

The Colorado Division of Homeland Security and Emergency Management (DHSEM), has adopted modified guidance for determination of Critical Facilities for the Hazard Mitigation Grant Program (HMGP) under the RULES AND REGULATIONS FOR REGULATORY FLOODPLAINS IN COLORADO 2 CCR 408-1 as certified through the Code of Regulations, by the Colorado Secretary of State. The applicant must provide adequate documentation¹ and justification² to meet the specified classifications listed below. Final determination of critical facilities for application in the HMGP is at the sole discretion of the Colorado DHSEM.

CRITICAL FACILITIES

A. Classification:

Critical Facilities are classified under the following categories:

- 1) Essential Services;
- 2) At-Risk Populations;
- 3) Vital to Restoring Normal Services.

1. Essential services facilities include public safety, emergency response, emergency medical, designated emergency shelters, primary communications, and public utility plant facilities.

These facilities consist of:

- a) Public safety (police stations, fire and rescue stations, and primary emergency operation centers);
 - a. Facilities for the maintenance, repair, storage, and/or fueling of vehicles are not considered essential services.
- b) Emergency medical (hospitals, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctors' offices, and non-urgent care medical structures that do not provide these functions);
- c) Designated emergency shelters;
- d) Primary Communications (main hubs for telephone, broadcasting equipment for emergency communications and other emergency warning systems, but excluding poles, lines, cables, and conduits);
- e) Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, but not including towers, buried pipelines, distribution lines, and service lines);

2. At-risk population facilities include medical care, congregate care, and schools.

These facilities consist of:

- a) Elder care (nursing homes);
- b) Congregate care serving 12 or more individuals (day care and assisted living);

3. Facilities vital to restoring normal services including government operations.

These facilities consist of:

- a) Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management); Code of Colorado Regulations 10

Specific exemptions to these categories include wastewater treatment plants (WWTP), non-potable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances. Owners of these facilities are encouraged to protect their own infrastructure and to avoid system failures during extreme weather events. Emergency restoring plans following major events should be considered as a prudent addition to operation and maintenance plans for those facilities.

B. Identification of Critical Facilities:

It is the responsibilities of the local jurisdiction to identify and confirm that specific structures in their community meet the criteria outlined in Rule A and are deemed to be Critical Facilities. All structures that clearly meet the intent of the Rules shall be deemed Critical Facilities with determination by the DHSEM. For those structures for which it is unclear or otherwise ambiguous if the criteria are met, the local jurisdiction shall determine if the structure is a Critical Facility. Critical Facilities that are also designated as historic structures (determinations by the State Historic Preservation Office) are exempt from these requirements. Pursuant to section 24-65.1-202(2)(a)(I)(A), C.R.S. (2010), open space activities such as agriculture, horticulture, floriculture, recreation, and mineral extraction, including oil and gas activities, shall be encouraged in the floodplain, and are exempt as Critical Facilities unless provisions within Rule (A)(2) apply.

¹Adequate documentation must include a FEMA approved Emergency and/or Mitigation Plan that specifically lists the defined facility, location, use, and role during an emergency event.

²Additional justifications may be requested from the applicant in order to determine the critical function of the facility.