

**From:** [Stacey Thompson](#)  
**To:** [Marsha Hilmes-Robinson](#); [Fead - DNR, Terri](#); [Houck - DNR, Kevin](#); [Jeremy Hamer](#); [Jim Kaiser](#); [Carrie Gudorf](#); [Allison Robinette](#)  
**Subject:** RE: CWCB Rule 14 Discussion Agenda - 8-2-2021  
**Date:** Tuesday, August 10, 2021 9:14:52 PM  
**Attachments:** [image002.jpg](#)  
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[SocialLink Facebook 32x32\\_dddf4d22-a17b-4b5e-a60e-a0d1c141aee6.png](#)  
[SocialLink Instagram 32x32\\_a5cf709f-423e-42d0-9b21-63116bf8f89c.png](#)  
[SocialLink LinkedIn 32x32\\_b7a2051d-355d-4a7b-b923-ebe2177ea89b.png](#)  
[SocialLink Twitter 32x32\\_a6576c8a-bc49-4df2-8e65-1ec629178a82.png](#)  
[Rule 14 - DRAFT.docx](#)  
[Rule 14 - DRAFT\\_sat.docx](#)

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Thank you, Marsha. It's always helpful to have a draft from which to work. I've attached your original redlines, and my suggested revisions ending in "sat".

I've added comments to Marsha's numbered items in her email below. Also, I'm wondering if the first sentence to Rule 14 should also reference changes to the (CWCB) designated areas in addition to the FIRMs or FHBM's?

As Jeremy would say, right or wrong, this is how Centennial handled best available data: :)



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*Protecting People, Property, and our Environment*



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**From:** Marsha Hilmes-Robinson <MHILMESROBINSON@fcgov.com>

**Sent:** Tuesday, August 3, 2021 11:47 AM

**To:** Fead - DNR, Terri <terri.fead@state.co.us>; Houck - DNR, Kevin <kevin.houck@state.co.us>; Jeremy Hamer <jeremy.hamer@denvergov.org>; Jim Kaiser <jim.kaiser@thorntonco.gov>; Stacey Thompson <sthompson@mhfd.org>; Carrie Gudorf <Carrie.Gudorf@mesacounty.us>; Allison Robinette <Allison.Robinette@coag.gov>

**Subject:** RE: CWCB Rule 14 Discussion Agenda - 8-2-2021

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Hi All,

I took a stab at possible language from our conversation yesterday, but I'm still not sure it is there, yet. Please see attached.

Another item to consider is that this Rule may cover two major scenarios:

1. The data is formally approved through either a Community or FEMA CLOMR/LOMR process and the data just needs to be submitted to CWCB for designation. **I commented in the redlines, but is there an authorization "gap" if LOMRs aren't officially designated? The undesignated conditions may address the community approved data, not yet designated.**
2. There is preliminary, best available data that has not made it to a formal approval process by the community, but the community wants to utilize the latest information. This could be for new Master Plan floodplains (locally designated) when we have the technical data finalized, but the overall approval gets delayed due to other complicating factors. Communities may want to be able to use this data sooner especially if more restrictive. The same might be true on a FEMA floodplain that has a new, more restrictive corrected effective floodplain identified in a CLOMR, but it will take a long time for the LOMR to be approved. If the LOMR is not going to mitigate that wider floodplain, the community might want to start regulating it sooner. Also for less restrictive data in community floodplains, there may be a desire to use this data sooner. **I see the need/want to use the data sooner, but may not meet the due process requirements? Maybe more restrictive CLOMRs that have been approved by FEMA could be included, and/or new local flood hazard studies that have met "proper" technical review and "proper" due process.**

I know Kevin said he wanted to make sure the data was formally adopted, but the second scenario above may not lend itself to formal adoption. So we may want to be careful of is making it a requirement to have the new data formally approved by the community. Maybe that should be left up to the community to decide on when/how the data is accepted. Some communities may have a Best Available Data provision in their code. I know Larimer County just adopted one. Fort Collins started working on a Best Available Data ordinance and it got complicated quickly when we started trying to figure out the timing of when the data would be used. It is currently on hold.

Just some more things to consider...

Marsha

**Marsha Hilmes-Robinson, CFM**

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**From:** Fead - DNR, Terri <[terri.fead@state.co.us](mailto:terri.fead@state.co.us)>  
**Sent:** Monday, August 2, 2021 10:56 AM  
**To:** Houck - DNR, Kevin <[kevin.houck@state.co.us](mailto:kevin.houck@state.co.us)>; Jeremy Hamer <[Jeremy.Hamer@denvergov.org](mailto:Jeremy.Hamer@denvergov.org)>; Jim Kaiser <[Jim.Kaiser@thorntonco.gov](mailto:Jim.Kaiser@thorntonco.gov)>; Stacey Thompson <[sthompson@mhfd.org](mailto:sthompson@mhfd.org)>; Marsha Hilmes-Robinson <[MHILMESROBINSON@fcgov.com](mailto:MHILMESROBINSON@fcgov.com)>; Carrie Gudorf <[Carrie.Gudorf@mesacounty.us](mailto:Carrie.Gudorf@mesacounty.us)>; Allison Robinette <[Allison.Robinette@coag.gov](mailto:Allison.Robinette@coag.gov)>  
**Subject:** [EXTERNAL] CWCB Rule 14 Discussion Agenda - 8-2-2021

Just to help us pick up where we left off on July 6th.

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Floodplain Mapping Coordinator



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