Boulder Fails

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The FasTracks grift and public-transit extraction

The Regional Transportation District functions as a wealth-extraction mechanism disguised as public infrastructure. In 2004, voters authorized a 0.4% RTD sales-and-use-tax increase for FasTracks, including commuter rail from Denver through Boulder to Longmont, with an intended program completion date of 2017. The tax began in 2005. The B Line reached Westminster in 2016; the promised extension to Boulder and Longmont remains unfinished.[1]

More than two decades after the vote, the dedicated tax continues. RTD’s 2024 study projected that a stand-alone starter service would arrive between 2042 and 2048 under its financial forecast. A joint plan now targets three daily round trips as early as 2029, but that is a limited starter service rather than the full-day rail system voters were sold. In July 2026, four FasTracks corridors remained unfinished and RTD reported a $1.2 billion completion gap.[1]

RTD is a public political subdivision governed by an elected board, but public ownership does not prevent private capture. The 34-year Eagle P3 concession gives Denver Transit Partners responsibility for designing, building, financing, operating, and maintaining major commuter-rail assets while the public retains the underlying system, fares, and revenue. Taxpayers carry the obligation, private contractors receive durable revenue streams, and the signature northwest promise remains withheld. That is the FasTracks grift.[2]

The Title IV debt trap and ADA sabotage

Public higher education operates as a real-estate and credential monopoly that can lock out independent, low-income residents. Federal student-aid rules ordinarily treat an undergraduate under 24 as dependent unless the student meets another independence condition, such as marriage, graduate study, military service, dependents, ward status, emancipation, homelessness, or unusual circumstances. A legally adult student can therefore be financially abandoned and still be administratively assigned parental support that does not exist.[3]

The combined first-year Direct Loan limit for a dependent undergraduate is $5,500. When parents refuse to provide FAFSA information, the student can lose access to Pell and most other federal aid and be left with only an unsubsidized Direct Loan. CU Boulder's own 2026–27 aid budget estimates off-campus housing and food at $18,540 for the academic year. The arithmetic is structural exclusion: federal dependency rules manufacture family backing on paper while the local cost of survival exceeds the available federal loan several times over.[3]

Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act require public universities and federally funded institutions to provide individualized, reasonable access unless an adjustment would fundamentally alter the program or impose an undue burden. When an institution represents an accommodation as available, enrolls the student, collects tuition and loan proceeds, and then substitutes an inaccessible delivery system after financial deadlines, bureaucracy becomes sabotage. The student keeps the debt while the institution keeps the money. The federal Office for Civil Rights complaint process exists because equal access is a legal obligation, not customer service.[4]

Municipal code as structural enclosure

The housing crisis is not only a market failure; it is a legally engineered prohibition on low-cost survival. Boulder's Title 9 regulates land use, Title 10 adopts building and structural rules, and Title 11 governs utilities. Together they make a legal dwelling contingent on zoning, use approval, engineered safety, permits, professional services, and infrastructure compliance.[5]

Boulder permits attached and detached accessory dwelling units in many districts, state-approved modular units remain subject to local permits, residential rain capture is limited to two barrels with 110 gallons of combined capacity, and xeriscape can satisfy landscape requirements. Permission for isolated components is not permission for autonomous shelter. A chassis-based dwelling, composting system, rainwater supply, graywater loop, and micro-grid can each be technically possible while their integration into one low-cost home remains parcel-specific, professionally mediated, and financially unreachable.[5]

The enclosure works through cumulative dependency. The city does not need to outlaw every alternative by name when it can require enough land, engineering, permits, hookups, and capital to make self-provision impossible. A low-impact home becomes legal only after it has been forced back through the debt-based real-estate system it was designed to escape.

The monopoly on force and the AMI shell game

Municipal housing policy is a shell game because eligibility percentages are not housing. Boulder funds rental projects at 30%, 40%, 50%, and 60% of Area Median Income, its Community Housing Assistance Program reaches roughly 15–60% AMI, and local programs also subsidize middle-income ownership and permanent supportive housing. A rent calibrated to 30% AMI is still unaffordable to a person with no income, and a program category does not create a unit, voucher, bed, or accessible placement.[6]

In July 2025, the city counted 140 people living unsheltered on a single night. Among survey respondents, 72% reported chronic homelessness and 76% reported at least one disabling condition. These are precisely the people least able to convert an income-targeted policy into actual shelter.[8]

Instead of a guaranteed place to live, this population encounters the force of enclosure. Boulder bans camping and temporary shelter structures on public property without permission. Its public-spaces policy authorizes the disbanding of unsanctioned campsites and removal of prohibited property, and the Colorado Court of Appeals upheld the challenged ordinances in May 2026. Shelter and outreach services coexist with armed enforcement that makes survival conduct punishable and movable. The state protects the enclosure of land first and the person exposed outside it second.[7]

Stupidity as a moral failure and the environmental reality

The COVID-19 shutdowns proved that much of the daily gas-powered commuter grind was manufactured rather than inevitable. Studies measured large declines in traffic-related pollution during 2020 restrictions, and North America's bulk power system continued operating. Telework does not eliminate every emission and cannot fit every job, but its environmental effect can be shaped through energy, land-use, and transportation policy.[9]

Public and private employers nevertheless rebuilt the commute. The air had cleared enough to expose the choice, the grid had survived enough to expose the excuse, and institutional power restored the old pattern anyway. Continuing to impose avoidable pollution after the alternative becomes visible is not an engineering failure. It is a failure of moral agency.

Dietrich Bonhoeffer’s “On Stupidity,” written in 1942 as part of “After Ten Years,” describes stupidity as a social consequence of power: people surrender inner independence and become available to slogans and commands. The failure is not low intelligence. It is the abandonment of judgment. Institutional stupidity is power protected from feedback, repeating preventable harm because obedience is safer than thought.[10]

Regenerate the commons by retiring the state

Retiring the state means transferring dependency away from coercive institutions and into a commons people can govern directly. The transition begins by using existing fiat capital to secure permanent physical capacity—land, shelter, water systems, workshops, food systems, and solar generation—then placing those assets beyond speculative exit.

The mechanism is a **Regenerative Asset Trust**: a locally governed structure that binds productive assets to long-term stewardship, limits extraction, and accounts for value in physical capacity rather than monetary return. Community land trusts, cooperatives, nonprofits, conservation easements, and purpose-bound trusts already provide legal components for that work.[11]

01 Acquire capacity: turn volatile capital into land, shelter, tools, water retention, energy, food, and repair capability.

02 Lock the mission: use legal forms with resale and extraction limits written in.

03 Account physically: track beds, kilowatt-hours, gallons, meals, tool-hours, soil, habitat, and reserves alongside dollars.

04 Govern by use and consequence: give residents, workers, stewards, and neighbors defined power.

05 Make maintenance sovereign: preserve assets and operators before appreciation.

06 Federate what works: publish charters, designs, failures, and accounting so others can fork the model.

Community land trusts separate land from speculative resale; conservation easements bind property to durable purposes; cooperatives distribute ownership and use. A Regenerative Asset Trust joins those capacities around a single rule: assets that secure the commons cannot be stripped for private exit.[11]

Regenerate the commons by acquiring the ground, writing the rules in public, penalizing extractive exit, and constructing parallel infrastructure that people cannot be priced out of. Retire the state function by function—not through conquest, but by making coercive dependency obsolete.

Facts and sources

1 · FasTracks and Northwest Rail

Voters approved the 0.4% tax increase in 2004; collection began in 2005; the program carried an intended 2017 completion date; and Boulder–Longmont rail remains unfinished. RTD's 2024 stand-alone forecast placed starter service in 2042–48. A joint plan targets three daily round trips beginning as early as 2029. RTD reported a $1.2 billion FasTracks completion gap in July 2026.

RTD financial outlook · RTD 2024 peak-service study · DRCOG July 2026 update

2 · RTD governance and contracting

RTD is a public political subdivision with an elected board, not a private corporation. Private contracting is substantial: the Eagle P3 is a 34-year concession, with assets, fares, and revenue retained by RTD.

RTD Board Office · Colorado fiscal-governance audit · U.S. DOT Eagle Project

3 · Federal aid dependency and cost

Age 24 is one independence test, not the whole rule. The dependent first-year Direct Loan limit is $5,500. Parent refusal can restrict a student to unsubsidized Direct Loan eligibility. CU Boulder budgets $18,540 for off-campus housing and food in 2026–27.

Federal dependency criteria · FAFSA steps · Federal loan limits · CU aid budget

4 · Disability accommodations

Title II and Section 504 require equal access and individualized reasonable adjustments, subject to fundamental-alteration and undue-burden limits. The Education Department's Office for Civil Rights receives disability-discrimination complaints involving postsecondary institutions.

DOJ disability-rights guide · Education Department guidance · CU accommodations

5 · Land use, structures, water, and lawns

Titles 9–11 regulate the named systems and can impose meaningful compliance costs. Boulder allows ADUs and modular ADUs subject to permits; limited residential rain capture is legal; xeriscape can meet city standards; and no general grass-watering mandate was found.

Boulder Revised Code · Boulder ADU rules · Water conservation · Landscaping guidance · Colorado rain-barrel law

6 · AMI and housing programs

The city subsidizes middle-income ownership, but its rental funding is not confined to 80–120% AMI. Published policy targets rental projects at 30/40/50/60% AMI, CHAP serves approximately 15–60%, and local funding supports permanent supportive housing.

Housing-investment policy · 2026 action plan · County working group

7 · Camping, property removal, and force

Boulder prohibits camping and temporary shelter structures on public property without permission. The city states prohibited items may be removed and crews address belongings left after a site is vacated. The Colorado Court of Appeals upheld the challenged ordinances in May 2026.

Boulder public-property code · Public Spaces Management · Feet Forward v. Boulder

8 · Homelessness scale and services

The July 2025 city count observed 140 unsheltered people; 72% of respondents reported chronic homelessness and 76% reported a disabling condition. Boulder also funds services and reports more than 2,300 exits from homelessness since 2017.

City July 2025 count · City homelessness guide · County homelessness system

9 · Lockdowns, air, grid, and telework

Traffic-related pollutants declined sharply in many places during 2020 restrictions, and the North American bulk power system continued operating. Telework emissions vary with transportation, household energy, land use, and rebound travel.

PNAS pollution study · GRL traffic study · NERC reliability report · PLOS Climate telework review

10 · Bonhoeffer on stupidity

“On Stupidity” appears in “After Ten Years,” written in late 1942. The reflection describes stupidity or folly as a social effect of power and surrendered inner independence.

Definitive English edition · International Bonhoeffer Society guide

11 · Asset stewardship forms

Federal law defines community land trusts; HUD describes their use in maintaining long-term housing affordability; and federal tax law recognizes qualified conservation contributions that permanently restrict land use.

Federal CLT definition · HUD CLT guidance · IRS easement guidance