

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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MEMORANDUM

TO: Colorado Water Conservation Board Members

FROM: Kevin Houck, P.E., Flood Protection Section

DATE: November 5, 2009

SUBJECT: **Agenda Item 14, November 16-18, 2009 Board Meeting
Designation and Approval of 100-Year Floodplain Information**

SUMMARY

Agenda Item 14 includes a series of 31 floodplain map revisions proposed for CWCB action. Staff is requesting Board designation and approval for these items.

The CWCB's designation and approvals greatly assist local communities in meeting the statutory requirements of the State and the regulatory requirements of the National Flood Insurance Program. Floodplain information is broadly categorized as detailed or approximate using the following definitions. Detailed floodplain information means floodplain information prepared using topographic base maps, hydrologic analyses, and hydraulic calculations to arrive at precise water surface profiles and floodplain delineations suitable for making land use decisions under statutorily authorized zoning powers. Approximate floodplain information means floodplain information prepared using a significantly reduced level of detail to arrive at floodplain (hazard delineation) without water surface profiles. CWCB staff performs technical reviews on various types of reports and maps for approval and designation by the Board.

STAFF RECOMMENDATION SUMMARY

Resolution Number 09-613(a-ee):

Staff recommends that the Board: 1) designate and approve the 100-year detailed and approximate floodplain information contained in said Letters of Map Revision and 2) authorize staff to prepare a floodplain resolution to be signed by the Director reflecting the official designation and approval action. This action is recommended in order to meet statutory requirements.

Attachment 1: Supporting Information for Designation and Approval of Floodplain Information

Attachment 2: Designation and Approval of LOMR Information, November 2009

ATTACHMENT 1 – Supporting Information

Letter of Map Revision (LOMR) applications that are submitted to FEMA undergo a rigorous technical review by FEMA and its national contractor for completeness and accuracy. Legally speaking, Letters of Map Revision effectively become incorporated into the regulatory floodplains, by letter, upon completion of this review process and public notification.

In general, CWCB staff performs technical reviews of floodplain information to assure the Board that the information is in compliance with the requirements of the CWCB's "Rules and Regulations for Regulatory Floodplains in Colorado," 2 CCR 408-1 (Rules). Furthermore, Sections 31-23-301 and 30-28-111, Colorado Revised Statutes, state that legislative bodies of local jurisdictions may provide zoning regulations for land uses on or along any storm or floodwater runoff channel or basin only after designation and approval by the CWCB. In addition, Section 37-60-106(1)(c), Colorado Revised Statutes, directs the CWCB to designate and approve storm or floodwater runoff channels or basins and to make such designations available to legislative bodies of local jurisdictions.

Rule 13D of the Rules states:

Map Revisions to Flood Insurance Rate Maps or Flood Hazard Boundary Maps. Floodplain map revisions (e.g. FEMA Letters of Map Revision) will be designated twice annually by the CWCB during a regularly scheduled Board meeting and will not be subject to a full technical review by the CWCB staff.

It was determined that because a LOMR goes through a comprehensive review process by FEMA and its technical contractor to determine if the document meets or exceeds all technical requirements set forth by the Rules, it would be redundant for CWCB staff to undergo a similar review process. For this reason, it is assumed that a LOMR issued by FEMA has met all requirements for completeness and accuracy set forth by the Rules, and it will be presented to the Board twice annually in batch format for designation without formal staff review.

Agenda Item 14

Floodplain resolution number: FPR 09-613(a-ee)

Affected communities: Varies, see attached table

Name of study to be formally acted on: Varies, see attached table

Studied streams: Varies, see attached table

Technical Issues: Each LOMR in the attached table will formally revise a portion of the existing stated floodplain designation.

Community response: CWCB staff initiated this designation procedure. All communities were involved in actual LOMR application and signed Community Acknowledgement Forms, which acknowledge their involvement in the process and their approval of revised floodplain information.

Staff findings: It was determined that because a LOMR goes through a comprehensive review process by FEMA and its technical contractor to determine if the document meets or exceeds all technical requirements set forth by federal regulations and CWCB Rules, it would be redundant for CWCB staff to undergo a similar review process. For this reason, it is assumed that a LOMR that is issued by FEMA has met all requirements for completeness and accuracy set forth by the Rules. CWCB staff therefore endorses this study as containing the most current floodplain mapping available and urges the

affected communities to adopt said revisions to their floodplain maps for land use regulation purposes pursuant to statutory authority.

Staff recommendation: Staff recommends that the Board: 1) designate and approve the 100-year detailed and approximate floodplain information contained in said Letters of Map Revision and 2) authorize staff to prepare a floodplain resolution to be signed by the Director reflecting the official designation and approval action. This action is recommended in order to meet statutory requirements.

ATTACHMENT 2

CWCB DESIGNATION AND APPROVAL OF FLOODPLAIN LOMR INFORMATION

Nov-09

Designation ID	FEMA Case No.	Affected Communities	Affected Waterways	Affected Designations	LOMR Effective Date
613 (a)	08-08-0501P	Mesa County, City of Fruita	Colorado River	330,365	10/31/2008
613 (b)	08-08-0876P	Adams County, City of Thornton	Wadley North Creek	530	12/9/2008
613 (c)	08-08-0948P	City and County of Denver	Westerly Creek, Westerly Creek Tributary	590	12/9/2008
613 (d)	09-08-0125P	City of Steamboat Springs	Yampa River	592	12/22/2008
613 (e)	08-08-0872P	City of Boulder	Bear Canyon Creek	536	12/24/2008
613 (f)	09-08-0127P	City and County of Denver	Southmoor Park Tributary	590	12/24/2008
613 (g)	09-08-0058P	City and County of Denver	First Creek, First Creek Tributary	590	12/29/2008
613 (h)	08-08-0790P	City of Boulder, Boulder County	Elmers Twomile Creek	536	1/28/2009
613 (i)	09-08-0184P	City of Golden, Jefferson County	Cressmans Gulch	594	2/27/2009
613 (j)	08-08-0251P	City of Littleton	Littles Creek, Sterne Parkway Overflow	538	3/20/2009
613 (k)	08-08-0666P	City of Westminster	Middle Branch Hylands Creek	594	3/20/2009
613 (l)	08-08-0760P	Arapahoe County, City and County of Denver	Cherry Creek	538,590	3/23/2009
613 (m)	09-08-0121P	Jefferson County	Massey Draw, Rockland Drive Split Flow	594	3/23/2009
613 (n)	08-08-0488P	El Paso County	East Tributary of West Cherry Creek	540	3/30/2009
613 (o)	08-08-0381P	Town of Monument, El Paso County	Teachout Creek	540	4/2/2009
613 (p)	07-08-0979P	Douglas County, Town of Palmer Lake	Carpenter Creek	540,593	4/10/2009
613 (q)	08-08-0601P	Douglas County, Town of Castle Rock	Unnamed Tributary to East Plum Creek	593	4/27/2009
613 (r)	08-08-0667P	Jefferson County	Van Bibber Creek, Van Bibber Creek Overbank Splitflow	594	5/14/2009
613 (s)	09-08-0620P	City and County of Denver, City of Aurora	Westerly Creek Overflow, Westerly Creek Pond	538,590	6/23/2009
613 (t)	08-08-0702X	Town of Severance, Weld County	The Slough, The Slough Split 1	504,540	6/29/2009
613 (u)	09-08-0556P	City of Colorado Springs	Jimmy Camp Creek Unnamed Tributary	540	6/30/2009
613 (v)	08-08-0921P	Town of Woodland Park, Teller County	Fountain Creek	540	7/16/2009
613 (w)	09-08-0055P	City of Westminster	Middle Branch Hylands Creek, North Branch Hylands Creek	594	7/17/2009
613 (x)	08-08-0011P	City of Longmont	St. Vrain Creek, Lefthand Creek, Spring Gulch, Dry Creek No. 1 (Old)	536	7/17/2009
613(y)	09-08-0733P	City of Aurora	Murphy Creek	538	7/17/2009
613(z)	09-08-0321P	El Paso County	Fountain Creek, Jimmy Camp Creek	540	7/23/2009
613(aa)	08-08-0541P	El Paso County	Sand Creek	540	7/23/2009
613(bb)	09-08-0457P	City of Thornton, City of Northglenn	Grange Hall Creek, Grange Hall Creek Tributary	530	8/20/2009
613(cc)	09-08-0791P	City of Commerce City	South Platte River	530	9/25/2009
613(dd)	09-08-0616P	Douglas County	Cottonwood Creek	593	9/25/2009
613(ee)	09-08-0550P	City of Commerce City	Second Creek	530	9/30/2009