

STATE OF  
COLORADO

Fead - DNR, Terri &lt;terri.fead@state.co.us&gt;

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## Rule 12 wording proposal

1 message

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

Mon, Oct 25, 2021 at 1:53 PM

To: Kevin Houck <kevin.houck@state.co.us>, Terri Fead <Terri.Fead@state.co.us>, "Matthew Buddie (matthew.buddie@fema.dhs.gov)" <matthew.buddie@fema.dhs.gov>, "Doug Mahan (doug.mahan@state.co.us)" <doug.mahan@state.co.us>, Marta Blanco Castano <marta.blancocastano@state.co.us>, "Hamer, Jeremy" <Jeremy.Hamer@denvergov.org>, Allison Robinette <Allison.Robinette@coag.gov>

Kevin

Thank you for meeting with Jeremy Hamer and I today to discuss Rule 12 H. You were able to clarify several issues for us. Based on our conversation this morning, Jeremy and I drafted some minor changes to Rule 12 D and H. Please see the attached proposed changes.

Jeremy and I would be happy to further review any changes you might make to this rule. Thanks again for your willingness to listen to our concerns.

Marsha

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**MARSHA HILMES-ROBINSON, CFM**  
Floodplain Administrator  
Fort Collins Utilities

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Fort Collins, CO 80522-0580  
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 **Rule 12 Proposed Wording 10-25-21.docx**  
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STATE OF COLORADO

Fead - DNR, Terri <terri.fead@state.co.us>

## Revised Redlines from Today's Meeting - Response Requested!

**Marsha Hilmes-Robinson** <MHILMESROBINSON@fcgov.com> Mon, Oct 25, 2021 at 3:55 PM  
 To: "Fead - DNR, Terri" <terri.fead@state.co.us>, Jeremy Hamer <Jeremy.Hamer@denvergov.org>  
 Cc: "Matthew.Buddie@fema.dhs.gov" <Matthew.Buddie@fema.dhs.gov>, "Mahan - DNR, Doug" <doug.mahan@state.co.us>, Marta Blanco Castano - DNR <marta.blancocastano@state.co.us>, "Houck - DNR, Kevin" <kevin.houck@state.co.us>, Allison Robinette <Allison.Robinette@coag.gov>

Terri

I think Rule 9 and 12 all look good. Thanks for the meeting this morning. In re-reading Rule 14A regarding Best Available Data, I am wondering if A(3) is needed since CWCB adopts the LOMRs and PMRs automatically. That was a question I had when I prepared the original draft language. In reading it again, I was just wondering if this could be deleted or if this is still needed because of the lag time for CWCB approval.

Thanks again!!

Marsha

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**MARSHA HILMES-ROBINSON, CFM**  
 Floodplain Administrator

City of Fort Collins

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## Revised Redlines from Today's Meeting - Response Requested!

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

Wed, Oct 27, 2021 at 7:55 AM

To: "Fead - DNR, Terri" <terri.fead@state.co.us>

Cc: Jeremy Hamer <Jeremy.Hamer@denvergov.org>, "Matthew.Buddie@fema.dhs.gov" <Matthew.Buddie@fema.dhs.gov>, "Mahan - DNR, Doug" <doug.mahan@state.co.us>, Marta Blanco Castano - DNR <marta.blancocastano@state.co.us>, "Houck - DNR, Kevin" <kevin.houck@state.co.us>, Allison Robinette <Allison.Robinette@coag.gov>

Terri

I think these changes address the concern/confusion I was having between the three sections. Thanks for working through this!! I do not have any additional suggestions.

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## Revised Redlines from Today's Meeting - Response Requested!

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**Hamer, Jeremy J. - DOTI CE0403 Engineer-Architect Supervisor**

Wed, Oct 27, 2021 at 8:31

&lt;Jeremy.Hamer@denvergov.org&gt;

AM

To: Marsha Hilmes-Robinson &lt;MHILMESROBINSON@fcgov.com&gt;, "Fead - DNR, Terri" &lt;terri.fead@state.co.us&gt;

Cc: "Matthew.Buddie@fema.dhs.gov" &lt;Matthew.Buddie@fema.dhs.gov&gt;, "Mahan - DNR, Doug" &lt;doug.mahan@state.co.us&gt;, Marta Blanco Castano - DNR &lt;marta.blancocastano@state.co.us&gt;, "Houck - DNR, Kevin" &lt;kevin.houck@state.co.us&gt;, Allison Robinette &lt;Allison.Robinette@coag.gov&gt;

I appreciate the changes to the sections for clarity. I do have a substantive comment on 12G though. My understanding has always been that the no-rise requirement is existing (not effective) to proposed, and that AE w/o Floodway and Approx A zones are allowed to have rises up to the floodway surcharge.

Suggesting the following language:

*12G: For compliance purposes, Stream Alteration Activities shall not be constructed in a Floodway unless the project proponent demonstrates through a Floodway analysis and report, sealed by a Colorado Registered Professional Engineer, that there is no rise resulting from the project unless a CLOMR has been obtained. No rise means a 0.00-foot rise in BFEs between the existing and proposed conditions. Stream Alteration Activities proposed in Regulatory Floodplain with no established Floodway (except in shallow Flooding areas, defined as Flooding with an average depth limited to 3.0 feet or less where no defined Channel exists), shall demonstrate no more than 0.50-foot rise in BFEs (or more stringent standard adopted by the Community) between the existing and proposed conditions unless a CLOMR is obtained.*

Please check out our "Flood Information Webpage" at [www.denvergov.org/flood](http://www.denvergov.org/flood) for a variety of flood related resources.

**Jeremy Hamer, PE, CFM** | Engineer Supervisor / Floodplain Administrator

City &amp; County of Denver

Department of Transportation &amp; Infrastructure | Right-of-Way Services | Engineering &amp; Regulatory

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**Please take a quick 2 question survey regarding our virtual service.**

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## Revised Redlines from Today's Meeting - Response Requested!

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**Hamer, Jeremy J. - DOTI CE0403 Engineer-Architect Supervisor**Fri, Oct 29, 2021 at 12:21  
AM

&lt;Jeremy.Hamer@denvergov.org&gt;

To: "Fead - DNR, Terri" &lt;terri.fead@state.co.us&gt;

Cc: Marsha Hilmes-Robinson &lt;MHILMESROBINSON@fcgov.com&gt;, "Matthew.Buddie@fema.dhs.gov"

&lt;Matthew.Buddie@fema.dhs.gov&gt;, "Mahan - DNR, Doug" &lt;doug.mahan@state.co.us&gt;, Marta Blanco Castano - DNR

&lt;marta.blancocastano@state.co.us&gt;, "Houck - DNR, Kevin" &lt;kevin.houck@state.co.us&gt;, Allison Robinette

&lt;Allison.Robinette@coag.gov&gt;

Terri, et, al.,

Please don't hate me... I've finally done a pretty thorough review of the most recent Rules doc you sent and have quite a few redlines in the attached. You can filter the reviewers to isolate my edits/comments. I would have liked to get this task completed sooner, but we've been slammed with a number of other priorities. Let me know if you have any questions or would like to meet to discuss in more detail.

*Please check out our "Flood Information Webpage" at [www.denvergov.org/flood](http://www.denvergov.org/flood) for a variety of flood related resources.*

**Jeremy Hamer, PE, CFM** | Engineer Supervisor / Floodplain Administrator

City &amp; County of Denver

Department of Transportation &amp; Infrastructure | Right-of-Way Services | Engineering &amp; Regulatory

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[jeremy.hamer@denvergov.org](mailto:jeremy.hamer@denvergov.org)**Please take a quick 2 question survey regarding our virtual service.**

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**JJH REDLINES\_20211026 2 CCR 408-1 Floodplain Rules\_Updated Redlines-Rule12.D.G.H-v2.doc**

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