

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Tom Browning, Section Chief
Kevin Houck, Section Engineer
Watershed Protection & Flood Mitigation Section

DATE: September 2, 2009

SUBJECT: **Agenda Item 13, September 15-16, 2009 Board Meeting**
CWCB Floodplain Rules and Regulations – Status Update

Bill Ritter, Jr.
Governor

Harris D. Sherman
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

Dan McAuliffe
CWCB Deputy Director

Introduction and Background

The CWCB originally promulgated floodplain rules and regulations (Rules) in 1988, and then undertook a formal rulemaking process to revise them in 2005. Staff has recently proposed to commence a process in order to once again amend the existing Rules, which are currently known as “Rules and Regulations for Regulatory Floodplains in Colorado” (2 CCR 408-1).

The purpose of the Rules is to provide uniform standards for regulatory floodplains in Colorado, including standards for activities that may impact those floodplains, and to stipulate the process by which floodplains will be designated and approved by the CWCB.

Staff is conducting the rule revisions with assistance from an Advisory Committee, including the Attorney General’s Office, which has now met three times. The Committee has provided staff with excellent input regarding proposed amendments and related technical details.

Staff presented conceptual rule changes to the Board at its May 2009 meeting, and then provided a status update to the Board at its July 2009 meeting. This current agenda item will involve another brief update for the Board regarding the on-going rulemaking proposal.

Staff Recommendation

This is an informational item only and staff is not requesting Board action at this time.