitigation strategy. This strategy identified eight overarching mitigation goals, and related mitigation objectives, that define Colorado's path forward to implementing hazard mitigation.

### **State E-SHMP Mitigation Goals**

- Minimize the loss of life and personal injuries from all-hazard events
- Reduce losses and damages to state, tribal, and local governments, as well as special districts and private assets, and support similar local efforts
- Reduce federal, state, tribal, local, and private costs of disaster response and recovery
- Support mitigation initiatives and policies that promote disaster resiliency, nature-based solutions, cultural resources and historic preservation, and climate adaptation strategies
- Minimize interruption of essential services and activities
- Incorporate equity considerations into all mitigation strategies
- Support improved coordination of risk mitigation between and among the public, private, and non-profit sectors
- Create awareness and demand for mitigation as a standard of practice

These goals helped the SHMT identify new and ongoing mitigation actions that specific state agencies plan to implement over the next five years. The final and most important piece of the State Plan is defining the path forward. Through the planning process, a clear strategy for implementation and maintenance has been defined.

The E-SHMP addresses each required element of 44 CFR § 201.4 and also includes information required in 44 CFR § 201.5 to meet the Federal Emergency Management Agency's (FEMA) "Enhanced" plan criteria.

### **Boulder County HMP**

In 2008 the Boulder Office of Emergency Management (OEM), together with the communities of Erie, Jamestown, Lafayette, Longmont, Louisville, Lyons, Superior, Ward, and the Boulder Valley and St. Vrain School Districts, prepared the first Boulder County Multi-Hazard Mitigation Plan to better protect people and property from the hazards that threaten Boulder County. This plan was most recently updated and adopted on November 20th, 2020 for the years 2022-2027.

Information in this overview is from the Boulder 2022-2027 Hazard Mitigation Plan. The plan contains information about Boulder County's identified hazards, risks, and vulnerabilities along with mitigation strategies and projects to address those issues. This is a risk-based assessment that considers current and future risks. The document can be found at: <https://assets.boulderoem.com/wp-content/uploads/2020/12/hazard-mitigation-plan.pdf>

Communities within Boulder County are familiar with the threats of fire and flood. Yet they face other hazards that include tornadoes, drought, hailstorms, and even earthquakes. Each hazard threatens the economy, property and safety of Boulder County residents to varying degrees. FEMA defines hazard mitigation as any sustained action taken to reduce or eliminate long-term risk to human life and property from a hazard. Through consistent hazard mitigation planning and projects, communities can reduce or even eliminate much of the damage caused by the hazards that are faced. Furthermore, hazard mitigation projects can save governments money by preventing catastrophic losses. A Congressional study found that, on average, each dollar spent on mitigation saves \$6 in future losses. Even more importantly, those savings pale in comparison to the lives that can be saved through mitigation.

Our changing climate norms further impresses the importance of hazard mitigation planning. Since 1880, the global average surface temperature has increased by two degrees Fahrenheit (NASA). Increasing air and ocean temperatures affect the planet's weather and climate systems leading to increases in extreme weather events and natural disasters. Although the planet has been through several cycles of heating and cooling, human activities that increase carbon dioxide and other emissions into the atmosphere have led to record warming over the past 40 years, and with it, record-setting extreme weather events. All but one of the 16 hottest years in NASA's 134-year record have occurred since the year 2000.

Climate models for Colorado show potential for both increased and decreased precipitation, but models are in overall agreement that the hottest recorded summer temperatures in the state will become the new normal; spring snowpack will decrease between 5% and 20%; and streamflows will decrease by up to 30% by 2050 (WWA 2018). In Boulder County, climate data show that the number of 95-degree days has already doubled from 5 to 11 between 2000-2017. Projections indicate that this number will grow to 38 days above 95 degrees by 2050, and 70 days above 95 degrees by the end of the century (Rocky Mountain Climate Organization, 2016). Climate change models exhibit a much wider variation in projecting precipitation events, but the models agree that the number of large or heavy storms, with precipitation over ½ inch, will increase in both quantity and intensity. Storms creating over 1" of precipitation are likely to increase by 50% by the end of the century (Rocky Mountain Climate Organization, 2016). While the mountains will see an increase in large storm events, there will also likely be a reduction in overall precipitation at high elevations, including up to a 5% reduction in precipitation during the summer months by the end of the century (Rocky Mountain Climate Organization, 2016).

Accompanying the changes in temperature, the number of drought months will nearly double compared to their historic occurrence, and drought events will be classed as “severe” and “extreme” according to the Palmer Drought Severity Index (Resilient Analytics 2018). The combination of increased drought and higher temperatures will further reduce moisture availability within soils, making drought impacts on vegetation more severe and impacting road and infrastructure foundations (Resilient Analytics 2018). Water availability in Boulder County will be impacted by the earlier snow melt, 5%-20% reduction in snowpack, and 30% reduction in stream flow that is projected for the state as a whole by the end of the century (WWA 2018).

The Boulder 2022-2027 Hazard Mitigation Plan assesses the characteristics and impacts of current and future hazards. It addressed the the geographic extent, probability of future occurrence, magnitude/severity and level of increasing threat from climate change for the following significant hazards:

Air Quality	Avalanche	Communicable Diseases
Dam and Levee Failure	Drought	Earthquake
Expansive Soils	Extreme Temperatures	Flood
Hailstorm	Landslide	Lightning
Subsidence	Tornado	Wildfire
Windstorm	Winter Storm (Severe)	

*End of information from the Boulder 2022-2027 Hazard Mitigation Plan.*

**Boulder County HMP Mitigation Goals**

- Minimize the loss of life and personal injuries from all-hazard events
- Reduce losses and damages to state, tribal, and local governments, as well as special districts and private assets, and support similar local efforts
- Reduce federal, state, tribal, local, and private costs of disaster response and recovery
- Support mitigation initiatives and policies that promote disaster resiliency, nature-based solutions, cultural resources and historic preservation, and climate adaptation strategies
- Minimize interruption of essential services and activities
- Incorporate equity considerations into all mitigation strategies
- Support improved coordination of risk mitigation between and among the public, private, and non-profit sectors
- Create awareness and demand for mitigation as a standard of practice

**Table 2.36: Current HMP Mitigation Only Project Examples from Boulder County**

Jurisdiction	Project	Estimated Cost	Potential Funding Source	Unmet Need
Boulder County	Wildfire Partners - Eastern County Expansion*	\$1-\$10 million per year	Boulder County General Funds	\$1 - \$10 million

Boulder County	Elevation of Flood-prone structures	\$60,000 - \$150,000 per structure	FEMA HMP Grants	TBD
Louisville	Hazard Awareness/Emergency Preparedness Campaign	\$50,000	FEMA HMP Grants	\$50,000
Louisville	Identify Wildfire Mitigation Hazards/Opportunities on Public Lands	\$100,000	FEMA HMP Grants	\$100,000
Superior	Hazard Awareness/Education/Emergency Preparedness Campaign	\$50,000	FEMA HMP Grants	\$50,000
Superior	Acquire Additional Floodplain Properties	\$1.5 million	FEMA HMA Grants and Mile High Flood District	\$1.5 million

*\*Current conversations with local governments through the Long Term Recovery working group have indicated a desire to expand these services to Superior and Louisville.*

**Definition: 87FR 31643 IV.A.2. CDBG-DR Mitigation Set-aside.** For purposes of grants under this notice, mitigation activities are defined as those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters.

**CDBG- DR Mitigation Hazard Risk Assessment**

The E-SHMP includes a Hazard Identification and Risk Assessment (HIRA). The HIRA is a risk-based assessment that summarizes the natural and human-caused threats and hazards in Boulder County. The HIRA will be utilized to inform the use of the State’s 15% CDBG-DR mitigation set-aside and to help build resilience and mitigation measures into recovery programs and projects. Specifically the Action Plan will use Wildfire, Severe Wind, and Flood sections to inform decisions.

The HIRA is divided into the following sections, providing a detailed discussion of process, approach, and content:

- Hazard Identification
- Disaster Declaration History
- Hazards Identified in Local Plans
- Hazard Profiles
- Risk Assessment Summary

## Hazard Identification

This section identifies the hazards that are probable, or based on future probability, likely to negatively impact the State of Colorado. The primary methods of determining which hazards are included are through the evaluations of:

- Previous State Plans
- Disasters and Emergencies in Colorado
- Insured Losses
- Local Mitigation Plans

**Table 2.37 Hazards Identified in Colorado**

<b>Natural Hazards</b>	
<b>Atmospheric Hazards</b>	Dense Fog
	Drought <sup>^</sup>
	Extreme Heat <sup>^</sup>
	Flood <sup>^</sup>
	Hail <sup>^</sup>
	Severe Wind <sup>^</sup>
	Thunderstorms and Lightning <sup>^</sup>
	Tornado <sup>^</sup>
	Wildfire <sup>^</sup>
	Severe Winter Weather <sup>^</sup>
<b>Geologic Hazards</b>	Avalanche <sup>^</sup>
	Earthquake <sup>^</sup>
	Erosion and Deposition <sup>^</sup>
	Expansive Soils and Heaving Bedrock <sup>^</sup>
	Landslide/Mud/Debris Flows/Rock Fall/Rockslide <sup>^</sup>
	Radon/Carbon Monoxide/Methane/Other Seeps
<b>Biological Hazards</b>	Sinkholes/Subsidence/Abandoned Mine <sup>^</sup>
	Animal Disease Outbreak
<b>Other Natural Hazards</b>	Pandemic/Epidemiology (Epidemic/Pandemic)
	Wildlife Vehicle Collisions
<b>Other Hazards</b>	
<b>Technological Hazards</b>	Pest Infestation (Emerald Ash Borer, Grasshopper, etc.) <sup>^</sup>
	Critical Infrastructure Disruption/Failure
	Dam/Levee Failure
	Hazardous Materials Release
	Mine Accident
	Power Failure
	Radiological Release
<b>Human-Caused Hazards</b>	Telecommunications Failure
	Chemical, Biological, Radiological, and Nuclear (CBRN) Attacks
	Cyber Attack
	Explosive Attack

<sup>^</sup> Denotes a hazard included in the 2013 Plan

Source: State E-HMP Section 3-23

## Disaster Declaration History- State Declarations

The HIRA and its analysis looked at Colorado disasters and emergencies declared by the Governors from 1980 to late 2017. Below is a table outlining the declarations that have occurred in Boulder County from 1980 to late 2017. For the full list, please refer to the E-SHMP.

Table 2.38 State Disaster Declarations in Boulder County

Year	Hazard	Location
1892	Winter Storm	Denver, Arapahoe, Adams, Jefferson, Boulder, El Paso, Weld Counties
1988	Wildfire - 3 Executive Orders (EOs)	Lefthand Canyon, Boulder County, Larimer County, Fremont County
1989	Wildfire	Black Tiger Fire, Boulder County
1990	Hailstorm	Denver, Boulder Counties
1990	Wildfire	Olde Stage Fire, Boulder County
1994	Flood	Pueblo County, Town of Lyons, Boulder County
2000	Wildfires multiple Executive Orders	Jefferson, Park, Boulder, Larimer, Las Animas Counties
2002	Wildfires	Statewide
2003	Snow Emergency	Statewide
2009	Severe Blizzard	Statewide
2009	Severe Spring Snowstorm	Statewide
2010	Wildfire	Boulder County
2011	Flooding	Boulder County
2013	Winter Storm	Statewide
2013	Flooding	Adams, Arapahoe, Broomfield, Boulder, Chaffee, Clear Creek, Crowley, Denver, El Paso, Gilpin, Fremont, Jefferson, Lake, Larimer, Lincoln, Logan, Morgan, Otero, Park, Pueblo, Prowers, Sedgwick, Washington, Weld Counties
2014	Extreme Weather	Statewide
2016	Wildfire	Boulder County
2017	Wildfire	Statewide
2017	Snow and Heavy Rains	Jefferson, Boulder, Larimer, Weld Counties
2017	Wildfire	Boulder County

Source: State E-HMP Section 3-26, Colorado.Gov

**Disaster Declaration History- Federal Declarations**

Colorado has received 21 presidential disaster declarations and four emergency declarations for events since 1955.

In addition to presidential declarations, Colorado has received 64 fire assistance awards for suppression and management since 1978.

**Table 2.39 FEMA Fire Management Assistance, 1978 to 2017**

<b>Year</b>	<b>Fire</b>	<b>Year</b>	<b>Fire</b>
1978	Deer Creek Canyon	2003	Cloudy Pass
1980	Bear Trap	2003	Lincoln Complex
1989	Sunnyside	2003	Overland
1990	Old Stage	2003	Cherokee Ranch
1994	Wake Complex	2003	Buckhorn Creek
1994	South Canyon	2004	Picnic Rock
1994	Roxborough Complex	2004	McGruder
1996	Buffalo Creek	2005	Mason
2000	Bobcat	2006	Mauricio Canyon
2000	Hi Meadow	2006	Mato Vega
2000	Eldorado	2006	Red Apple
2001	Armageddon-Carter Lake	2007	Newcastle
2002	Snaking	2008	Ordway
2002	Cuerno Verde	2008	Nash Ranch
2002	Black Mountain	2009	Olde Stage
2002	Schoonover	2010	Fourmile Canyon
2002	Iron Mountain	2010	Reservoir Road
2002	Spring-Trinidad Complex	2011	Indian Gulch
2002	Fisher-Trinidad Complex	2012	Crystal
2002	Ute Pass	2012	Duckett
2002	Coal Seam	2012	Lower North Fork
2002	Hayman	2012	High Park
2002	Dierich Creek	2012	Waldo Canyon
2002	Missionary Ridge	2012	Weber
2002	Valley	2012	Wetmore

2002	Million	2013	Black Forest
2002	Wiley Ridge	2013	Royal Gorge
2002	Grizzly Gulch	2013	West Fork Complex
2002	Again	2013	East Peak
2002	Burn Canyon	2016	Cold Spring
2002	Big Elk	2016	Beulah Hill
2002	Panorama	2016	Junkins

Source: FEMA, 2017, State E-HMP Section 3-26

### **Hazards Identified in Local Plans**

Sixty-nine local hazard mitigation plans were reviewed for hazards profiled and they remain consistent with the natural hazards profiled by the E-SHMP.

**Table 2.40 Hazards Identified in Local Plans**

<b>Atmospheric Hazards</b>	Drought
	Extreme Temperatures
	Flood
	Hailstorm
	Lightning
	Precipitation
	Thunderstorm
	Tornado
	Windstorm
	Winter Weather
	Wildfire
<b>Geologic Hazards</b>	Avalanche
	Earthquake
	Erosion/Deposition
	Expansive Soils

	Landslide, Mud/Debris Flow
	Subsidence/Sinkholes
	Volcano
<b>Other Natural Hazards</b>	Agricultural Infestation
	Public Health
	Space related hazards
	Zoological
<b>Human-Caused Hazards</b>	Civil Disobedience
	Dam/Levee Failure
	Fire
	Hazardous Materials
	Terrorism
	Vehicle Wildlife Collision

Source: E-SHMP Section 3-39

### Risk Assessment Summary

**Table 2.41 Key takeaways from the results of the Risk Assessment for each hazard that could effect Boulder County**

Hazard	Key Takeaways
Floods	<ul style="list-style-type: none"> <li>● Flood is a “top hazard” for the State of Colorado based on impacts, previous occurrences, and probability.</li> <li>● Almost all counties have experienced damaging flooding events.</li> <li>● Based on Hazus analysis, counties along the northern and central Front Range have the highest total estimated flood losses.</li> <li>● All counties with a local hazard mitigation plan (HMP) profile flood.</li> <li>● Arapahoe and El Paso Counties have severe future exposure to flooding based on population growth and risk.</li> <li>● Boulder, Denver, and Crowley counties have the highest value of state assets located in the 100- year floodplain.</li> </ul>

Wildfire	<ul style="list-style-type: none"> <li>● Wildfire is a “top hazard” for the state, and the threat is statewide in Colorado with the forests, grasslands, and WUI all at risk, but risk is highest in the foothill and mountain forests due to more development that increases possibility of loss or harm. These areas are in the central and western areas of Colorado.</li> <li>● WUI risk is highest along the central and northern Front Range.</li> <li>● Wildfire is connected with other hazards, such as drought and extreme heat increasing wildfire potential, and flooding and landslides becoming higher risk in wildfire burn scar areas.</li> <li>● Wildfire is profiled in all jurisdictions with a local HMP.</li> <li>● In the context of wildfire, increased population growth and development along the WUI has increased human exposure to wildfire in a number of Colorado communities.</li> <li>● Douglas and Garfield Counties rank in the most extreme future exposure risk category based on population growth and their wildfire risk. Many high density Front Range counties located along the foothills, including Larimer, Jefferson, El Paso, and Boulder, rank in the severe or high exposure category.</li> <li>● Climate change is contributing to more frequent high-intensity wildfires in the western United States, and this trend is expected to continue.</li> </ul>
Severe Wind	<ul style="list-style-type: none"> <li>● Severe wind occurs more frequently along the Front Range and northern Eastern Plains than any other area of the state.</li> <li>● Windstorms are one of Colorado’s costliest hazards. From 1996 to 2016, wind events have caused a reported \$40 million in property and crop damage. Wind events have also resulted in 13 deaths and more than 200 injuries in the state since 1987.</li> <li>● Most local HMPs profile wind across the state.</li> <li>● Counties along the Front Range have the most severe future exposure rating based on population growth, previous occurrences, and previous deaths and injuries</li> <li>● Counties along the Front Range also have the most state assets at risk to severe wind events.</li> </ul>
Drought	<ul style="list-style-type: none"> <li>● Drought is a “top hazard” for the State of Colorado based on impacts, previous occurrences, probability, and climate</li> </ul>

	<p>change.</p> <ul style="list-style-type: none"> <li>● Drought can be linked to other hazards as well, wildfire, for example, due to extremely dry vegetation from drought.</li> <li>● The most vulnerable infrastructure/state assets are dams, trans-mountain ditches, and irrigation ditches</li> </ul>
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Source: (State E-SHMP 356 - 3-666)

**Risk Ranking, Vulnerability, and Loss Estimate**

Table 2.42 provides a summary of prevalent hazards listed as high, medium, or low based on risk assessments by local jurisdictions. There is a significant break between the four top ranked hazards and the remaining hazards. The ‘top four’ hazards that have the highest statewide risk rankings are severe winter weather, wildfire, flood, and drought. All of these happen in Boulder County.

**Table 2.42 Summary of Local Jurisdiction Hazard Vulnerability Rankings**

	Hazard		
Hazard	High	Medium	Low
Severe Winter Weather	54	13	2
Wildfire	54	6	9
Flood	41	27	1
Drought	37	27	2
Severe Wind	26	33	8
Severe Thunderstorm	24	37	5
Hail	23	26	12
Tornado	22	20	18
Lightning	21	39	7
Extreme Heat	13	17	24
Landslide/Mud/Debris Flows/Rock Fall/Rockslide	12	20	22

Dam/Levee Failure	11	25	25
Hazardous Materials Release	11	18	1
Pandemic/Epidemiology (Epidemic/Pandemic)	4	23	7
Erosion and Deposition	3	8	17
Avalanche	3	16	15
Sinkholes/Subsidence	2	8	37
Pest Infestation	3	3	0
Expansive Soils and Heaving Bedrock	1	6	14
Earthquake	1	14	51

Source: (State E-SHMP 356 - 3-666)

Table 2.43 Boulder County’s Hazard Vulnerability Rankings

Jurisdiction	Avalanche	Drought	Flood	Severe Wind	Wildfire
Boulder County	L	H	H	H	H

Source: (State E-SHMP 356 - 3-666)

**Risks as Identified in Needs Assessment & Relationship to MID**

Risks of fire were identified in the Boulder 2022-2027 Hazard Mitigation Plan for Boulder County, the Town of Superior, and the City of Louisville and have a direct relationship to the MID.

**Meet Definition of Mitigation Activities**

Proposed mitigation activities under this declaration are intended to reduce the impact of future disasters including drought, expansive soils, extreme heat, flood, wildfire and windstorm. This will be accomplished during the reconstruction effort by rebuilding residential structures to high standards that incorporate structural improvements that specifically reduce the risks associated with drought, fire, wind, flooding, and extreme heat events. Additional programs will address local government infrastructure mitigation needs and long term mitigation planning and education.

## General Requirements

### Citizen Participation

The State of Colorado values citizen and stakeholder engagement. Colorado has developed a Citizen Participation Plan in compliance with § 24 CFR 91.115 and applicable HUD requirements to set forth the

policies and procedures applicable to citizen participation. The citizen participation plan reflects the alternative requirements as specified by HUD in the Federal Register (FR Vol78, No.241). This plan is intended to maximize the opportunity for citizen involvement in the planning and development of the Colorado CDBG-DR funding action plan.

**Outreach and Engagement**

In the development of this disaster recovery action plan, the State of Colorado consulted with disaster-affected citizens, stakeholders, local governments, public housing authorities, non-profit recovery organizations, and other affected parties throughout Boulder County to ensure consistency of disaster impacts identified in the plan, and that the plan and planning process was comprehensive and inclusive.

The State of Colorado consulted with Federal, State, local agencies, and stakeholders to gain a better understanding of the disaster impacts and unmet needs in Boulder County. Those agencies and stakeholders include:

Federal	Federal Emergency Management Agency (FEMA); Department of Housing and Urban Development (HUD); Environmental Protection Agency (EPA); Small Business Administration (SBA); US Forest Service
State	Department of Local Affairs (DOLA); Division of Homeland Security and Emergency Management (DHSEM); Office of Economic Development and International Trade (OEDIT); Colorado Division of Insurance (DOI); CO Energy Office (CEO)
Local Governments	Boulder County; City of Louisville; Town of Superior
PHA's	Boulder County Housing Authority; Boulder Housing Partners
Non-Profits	Community Foundation of Boulder County; Lutheran Family Services
Citizen Organizations	Marshall ROC (Restoring Our Community); Superior Rising; Marshall Together

The State of Colorado recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. Opportunities for citizen input were provided throughout the planning process through multiple interactions as indicated below.

Through the following meetings, the State was able to gather data, experiences, and agency expertise to develop an initial unmet needs assessment.

Date	Event	Description
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Ongoing starting January 3, 2022: Varied from daily to weekly to monthly	State Recovery Task Force	This interagency group is coordinated by the Department of Homeland Security and Emergency Management.
January 4 through February 15, 2022: Regular weekly meetings (twice a week and then weekly)	Disaster Housing Task Force	Facilitated by the DOLA Division of Housing, the task force engaged local, state, and federal partners. Housing recovery efforts then were integrated into the Long-Term Recovery Strategic Coordination Group that began on February 22, 2022.
January 19 - February 9, 2022: Weekly	Small Business Task Force	Facilitated by the Office of Economic Development and International Trade, this Task Force engaged local economic development staff and State and Federal partners in identifying and meeting unmet economic recovery needs. Economic recovery efforts were integrated into the Long-Term Recovery Strategic Coordination Group.
February 8 - April 19, 2022: Weekly	Interagency Recovery Coordination Meeting	This meeting includes Colorado Department of Local Affairs, FEMA, Colorado Department of Homeland Security and Emergency Management.
Ongoing starting February 22, 2022: Weekly	Long Term Recovery Strategic Coordination Working Group	This meeting includes State, Federal and local governments.
Ongoing starting January 14, 2022: Weekly moving to bi-weekly in June	Resilient Rebuild	This meeting includes the Colorado Energy Office, representatives from Superior, Louisville, Boulder County, non-profits, and other partners to discuss incorporating high performance standards as part of the rebuilding process.
August 9, 2022	Marshall ROC (Restoring Our Community) - bi-weekly meetings	Overview of draft CDBG-DR Action Plan to Marshall ROC community recovery group

In order to facilitate citizen involvement, DOLA has laid out target actions to encourage participation and allow equal access to information about the program by all residents. Colorado partnered with local governments and their established outreach efforts to better understand the needs of vulnerable populations, including individuals of low and moderate income, elderly, disabled, those living in areas

identified for recovery through CDBG-DR, non- English speaking persons, and other disadvantaged populations.

In addition to the activities above, the State of Colorado has published this action plan on the Colorado Department of Local Affairs Disaster Recovery web page (<https://cdola.colorado.gov/disaster-recovery>) for a 30-day public comment period. Citizens were notified of the public comment period and the public hearing one week before the hearing through the following communication methods:

- Prominent event notice on DOLA website homepage with navigable link to disaster recovery website
- Event notice on the Colorado Resiliency Office website
- DOLA press release
- Notification to local media outlets
- Electronic mailings to disaster-affected citizens, stakeholders, local governments, State agencies, non-profit recovery organizations, neighborhood organizations, and other affected parties throughout Boulder County

The State of Colorado will ensure that all have equal access to information, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP). The State will publish the Action Plan in Spanish as well as English.

Colorado will consider comments received in writing by U.S. mail, via web form or email, or telephone. A summary of citizen comments on this action plan, along with the State of Colorado responses, is in Appendix C of this document.

For more information, citizens can refer to the State of Colorado citizen participation plan that can be found at <https://cdola.colorado.gov/disaster-recovery>.

### **Public Hearings**

The State of Colorado recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. In addition to the 30-day public comment period, an opportunity for citizen input is provided through a public hearing on August 17th, 2022 from 6-8 p.m. in Louisville, Colorado at the Louisville Recreation and Senior Center at 900 West Via Appia.

This hearing is available simultaneously to the public as an in-person and virtual meeting. The meeting facility is physically accessible and provides accommodations for persons with disabilities. In order to ensure effective communication, the meeting provides simultaneous Spanish translation services and ASL interpretation for those attending in-person and virtually.

The public hearing includes a presentation by DOLA representatives to provide an overview of the Action Plan. This is followed by a real-time feedback session where attendees are able to submit comments via notecards in the meeting space or via the question and answer function of Zoom for the virtual attendees. Responses to the questions are delivered by DOLA's representatives to all attendees

real-time. The public comments from the public hearing are included in the overall summary of citizen comments.

### **Limited English Speaking**

To reduce barriers for non-English speakers or those with accessibility challenges, DOLA will make every effort to accommodate the needs of residents at all public hearings. DOLA utilized a translation service provider to make sure that the presentation, public comment section, and the draft action plan were made accessible for LEP persons. This included Spanish translation for both the draft action plan and the presentation, and ASL services at the public meeting.

To further increase the outreach and participation, the hearing is recorded and made available to the public via a link on the disaster recovery website to be viewed on-demand.

### **Complaints**

The grantee will provide a timely written response to every citizen complaint. DOLA's response will be provided within fifteen working days of the receipt of the complaint, or DOLA will document why additional time for the response was required.

Complaints alleging violation of fair housing laws will be directed to HUD for immediate review. Complaints regarding fraud, waste, or abuse of funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).

The State of Colorado will make available to HUD detailed Fraud, Waste, and Abuse Policies and Procedures on <https://www.stopfraudcolorado.gov/fraud-center/disaster-fraud.html> to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

Complaints alleging the violation of fair housing laws will be directed to HUD for immediate review. Complaints regarding fraud, waste, or abuse of government funds should be forwarded to the HUD Office of the Inspector General Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).

### **Public Website**

DOLA will maintain a public website that provides information accounting for how all grant funds are used, managed, and administered, including links to all disaster recovery action plans, action plan amendments, program policies and procedures, performance reports, citizen participation requirements, activity and program information described in this plan, and the details of all contracts and ongoing procurement processes.

These items are made available at: <https://cdola.colorado.gov/disaster-recovery>.

Specifically, DOLA will make the following items available: the action plan created using the Disaster Recovery Grant Reporting System (DRGR), including all amendments; each Quarterly Progress Report (as created using the DRGR); citizen participation plan; procurement policies and procedures; all executed contracts that will be paid with CDBG-DR funds as defined in 2 CFR 200.22 (including subrecipients' contracts); and a summary, including the description and status of services or goods currently being procured by the grantee or the subrecipient (e.g., phase of the procurement, requirements for proposals). Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.67, are not required to be posted on a grantee's website.

In addition, DOLA will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds.

DOLA shall make these documents available in a form accessible to persons with disabilities and those with limited English proficiency, or LEP. DOLA shall take reasonable steps to ensure meaningful access to their programs and activities by LEP persons, including individuals from underserved communities, and in a form accessible to persons with disabilities.

The website will be updated in a timely manner to reflect the most up-to-date information about the use of funds and any changes in policies and procedures, as necessary. At a minimum, updates will be made monthly.

DOLA will also link the CDBG-DR disaster website to other State and local programs that are helping Marshall Fire victims. This [State of Colorado Housing Recovery Program](#) website will provide additional rebuilding resources for those needing assistance in order to remain in their communities following a natural disaster. The program aims to promote rebuilding in accordance with high performance building standards adopted by local communities and voluntary sustainable building elements that exceed local code requirements, including the incorporation of fire-resistant building materials and energy efficiency measures.

## **Amendments**

Over time, recovery needs will change. Thus, DOLA will amend the disaster recovery action plan as often as necessary to best address our long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop over time an amendment may not be triggered if the program or activity is consistent with the descriptions provided in this plan.

### **Substantial Amendment**

A change to the initial Action Plan is substantial if it meets the following criteria:

- A change in program benefit or eligibility criteria
- The addition or deletion of an activity
- The allocation or reallocation of \$1 million across program areas.

When DOLA pursues the substantial amendment process, the amendment will be posted on the State's CDBG-DR website at <https://cdola.colorado.gov/disaster-recovery> for a 30-day public comment period. The amendment will be posted in adherence with the Americans with Disabilities Act and LEP requirements. DOLA will review and respond to all public comments received and submit to HUD for approval.

If the DOLA elects to complete a substantial amendment to the public-facing Action Plan, the following steps will be taken:

1. Develop a 'redlined' version of the Action Plan with the amendment incorporated.
2. Develop a memo (e.g., Summary of Changes) describing the amendment.
3. Hold a thirty (30) day public comment period to provide an opportunity for community members and stakeholders to respond to the amendment.
4. Conduct a public hearing and associated outreach to support the comment period.
5. After the public comment period is complete, submit a 'clean' version of the Action Plan to HUD for review. Include an accompanying memo that describes the justification for the amendment and public comment period, including the Record of Public Comment (i.e., a summary of public comments received and DOLA's responses thereof).
6. Create and post to the DOLA website and updated version of the Summary of Changes to reflect the Record of Public Comment.
7. Receive HUD approval of the Action Plan amendment prior to proceeding with steps 7 and further.
8. Update the 'clean' version submitted to HUD for the version number on the Title Page and complete the Record of Changes for the version number and HUD approval date.
9. Post on the DOLA website, the updated 'clean' Action Plan with the amended changes
  - a. Retain the 'redlined' version and notification memo for recordkeeping purposes.
  - b. Direct any website users to the most recent version of the draft.

### **Non-Substantial Amendment**

A non-substantial amendment is an amendment to the plan that includes technical corrections and clarifications and budget changes that do not meet the monetary threshold for substantial amendments to the plan and does not require posting for public comment. DOLA will notify HUD 5 business days before the change is effective.

All amendments will be numbered sequentially and posted to the website in one final, consolidated plan.

### **Displacement of Persons and Other Entities**

Currently, it is not anticipated that any of the proposed projects in this Action Plan will result in the displacement of persons or entities.

If displacements are necessary, DOLA will minimize the displacement of persons and other entities that may be affected by the activities outlined in this Action Plan by coordinating with the affected local government, the Division of Housing, Boulder County Housing Authority and the Colorado VOAD to meet its commitment to minimize the displacement of homeowners and tenants due to the delivery of CDBG-DR programs. Should any proposed projects or activities cause the displacement of people, the following policy has been adopted to ensure that the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended, are met.

DOLA will draw on existing Residential Anti Displacement and Relocation Assistance Plans (RARAP's) and will adapt them to meet the URA, Section 104(d), and related waivers and the alternative requirements specified in the Consolidated Notice. The adapted RARAP also will be updated prior to implementing any activity with CDBG-DR grant funds.

Since the 2020 Wildfires and prior to the availability of CDBG-DR funding, DOLA has been working to minimize the displacement and loss of housing assistance for impacted owner and renter residents by coordinating the provision of support and resources to impacted survivors through multiple entities, including the following:

- FEMA
- CO Division of Homeland Security and Emergency Management
- CO Department of Public Health and Environment
- Local governments
- Long-term recovery groups
- Community action agencies
- Public housing authorities
- State and local elected officials
- Other community-based organizations

DOLA will ensure that all CDBG-DR programs directly administered by DOLA and those programs administered through partner State agencies and subrecipients comply with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended (49 CFR Part 24), and Section 104(d) of the Housing and Community Development Act of 1974, as amended, and the implementing regulations at 24 CFR Part 42 to minimize displacement. These regulations and requirements apply to both property owners and tenants in the event that proposed projects cause the displacement of persons or other entities. DOLA will include detailed policies and procedures for when proposed programs or projects could potentially cause the displacement of people or other entities.

CDBG-DR funds may not be used to support any federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use shall not be construed to include economic development that primarily benefits private entities. None of the currently planned projects under this Action Plan contemplate the use of eminent domain.

## **Protection of People and Property**

The State of Colorado will leverage the CDBG-DR funds to build economic and disaster resilience into all recovery programs and activities. Some of the ways that the State will do this are included in the sections below.

### **Elevation standards**

#### **Residential**

All structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1% annual chance (or 100-year) floodplain, which receive assistance for new construction, reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation). Mixed-use structures with no dwelling units and no residents below 2 feet above base flood elevation must be elevated or floodproofed in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or a successor standard up to at least 2 feet above base flood elevation.

Based on FEMA IA data, it is estimated that fewer than 10 properties that were destroyed by the wildfires were located in the Special Flood Hazard Area (SFHA), or 100-year floodplain. However, it is known that portions of some manufactured home parks are located in the SFHA, and it is likely that there are more than 10 impacted properties in the SFHA. DOLA will discourage the placement or reconstruction of housing in the SFHA, wherever practicable; however, there will be homes that will be rebuilt or replaced in the SFHA. DOLA will ensure that all rehabilitation of substantial damage will meet the HUD-required elevation standards through the construction requirements of all CDBG-DR residential programs.

The cost of elevation will be included as part of the overall cost of rehabilitation or replacement of a property. It is estimated that the costs will depend on the location, the size of the unit, and the level to which the property must be elevated. For single-family residences and manufactured homes, if a home is within a 100-year floodplain, DOLA will ensure the reasonableness of elevation costs by analyzing multiple bids from contractors, cost estimating software, and/or examples of comparable costs to elevate in similar markets.

#### **Public Facilities and Other Structures**

All critical actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2% annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or a successor standard) to the higher of the 500-year floodplain elevation or 3 feet above the 100-year floodplain elevation. If the 500-year floodplain is unavailable and the critical action is in the 100-year floodplain, then the structure must be elevated or floodproofed (in accordance with

FEMA floodproofing standards at 44 CFR 60.3(c)(2)–(3) or a successor standard) at least 3 feet above the 100-year floodplain elevation.

“Critical actions” are defined as “any activity for which even a slight chance of flooding would be too great because such flooding might result in loss of life, injury to persons or damage to property.” For example, Critical Actions include hospitals, nursing homes, emergency shelters, police stations, fire stations, and principal utility lines.

Exceptions to this requirement may be allowable when the following conditions apply:

- CDBG–DR funds are used as the non-federal match for FEMA assistance.
- The FEMA-assisted activity, for which CDBG–DR funds will be used as a match, commenced before HUD’s obligation of CDBG–DR funds to the grantee.
- DOLA has determined and demonstrated with records in the activity file that the implementation costs of the required CDBG–DR elevation or floodproofing requirements are not “reasonable costs” as that term is defined in the applicable cost principles at 2 CFR 200.404.

## **Flood Insurance Requirements**

The 2021 Marshall Fire was not a flooding event; however, the State is committed to ensuring that homeowners are protected from future flooding disasters. The State—including DOLA and Colorado Division of Homeland Security and Emergency Management (DHSEM)—is working closely with floodplain managers to encourage residents, businesses, and local governments to maintain flood insurance, including for properties located outside the SFHA.

Property owners who receive repair or rebuilding assistance and are within the 100 year floodplain are required to obtain and maintain flood in accordance with section IV.E.1 of Appendix B of 87 FR 100.

Because the 2021 Marshall Fire and Straight-line Wind Event was not a flooding event and flood disaster assistance is not being provided, the provisions at section IV.E.2 of Appendix B of 87 FR 100 do not apply.

## **Construction Standards**

DOLA will require quality inspections and code compliance inspections on all projects and places, with an emphasis on high-quality, durable, sustainable, and energy-efficient construction methods and materials. Site inspections will be required on all projects to ensure quality and compliance with building codes.

All rehabilitation, reconstruction, or new construction must meet an industry-recognized standard that has achieved certification under at least one of the following programs:

- Enterprise Green Communities;
- LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development);

- ICC–700 National Green Building Standard Green+ Resilience;
- Living Building Challenge;
- or any other equivalent comprehensive green building program acceptable to HUD.

All such covered construction must achieve a minimum energy efficiency standard, such as:

- (i) ENERGY STAR (Certified Homes or Multifamily High-Rise);
- DOE Zero Energy Ready Home;
- EarthCraft House, EarthCraft Multifamily;
- Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS), International Passive House Association;
- Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label);
- Earth Advantage New Homes;
- any other equivalent energy efficiency standard acceptable to HUD.

DOLA will validate that local building codes meet or exceed the standards above. If not, DOLA will reiterate the required standards in the program guidelines.

For the rehabilitation of non-substantially damaged residential buildings, DOLA will follow the guidelines to the extent applicable as specified in the [HUD Office of Community Planning and Development \(CPD\) Green Building Retrofit Checklist](#). When older or obsolete products are replaced as part of rehabilitation work, the rehabilitation is required to use ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program-designed products and appliances.

For infrastructure projects, DOLA will encourage, to the extent practicable, the use of green infrastructure design and implementation, such as those issued by:

- U.S. EPA through their [Green Infrastructure Design and Implementation guidance](#).
- HUD through their [Green Infrastructure and Sustainable Communities Initiative](#).
- Standards that are incentivized through the CO Department of Environmental Quality, including for clean water initiatives.

The term “substantial damage” applies to a structure for which the total cost of repairs is 50% or more of the structure's market value before the disaster occurred, regardless of the cause of the damage. The State will adopt this standard in the reconstruction or new construction of all site-built housing funded with CDBG-DR assistance. This is in addition to ensuring that any multifamily housing subsidized with CDBG-DR assistance meets the Americans with Disabilities Act and accessibility requirements. By adopting this standard across its programs, the State will help increase the availability of accessible housing to meet the current and future needs of older adults and people living with disabilities. This will increase opportunities for households to age in place and build in increased community resiliency for individuals with disabilities.

All projects will be subject to cost reasonableness standards as outlined in the policies and procedures of the applicable program specific to the applicable activity.

## **Contractors Standards**

Contractors selected under DOLA will make every effort to provide opportunities to low- and very low-income persons by providing resources and information to notify Section 3 individuals and businesses about opportunities in the community.

DOLA will undertake the following efforts to help meet its Section 3 goals:

- Ensure that Section 3 requirements are outlined in all applicable contracts and subrecipient agreements.
- Build the capacity of stakeholders, including subrecipients and contractors, to meet Section 3 standards through technical assistance, tools, and guidance.
- Designate a Section 3 coordinator who will manage, support, and facilitate an effective Section 3 program, and who will be able to effectively communicate program requirements to stakeholders.

DOLA will report on Section 3 accomplishments in the DRGR.

Recovery programs implemented by DOLA and its subrecipients will incorporate uniform best practices of construction standards for all construction contractors performing work in all relevant jurisdictions. Construction contractors will be required to carry the required licenses and insurance coverage(s) for all work performed, and State-contracted contractors will be required to provide a warranty period for all work performed.

Contractor standards and warranty periods will be detailed in the respective policies and procedures documents and will pertain to the scale and type of work being performed, including the controls for ensuring that construction costs are reasonable and consistent with market costs at the time and place of construction. Rehabilitation contract work provided through a program administered by OHCS included in this Action Plan may be appealed by homeowners and small businesses (if applicable) whose property was repaired by contractors under the State's control.

## **Preparedness, Mitigation and Resiliency**

The State of Colorado under the leadership of the Colorado Resilience Office have defined resiliency as:

The ability of communities to rebound, positively adapt to, or thrive amidst changing conditions or challenges—including human-caused and natural disasters—and to maintain quality of life, healthy growth, durable systems, economic vitality, and conservation of resources for present and future generations.

The Colorado Resilience Office within the Department of Local Affairs and Boulder County's Office of Sustainability, Climate Action & Resilience are active in the Marshall Fire recovery and the development of this Action Plan. The State updated and adopted the Colorado Resiliency Framework in 2020 and this framework informs our recovery efforts and provides guidance for local governments. The County developed and adopted Resilient Design Performance Standards in response to the 2013 floods which informs the design and development of new infrastructure.

### **The Resilient Design Performance Standards**

The Resilient Design Performance Standard builds on the Resilience Prioritization Criteria outlined in the [Colorado Resiliency Framework](#). In incorporating these criteria, each infrastructure project designed using the Resilient Design Performance Standard will contribute to achieving the vision and goals for resiliency in the state.

### **Colorado Resiliency Framework: Resilience Prioritization Criteria**

- **Co-Benefits.** Provide solutions that address problems across multiple sectors creating maximum benefit.
- **High Risk and Vulnerability.** Ensure that strategies directly address the reduction of risk to human well-being, physical infrastructure, and natural systems.
- **Economic Benefit Cost.** Make good financial investments that have the potential for economic benefit to the investor and the broader community both through direct and indirect returns
- **Social Equity.** Provide solutions that includes consideration of populations that are often most fragile and vulnerable to sudden impacts due to the continual state of stress
- **Technical Soundness.** Identify solutions that reflect best practices that have been tested and proven to work in similar regional contexts
- **Innovation.** Advance new approaches and techniques that will encourage continual improvement and advancement of best practices serving as models to others in Colorado and beyond.
- **Adaptive Capacity.** Include flexible and adaptable measures that consider future unknowns of changing climate, economic and social conditions.
- **Harmonize with existing activity.** Expand, enhance, or leverage work being done to build on existing efforts. Assure outcomes that are environmentally friendly, sustainable, and complementary to the natural setting
- **Long Term Lasting Impact.** Create long term gains to the community with solutions that are replicable and sustainable, creating benefits for present and future generations.

Source: Resilient Design Performance Standards p. 21

**Colorado Resiliency Framework: Implementation of the Resilient Design Performance Standard**



Source: Resilient Design Performance Standards p. 22

The County, through their Office of Sustainability, Climate Action and Resilience, has collaborated with the impacted communities of Louisville and Superior to develop a series of workshops and information for builders and households at [www.rebuildbetter.org](http://www.rebuildbetter.org). These workshops instruct builders and homeowners how to meet and exceed IECC building standards, decrease reliance on fossil fuels, and promote energy efficiency.

The communities of Louisville and Superior, the municipalities that have experienced the most damage within our MID, have both adopted 2021 IECC and the County as a whole is very progressive in pursuing both energy efficiency measures and the latest fire mitigation measures recently updating their requirements for fire resistant construction.

Housing activities under this Action Plan support the reconstruction of housing under these improved standards.

Mitigation activities under this Action Plan will be in accordance with HMGP plans and adopted Resilient Design Performance Standards.

The State acknowledges that demand for incorporating mitigation and resiliency measures exists. The State has determined that the cost of incorporating these measures into the Housing Programs is prudent. Colorado will implement construction methods that emphasize quality, durability, energy efficiency, sustainability and mold resistance. All rehabilitation, reconstruction, and new construction will be designed to incorporate principles of sustainability, including water and energy efficiency, resilience and mitigation against the impact of future disasters. Projects will be evaluated to determine adequate compliance with modern and resilient building codes and the mitigation of hazard risk.

Boulder County and affected localities require building permits and have contracted standing offices to process the required permits. There are currently no known local capacity issues which would prevent the needed permits from being processed and issued. Where feasible, the State will follow best practices such as those provided by the U.S. Department of Energy's Guidelines for Home Energy Professionals.

DOLA will specify the standards that will be used. For the rehabilitation of non-substantially damaged residential buildings, DOLA will follow the guidelines to the extent applicable as specified in the [HUD Office of Community Planning and Development \(CPD\) Green Building Retrofit Checklist](#). When older or obsolete products are replaced as part of rehabilitation work, the rehabilitation is required to use ENERGY STAR-labeled, WaterSense-labeled, or Federal Energy Management Program-designed products and appliances.

Colorado will implement and monitor construction results to ensure the safety of residents and the quality of homes assisted through the program. All single family, rental, and mobile homes repaired must comply with the current HUD Housing Quality Standards (HQS).

At all times, construction costs must remain reasonable and consistent with market costs at the time and place of construction. The State intends to use the service of an Implementation Vendor to assist in determining that construction costs are reasonable and necessary and will use this data to conduct an evaluation of the cost or price of a product or service. The primary mechanism for these cost controls is the use of an industry standard construction cost estimating tool used by the Vendor to determine that construction costs are reasonable.

## **Broadband Infrastructure in Housing**

Any substantial rehabilitation, as defined by 24 CFR 5.100, reconstruction, or new construction of a building with more than four rental units funded with CDBG-DR assistance must include the installation of broadband infrastructure, except when DOLA determines and documents that:

- The location of the new construction or substantial rehabilitation makes the installation of broadband infrastructure infeasible,
- The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity, or in an undue financial burden, or

- The structure of the housing to be substantially rehabilitated makes the installation of broadband infrastructure infeasible.

## **Cost-Effectiveness**

The State will establish policies and procedures to assess the cost-effectiveness of each proposed program or activity to assist a household under any residential rehabilitation or reconstruction program or activity funded with CDBG-DR funds. Policies and procedures also will establish the criteria for determining when the cost of the rehabilitation or reconstruction of the unit will not be cost-effective relative to other means of assisting the property owner.

DOLA will define “demonstrable hardship” in its policies and procedures before carrying out activities that may be subject to the one-for-one replacement housing requirements.

DOLA defines a residential property as “not suitable for rehabilitation” if any of these conditions apply:

- The property is declared a total loss.
- Repairs would exceed 50% of the cost of reconstruction.
- Homes cannot be rehabilitated or reconstructed in place under existing agency policies and award caps due to legal, engineering, or environmental constraints, such as permitting, extraordinary site conditions, or historic preservation.

The State may provide exceptions to award maximums on a case-by-case basis and will include procedures within program guidelines on how the State or its subrecipients will analyze the circumstances under which an exception is needed, and the amount of assistance necessary and reasonable.

## **Duplication of Benefits**

Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, generally prohibits any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster for which such person, business concern, or other entity has received financial assistance under any other program or from insurance or any other source.

To comply with Section 312, DOLA shall ensure that each program and activity provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met. DOLA and its subrecipients are subject to the requirements in Federal Register notices explaining the duplication of benefit requirements (84 FR 28836 and 84 FR 28848, published June 20, 2019, or other applicable notices).

To prevent duplication of benefits, the State will require that all sources (federal, State, local, private) and amounts of disaster housing assistance received or reasonably anticipated to be received are documented with submission of an application for CDBG-DR funding. Duplication of benefits for

housing assistance will only consider other sources of funding pertaining to structural damage caused by the fire. Assistance for contents and personal items will not be considered duplication.

Prior to program-related construction, applicant awardees must submit any additional funds received for housing damage caused by the presidentially declared disaster to the State to avoid duplication of benefits. CDBG-DR funding must be the funding of last resort. Any additional funds paid to applicant awardees for the same purpose as the housing assistance award after the State has completed the repair, rehabilitation, or replacement of the applicant's housing units must be returned to the State of Colorado.

## **Projection of Expenditures and Outcomes**

Tables presenting quarterly expenditure projections for the uses of the grant proposed in the Action Plan will accompany the Action Plan submission to HUD. These tables are available to the public and are posted separately from the Action Plan on the DOLA website. DOLA submits the quarterly expenditure projections to HUD through the HUD DRGR system.

- The projected expenditures were determined based on anticipated staffing needs, project or program scale, project complexity, presumed level of effort, and the methods of delivery outlined in this Action Plan.

# **Grantee Proposed Use of Funds**

## **Overview**

DOLA is the lead agency and responsible entity for administering \$7,415,000 in CDBG- DR funds allocated for disaster recovery. DOLA will implement these programs directly and/or in partnership with subrecipients. These programs include the following:

Homeowner Rehabilitation and Reconstruction

Small Rental Rehab and Reconstruction

Local Mitigation Assistance - Wind and Wildfire Housing Protection Program

Local Mitigation Assistance - Infrastructure Assistance Grant Program

Local Mitigation Assistance -Resilience Planning, Education & Capacity Building Grant Program

## Program Budget

Table 4.1: Colorado’s CDBG-DR Program Allocation

Program Category	Program	Budget	MID Budget*	% of Allocation	Maximum Award	National Objective	Estimated Outcome
Housing	Homeowner Rehab and Reconstruction	\$5,477,250	\$5,477,250	74%	\$100,000	LMH / UN	140 Units
Housing	Small Rental Rehab and Reconstruction	\$600,000	\$600,000	8%	\$100,000	LMH	12 Units
Program Subtotal		\$6,077,250	\$6,077,250	82%			152 Units
MIT - Hsg	Wind & Wildfire Housing Mitigation	\$370,000	\$370,000	5%	\$10,000	LMH	37 Units
MIT - INF	Infrastructure Assistance Grant Program	\$267,000	\$267,000	4%	NA	UN / LMA	2 Projects
MIT-PLAN	Resilience Planning, Education & Capacity Building Grant Program	\$330,000	\$330,000	4%	NA	NA	3 Grants
Mitigation Subtotal		\$967,000	\$967,000	13%			
ADMIN	Administration	\$370,750	\$370,750	5%	NA	NA	NA
<b>Total</b>		<b>\$7,415,000</b>	<b>\$7,415,000</b>	<b>100%</b>			

\*The MID is expanded to include the County of Boulder. 100% of grant funds will be spent within the county

### Connection to Unmet Needs

This Action Plan primarily considers and addresses the housing lost in the Marshall Fire by focusing the majority of the resources in our Housing Rehabilitation and Reconstruction program. Additionally, the State will focus resources on mitigation activities including wildfire and high wind mitigation resources for low and moderate income households including those living in mobile and manufactured homes that are particularly susceptible to damage in high winds. Funds will also be made available to assist local governments with local match for Hazard Mitigation Grant Program (HMGP) projects or cover additional mitigation priorities not funded by FEMA resources as well as support resilience and mitigation planning for Louisville, Superior and Boulder County.

At least 70% of all program funds will benefit LMI persons or households. The State of Colorado will meet this requirement by setting budget constraints within the action plan as follows:

- 70% of housing rehab and reconstruction dollars will be limited to LMI applicants (the other 30% can serve those up to 120% of AMI).
- 100% of the Wind and Wildfire mitigation program will go towards LMI households.

- 30% of the Local Government Mitigation Assistance must go to projects that meet LMI area benefits.
- Planning and Administrative projects will be assumed to have a proportional benefit to the programs addressing housing, infrastructure and mitigation.

**Table 4.2. Meeting the 70% LMI Requirement**

<b>Program</b>	<b>Budget</b>	<b>% to LMI</b>	<b>Dollars to LMI</b>
HSG: Homeowner Rehab and Reconstruction	\$5,477,250	70%	\$3,834,075
HSG: Small Rental Rehab and Reconstruction	\$600,000	100%	\$600,000
MIT: Wind & Wildfire Housing Protection Program	\$370,000	70%	\$280,000
MIT: Infrastructure Assistance Grant Program	\$267,000	30%	\$80,100
<b>Total</b>	<b>\$6,744,250</b>	<b>71%</b>	<b>\$4,794,175</b>

*Does not include allocations for Planning and Administration.*

**Leveraging Funds**

The State intends to leverage additional State, Federal and Local funding sources to fully implement recovery from the Marshall Fires. In addition to the traditional funding triggered in the federal response of FEMA individual and public assistance and the Small Business Administration’s economic recovery loans for households and businesses, the State is utilizing additional funding sources for the Marshall Fire recovery.

**Housing:** The State intends to leverage our annual appropriation of CDBG in addition to State funding through Senate Bill 206, which was passed in May of 2022 to provide disaster recovery assistance to households and communities impacted by state-declared disasters since 2018. \$6 million is being set aside from our annual CDBG appropriation along with another \$12 million from the State’s Disaster Resilience Rebuilding Program. CDBG-DR and CDBG will prioritize grant assistance to LMI households and grants and loans serving households up to 120% of the Area Median Income, while State funds will offer some grants, but predominantly loan funding. Our intent is to leverage these funds through a single application process. Additionally, the County is providing “Recovery Navigators” to guide homeowners to the appropriate rebuilding resources, and the Community Foundation of Boulder

County is supporting those efforts and providing rebuilding incentives that will contribute to filling the underinsurance gap and allow more residents to rebuild in place.

**Economic Recovery:** While the State does not intend to utilize CDBG-DR for economic recovery, the State is earmarking \$1 million of our annual CDBG appropriation to serve impacted businesses in coordination with the State's Office of Economic Development and International Trade and the Small Business Development Center of Boulder County. In addition, small grants for home based businesses have been provided by the Community Foundation of Boulder County to replace lost tools and equipment.

**Infrastructure:** DOLA is working with the Division of Homeland Security and Emergency Management and the impacted local governments to ensure that priorities for mitigation projects are aligned. The State anticipates leveraging CDBG-DR to either provide local match or implement mitigation projects prioritized by our local partners. We do not anticipate utilizing CDBG-DR for FEMA Public Assistance match at this time due to the small grant size and difficulties in earmarking projects as meeting the LMI national objective.

**Planning:** DOLA has provided \$334,500 for planning and capacity building through the State's Energy & Mineral Impact Assistance Fund. These funds provide temporary staff to assist with increased staff loads in planning and permitting due to the disaster. We anticipate additional resources being required through the mitigation planning portion of this grant.

### **Program Partners**

DOLA contains both the Division of Local Government and the Division of Housing, so the agency is well situated to take the lead in implementing community development programs. As indicated above, we will actively coordinate with our State partners and local governments in the implementation of these grants, primarily the Division of Homeland Security and Emergency Management, Office of Economic Development and International Trade, and the Colorado Energy Office.

DOLA will engage program partners through formal interagency, intergovernmental and subrecipient agreements as necessary to implement disaster recovery programs. In addition, DOLA will continue to communicate program progress and implementation through the membership of the Long Term Recovery Working Group which contains the relevant State and local government partners, as well as community groups and non-profit partners.

When engaging in formal agreements for the administration or implementation of programs, DOLA will ensure that subrecipients have the capacity and expertise to carry out the program activities included in their scope of work. DOLA may help expand subrecipient capacity and will provide technical assistance and training to subrecipients on program requirements, applicable federal cross-cutting requirements and State overlays, and reporting and performance requirements, and may allocate administrative funding, as appropriate, to do so.

The program descriptions include the types of subrecipients or interagency partnerships that may support DOLA in the administration or implementation of specific programs.

### **Distribution of Funds**

Due to the relatively compact geographic nature of the disaster and the close coordination between County and municipal partners, the State does not anticipate implementing a sub-allocation model to distribute funds to individual jurisdictions.

The housing program will be managed by a single subrecipient through a direct grant agreement with the State that will serve Louisville, Superior and Unincorporated Boulder County.

Mitigation funding will also be distributed through a State run program based on a competitive review of mitigation priorities reviewed in coordination with DHSEM and the Long Term Recovery Working Group.

### **Most Impacted and Distressed (MID)**

The [Federal Register / Vol. 87, No. 100 / Tuesday, May 24, 2022](#), requires the State to allocate at least 80% of the funds to address unmet needs within HUD- identified "most impacted and distressed" (MID) areas. The original MID was identified by HUD as zip code 80027. The State of Colorado is exercising the option to expand the MID area to Boulder County given that all of the programs described herein will be operated at the County level in coordination with the municipalities of Louisville and Superior. 100% of the funds will go to services or construction within Boulder County.

Based on the damages and program design, the State is confident that 80% of the funds will actually benefit this zip code. However, significant damages also occurred in the contiguous zip codes of 80303 and 80305; which are adjacent and to the northwest of the HUD identified zip code; the latter is home to two impacted mobile home parks. Wind damages were also indicated in zip code 80101, which also contains manufactured and mobile homes. The programs described herein are primarily being managed and administered at the county level, not the zip code level. Expanding the MID area to the county will eliminate unnecessary additional accounting for a few properties just beyond this imaginary line that will be served by the same programs and subrecipients. Additionally, this will provide flexibility in the identification of mitigation projects that have county-wide benefits that include the HUD identified MID zip code.

### **Program Income**

Our intent is that the funds expended through CDBG-DR will be grant funds and not generate program income. However, depending on demand, we may also fund the loan portion of the rebuilding program with CDBG-DR, which would generate program income. If the State includes loans and generates program income, the State has procedures in place to manage program income as outlined in our certifications to HUD (Section II - Program Income Guidelines). DOLA is experienced in managing program income through the management of past CDBG-DR and CDBG grants and will follow the

appropriate procedures either allowing those funds to revolve, if demand requires, or requiring a return of program income to the State for additional disaster recovery needs.

### **Resale or Recapture**

Resale or recapture requirements will vary by program and may not be applicable to all CDBG-DR programs. If applicable, the resale or recapture requirements are described within each of the program sections below and program guidelines will provide additional details on the terms of resale or recapture and the specific circumstances under which resale or recapture will be used.

DOLA will ensure that affordability restrictions are enforceable and imposed by recorded deed restrictions, covenants, property liens, bylaws, or other similar mechanisms.

## **CDBG-DR Program Details**

### **Housing: Homeowner Rehabilitation and Reconstruction Program**

**Table 4.3: Homeowner Rehabilitation and Reconstruction Program Budget**

<b>Program</b>	<b>Budget</b>
Homeowner Rehabilitation and Reconstruction Program - LMI	\$ 3,834,075
Homeowner Rehabilitation and Reconstruction Program - UN	\$ 1,643,175

### **Program Description**

The Homeowner Rehabilitation and Reconstruction Program (HRRP) will provide assistance in the form of grants and/or loans to eligible homeowners who experienced damage to their homes from the Marshall Fire and Straight Line Winds event and have remaining recovery needs after accounting for other duplicative benefits received.

The program will fund eligible repair, reconstruction, rehabilitation, and replacement costs, including additional costs to comply with Federal, State, and local construction standards, such as replacing on-site residential infrastructure, complying with green building standards, and ensuring that homes are accessible for individuals living with disabilities and senior residents. Eligible costs also include elevation, fire hardening, and other program-required mitigation costs that will help protect homes from natural hazards faced in the fire-impacted communities.

Participants whose properties are located in an Special Flood Hazard Area (SFHA) or a 100-year floodplain, and who receive assistance for reconstruction, rehabilitation of substantial damage, or rehabilitation that results in substantial improvement, as defined at 24 CFR 55.2(b)(10), must be

elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation, BFE).

This program provides resources to households with damages or total loss of their home from the 2021 Marshall Fire and Straight Line Winds event. It is intended to help fill the gap between rebuilding costs and insurance (and other potential duplicative sources), and assist households in accessing additional program resources for energy efficiency and fire or wind mitigation measures. This program will leverage Federal, State and local resources to reduce the gap between the cost to rebuild or repair and the available resources through insurance and other financial assistance. The program is intended to provide for standard reconstruction costs; it will not fund premium construction and will likely not make everyone, or most, whole. Rather it provides resources so that those that want to return have the financial means necessary to do so.

Additional funds may be provided to address site-specific accessibility needs (e.g., ramps and lifts, or roll-in showers), environmental issues, on-site residential infrastructure repairs or replacement (e.g., septic tanks and wells), resilience and mitigation measures, elevation requirements, installation and transportation costs, relocation costs, and requirements of municipal ordinances, as needed.

**Program Description: Approach**

The CDBG-DR portion of housing repair and rebuilding is just one component of a larger program addressing the severe gap in funds available to households intent upon rebuilding. State funds will help fill this gap by providing grant and loan assistance based on income. Because CDBG-DR funds will come much later than State funds, **the State intends to expend State funds on LMI households and those up to 120% in the form of grants, and reimburse itself through CDBG-DR by taking advantage of the flexibility allowed by HUD to reimburse pre-agreement costs.**

Households will go through Recovery Navigators to understand the assistance available, and which funds they are eligible to receive. A single subrecipient will manage all funding sources offering grants and loans through a single application process in the following proposed amounts:

**Table 4.4: Household AMI levels and assistance**

Household AMI Level	Grant Available	Loan Available
Up to 80% AMI (LMI)	Up to \$100,000	Up to \$50,000
81-100% AMI	Up to \$70,000	Up to \$50,000
101-120% AMI	Up to \$50,000	Up to \$50,000
121-150% AMI	Up to \$25,000	Up to \$50,000
151% and above AMI	NA	Up to \$50,000

The grant amounts highlighted in green will utilize CDBG-DR, prioritizing LMI households first. Grant and loan amounts for the higher income households, highlighted in blue, will be funded through the State's Disaster Resilience Rebuilding Program. Loans for households up to 120% AMI, highlighted in yellow, may be paid from State funds or CDBG-DR funds depending on availability of funds.

In accordance with the Stafford Act and our Duplication of Benefit policy, resources received, grant and loan, cannot exceed the household's rebuilding gap (the difference between their cost to rebuild and resources received through other sources, based on standard construction costs).

Award amounts for those on the lower end of the income spectrum are subject to change (increase) if our intake process indicates that the rebuilding gaps for LMI homeowners are significantly larger than what is available per the current program description. For manufactured and mobile homes, if the rehabilitation cost exceeds 50% of the replacement cost, or if the age of the unit predates current industry installation standards, the unit is eligible for replacement.

#### **Eligible Expenses and Estimated Rebuilding Needs:**

Estimated rebuilding needs will be determined by a third party utilizing estimating software assuming standard construction and based on the square footage and room configuration of the home. Costs covered will include any architectural or permitting costs. The award will be based on standard construction. Any premium construction will be at the homeowner's expense. Due to federal restrictions, homeowners who want to expand the existing footprint of their home will not be eligible for CDBG or CDBG-DR funding.

#### **National Objective(s)**

In accordance with 24 CFR 570.208 and Section 104(b)(3) of the Housing and Community Development Act (HCDA), all CDBG-DR funded activities must satisfy a national objective. All HRRP activities will meet either the urgent need or LMI housing national objective criteria related to disaster recovery. As stated in the Needs Assessment, the location of the disasters present unique challenges for addressing housing impacts. The disasters impacted households of all incomes, including suburban neighborhoods and manufactured and mobile home parks.. Boulder County does struggle to provide an adequate supply of affordable homes to area residents. The dollar amounts reflected in the budgetary split between HRRP which will serve homeowners, and the Small Rental Rehab and Reconstruction ( SRRP), which will serve landlords, take displacement of LMI homeowners into account is based on FEMA IA data and the unmet need analysis completed. Thus, the breakdown of funds split between AMI levels for participation in HRRP will ensure that housing recovery programming will be directed toward LMI beneficiaries first. However, DOLA understands the devastating impacts the fires had on non-LMI owners, and the urgency to provide assistance and return them to their homes which is why limited funds will be available for households between 80-150% AMI.

DOLA anticipates that all HRRP and SRRP urgent need funding will be spent in the required 36 months per the FRN. Assistance provided under this program will meet the national objectives of benefiting LMI persons or households or addressing an urgent need (Urgent Need).

## Eligibility

**Eligible Applicants:** To be eligible for the program, homeowners must meet the following criteria:

- The damaged property must have sustained damages as a result of the 2021 Marshall Fire and Straight Line Winds event and be within Boulder County.
- Must have been the owner-occupant of the damaged property at the time of the disaster.
- The damaged property must have been the applicant’s primary residence at the time of the disaster.
- The damaged property must be an eligible structure as defined in the program guidelines, including, but not limited to, single-family residences, manufactured and mobile homes, or townhomes and condominiums. Manufactured and mobile homes on leased land or commonly held property are eligible.
- Homeowners associations or townhomes can apply on behalf of their residents for rebuilding funds provided that funds requested do not exceed the maximum award on a per-unit basis. 51% of the units must house LMI households in order to qualify under the LMI National Objective.

## Maximum Assistance

The maximum award per household is currently \$100,000.

## Program’s Affordability Period

The program’s affordability periods are not required for participants whose homes are rebuilt or replaced on privately owned or leased land. For any loan funds, deed restrictions will be put in place with outstanding loan balances due upon sale..

Applicants who move into manufactured housing parks that are publicly subsidized or owned by a resident cooperative, nonprofit, public housing authority, or similar ownership structure may be subject to affordability periods and requirements included in the covenants, tenant agreements, and/or bylaws of those parks. The State will work with these park owners and the applicants to ensure that the program applicants understand the affordability requirements prior to moving into the park.

## **Housing: Small Rental Recovery Program**

**Table 4.5: Small Rental Rehabilitation and Reconstruction Program Budget**

<b>Program</b>	<b>Budget</b>
Small Rental Rehab and Reconstruction	\$ 600,000

## Program Description

The Small Rental Recovery Program (SRRP) will provide assistance to landlords whose rental units experienced storm damage and have not been repaired or reconstructed. The program is reserved for small rental structures, including single family rental units, duplexes, triplexes, manufactured housing

(MHU), and buildings with four or fewer units. In an effort to increase affordable rental housing, the program will treat the repair and replacement of rental housing in a similar fashion to the treatment of homeowner property as described in the Homeowner Rehabilitation and Reconstruction Program above.

The program will provide the awards necessary to repair, reconstruct, and rehabilitate the damaged property per program construction standards. Eligible costs also include demolition and removal of the original structure.

Additional funds may be provided to address site-specific accessibility needs (e.g., ramps and lifts), environmental issues, on-site residential infrastructure repairs or replacement (e.g., septic tanks and wells), resilience and mitigation measures, elevation requirements, installation and transportation costs, relocation costs, and municipal ordinances, as needed. Cost reasonableness will be established using national building standard estimating software, comparative and market analysis of price per square foot, and/or the review of multiple construction bids.

#### **Program Description: Approach**

The State intends to use the same application process as the homeowner program, but with additional provisions to meet the appropriate time period of affordability. This program will be a state-run program utilizing a non-profit subrecipient to administer the program through a grant agreement.

#### **Eligible Expenses and Estimated Rebuilding Needs**

Estimated rebuilding needs will be determined by a third party utilizing estimating software assuming standard construction and based on the square footage of the home. Costs covered will include any architectural or permitting costs. The award will be based on standard construction. Any premium construction will be at the landlord's expense. Due to federal restrictions, landlords who want to expand the existing footprint of their home will not be eligible for CDBG or CDBG-DR funding. In accordance with the Stafford Act and Duplication of Benefit policies, the award cannot exceed the difference between the rebuilding cost and other sources of funding received.

#### **National Objective(s)**

Assistance provided under this program will meet the national objective of benefiting LMI persons by requiring a period of affordability upon completion of construction.

#### **Eligibility**

To be eligible for the program, landlords and their rental property must meet the following criteria:

- The damaged property must have sustained damages as a result of the 2021 Marshall Fire and Straight Line Winds event and be located within Boulder County.
- Property owners must have been the owner of record of the damaged property on December 31, 2021.

- The property owner or group of owners must have been a resident or jurisdiction-based business or nonprofit organization authorized to operate in the State on December 31st, 2021. Property owners do not have to reside in the State at the time of application to be eligible.
- Properties that sustained disaster damage of at least \$5,000 as verified by a visual inspection or a 3rd party verification, including FEMA, Insurance, USDA or County estimates.
- The damaged property must be an eligible structure as defined in the program guidelines, including, but not limited to, single-family residences, duplexes and other residential buildings consisting of 4 units or less, manufactured and mobile homes, or townhomes.

**Maximum Assistance**

The maximum award per unit is currently \$100,000.

**Program’s Affordability Period**

All rental units that receive an incentive from the Rental program must be rented to a low- to moderate- income individual or family. Units must be affordable to renters earning 80 percent of AMI or less for a time period consistent with HUD’s HOMEInvestment Partnership Program requirements as defined in 24 CFR 92.252.

## Mitigation Programs

**Table 4.6: Mitigation Program Overall Budget**

<b>Program</b>	<b>Budget</b>
Wind and Wildfire Housing Protection Program	\$370,000
Infrastructure Assistance Grant Program	\$267,000
Resilience Planning, Education & Capacity Building Grant Program	\$330,000
<b>Total</b>	<b>\$967,000</b>

## Mitigation: Wind and Wildfire Housing Protection Program

Table 4.7: Wind and Wildfire Housing Protection Program Budget

Program	Number of Units	Budget
Wind & Wildfire Housing Protection Program - LMI	26	\$259,000
Wind & Wildfire Housing Protection Program - UN	11	\$111,000
Total	37	\$370,000

### Program Description

This program will provide additional mitigation measures for households up to 120% of the Area Median Income. The focus will be on manufactured homes that remain vulnerable to high winds primarily due to inadequate anchoring. Stick built homes will also be eligible for grant funds for additional wildfire mitigation measures beyond adopted codes.

### Program Description: Approach

Local governments and nonprofits can apply as part of a county or municipality wide initiative to advise and/or provide mitigation and home hardening measures against high winds or wildfires for manufactured and mobile homes and single family homes.

### Eligible Expenses

This program's eligible expenses include engineering fees, labor, and materials to properly install tie-downs to stabilize manufactured homes. Other eligible expenses include qualifying home-hardening improvements for single family homes that make a home more resistant to damage from a wildfire.. Improvements include, but are not limited to, using materials for siding and/or roofing that resist ignition during a wildfire, installing fire resistant windows to protect openings, or using attic ventilation devices that help reduce ember intrusion. This program also includes funding for wind mitigation which impacted hundreds of homes in the MID area.

### National Objective(s)

Assistance provided under this program will meet the national objective of benefiting LMI persons or households or addressing an urgent need (Urgent Need).

### Eligibility

- Properties improved must be within Boulder County.
- Local governments or nonprofits can apply to manage a home hardening program for households up to 120% of AMI.

- Mobile Home Park Associations, Resident-Owned Communities, homeowner associations and co-ops may apply on behalf of their residents.

**Maximum Assistance**

The maximum award per household is \$11,000 and up to \$370,000 for nonprofits and local governments.

**Mitigation: Infrastructure Assistance Grant Program**

**Table 4.8: Infrastructure Assistance Grant Program Budget**

<b>Program</b>	<b>Budget</b>
Infrastructure Assistance Grant Program - LMI	\$80,100
Infrastructure Assistance Grant Program - UN	\$186,900
<b>Total</b>	<b>\$267,000</b>

**Program Description**

The Infrastructure Grant Program can be used as local cost share for FEMA Hazard Mitigation Grant Programs. Funds may also be used to enhance public infrastructure projects beyond FEMA eligible costs. The program may also be used for infrastructure projects contributing to risk reductions and the overall recovery of the community, including large scale hazard mitigation and resiliency projects and other infrastructure improvements to protect communities from disasters.

**Program Description: Approach**

Local governments can apply as part of a county or municipality wide initiative.

The Long Term Recovery Working Group (LTRWG) will establish an Advisory Committee to identify and prioritize mitigation projects informed by the approved local hazard mitigation plans and other local priorities in consultation with the Division of Homeland Security and Emergency Management.

**Eligible Expenses and Estimated Rebuilding Needs:**

Eligible expenses include local match for Hazard Mitigation Grant Program (HMGP) projects and full or partial funding of mitigation projects on the local governments mitigation project list. Additionally, these funds can be used to incorporate resilient measures on Public Assistance (PA) projects from DR 4634 that do not have adequate funding for mitigation measures. The program may also be used for

infrastructure projects contributing to risk reductions and the overall recovery of the community, including large-scale hazard mitigation and resiliency projects and other infrastructure to protect communities from hazards.

**National Objective(s)**

Projects under this program will meet the Urgent Need or LMI national objective.

**Eligibility**

**Eligible Applicants:** The City of Louisville, Town of Superior, and Boulder County are eligible to apply for these infrastructure grant funds.

**Maximum Assistance**

The maximum award is equal to the allocation of \$267,000.

**Mitigation: Resilience Planning, Education & Capacity Building Grant Program**

**Table 4.9: Local Government Mitigation Planning and Capacity Program Budget**

Program	MID Budget
Resilience Planning, Education & Capacity Building Grant Program	\$330,000

**Program Description**

This program provides planning or capacity to local governments or their administrators to assist in meeting the community’s mitigation and resilient rebuilding goals. The goal of the program is to reduce long-term risk and increase local resilience through community education and planning efforts.

**Program Description: Approach**

The Long Term Recovery Working Group (LTRWG) will establish an Advisory Committee to identify and prioritize mitigation projects informed by the approved local hazard mitigation plans and other local priorities in consultation with the Division of Homeland Security and Emergency Management.

**Eligible Expenses**

These funds can support plan development and capacity building consistent with 24 CFR §570.205.

**National Objective(s)**

NA

## **Eligibility**

**Eligible Applicants:** City of Louisville, Town of Superior, and Boulder County

- Applicants must have legal authority to adopt and enforce the proposed plan. Note: Does not apply to COGs. COGs can apply on behalf of jurisdictions that have such authority.

## **Maximum Assistance**

The maximum award is equal to the program allocation of \$330,000.