

FLOOD REVIEW BOARD

Date: November 1, 2019

Time: 8:30 a.m., MDT

Location: Larimer County Building (200 W. Oak Street), First Floor Hearing Room

Contact: Devin Traff, Larimer County Engineering Department

MEETING MINUTES

Staff Present: Devin Traff, Tina Kurtz, Frank Haug (Assistant County Attorney)

Board Members: Chris Thornton, Elisabeth Ervin-Blankenheim, Mike Oberlander, John Hunt

Applicant(s) Present: Kevin Lock, Mark Graeser, Travis Rounsaulle, Jeff Gaines, Harry Nequette, Keith Meyer, Amy Greenwell, Scott Parker, Matt Clark, Cody Arnold.

Mr. Thornton opened the meeting at 8:35 a.m., MDT.

Introductions

8100 Woods Rose Lane

Mr. Traff introduced the project. This petition was filed by Stephanie and Mark Anderson for a variance to Section 4.2.2 of the Larimer County Land Use Code to allow modifications and additions to an existing home at 8100 Woods Rose Lane which is within the Buckhorn Creek Flood Fringe and Floodway Zoning Districts.

The consultant from Anderson Consulting Engineers (ACE) further described the project. He said the effective floodplain and floodway have not been mapped correctly in this area, as they appear to be shifted approximately 50 feet east. ACE remapped the floodplain based on new topography from survey data and found that the house should not be within the effective floodplain, which is confirmed by the Colorado Hazard Mapping Program (CHAMP) floodplain mapping. The proposed improvements being made to the structure are at or above the lowest floor elevation of the existing structure and are farther away from the creek than the closest portion of the existing structure.

ACE looked at potential for scour and channel migration and found that the structure is on a sandstone bluff which hasn't shown any lateral movement since 1999 when the structure was built even though there have been several high flow events. The bottom of the channel is sandstone as well. ACE thinks the sandstone will limit the lateral and vertical channel migration.

No further discussion.

Ms. Ervin-Blankenheim moved to approve the variance to allow the construction at 8100 Woods Rose Lane to meet the floodplain criteria. Seconded by Mr. Oberlander. Motion passed 4-0.

Hansen Supply Canal

Mr. Traff introduced the project. This petition was filed by Northern Colorado Water Conservancy District (Northern Water) for a Floodplain Special Review regarding the replacement of a hydraulic drop structure within the Cache La Poudre Zone A Flood Hazard Zoning District.

The project engineer gave a brief description of the project, which is to replace a current drop structure to bring it up to current standards, including laying back the current steep slopes to make it safer. The project design and analysis including rip rap sizing, erosion control on slopes, construction specifications and flow conditions were discussed.

Ms. Ervin-Blankenheim asked whether she should recuse herself because she is a residential customer of Northern Water. The Northern Water representative said that they just supply raw water, not treated water.

In response to a question about the capacity of the canal and structure, the engineer said the canal and structure were designed to 1500 cfs, but 100 cfs of capacity has been lost.

Mr. Hunt moved to recommend approval to the Board of County Commissioners for the replacement of a hydraulic drop structure within the Cache La Poudre Zone A Flood Hazard Zoning District. Seconded by Ms. Ervin-Blankenheim. Motion passed 4-0.

Laporte Dam Letter of Map Amendment

Mr. Traff introduced the project. This petition was filed by Larimer and Weld Reservoir Company to review a Letter of Map Revision (LOMR) application to FEMA for map corrections for the Laporte Reach of the Cache La Poudre River.

There was a question from John Hunt on whether he should recuse himself due to his past involvement with a project Ayres Associates did 13 years ago that included this river reach. He also said that he has no financial benefit in the current project. There was then a discussion with Assistant County Attorney on whether he should recuse himself.

Following the discussion, Mr. Hunt made a statement regarding his belief that he did not need to recuse himself from consideration of this item. Mr. Hunt's statement:

"I understand this project, this report analysis, to be an updating based on new information, also more detailed information of a study that I supervised back in 2005 that became effective in 2006. I fully expect that there are improvements to the effective modeling that are represented in this. I don't have any prejudice towards the analysis either way, good or bad. I'm open to hearing the case and making a

decision based on best data. Deciding after hearing the advocates for the case, deciding whether this is an improvement or not.”

Board members concurred.

The consultant said that this project was initially to repair the dam under a no-rise condition. However, while investigating the effective hydraulic model from 2006, they found in error in the dam crest elevation when comparing the 2018 survey data (performed by King Surveyors) to the effective model, so the decision was made to apply for a LOMR to correct the dam crest elevation and reflect the survey data which will facilitate the no-rise analysis for the future dam repair.

There was a discussion of the similarities and differences in the current effective model versus the model in the LOMR application. The engineer found that when they went back to the 1996 HEC-2 model, the elevation of the dam crest matched the 2018 survey data. There is currently a 3.2’ difference in the dam crest elevation in the effective model versus the crest elevation of the survey data.

The Board opened the discussion to the public.

Mr. Nequette stated that he is currently in a lawsuit with the project applicants over the questions raised about the dam repair and berm, which will be going to trial in District Court in December. He said that he hopes the Board will wait on their decision for this application until the court rules, as he thinks a Board decision now would be premature.

Mr. Thornton said that he appreciated Mr. Nequette’s statement. However, he said the Board’s perspective is that regardless of the court case, the Board is asked to look at the effective change in the floodplain map. The decision the Board is making today has to do with the engineering study using the survey data, hydrology and model to revise the floodplain map. The issues Mr. Nequette is raising are outside the Board’s purview.

Board members said at this meeting they are deciding on whether to make a recommendation to the County Engineer on whether he should sign the FEMA MT-2 form for this LOMR application. They said that FEMA is interested in whether what is currently in place now is correctly mapped.

Ms. Greenwell presented information pertaining to the LOMR and potential berming on east side of the Little Cache la Poudre ditch. In response to Ms. Greenwell, Mr. Thornton said that asking questions to the engineer related to the items presented is not within the purview of the Flood Review Board. He said the Board is to decide today on whether the model depicts the conditions as they currently exist. FEMA will look at the current conditions, not how the current conditions originated.

There was a discussion about the survey information being supplied by the applicant to show how the crest elevations were derived by the surveyor.

Mr. Thornton made a motion to approve the Letter of Map Revision application for map corrections to the Laporte Reach of the Cache La Poudre River with a condition that the stamped survey information is provided to staff to verify the input data used in the hydraulic model, specifically the dam crest elevation information. Seconded by Mr. Oberlander. Motion passes 4-0.

Mr. Thornton moved to approve the August 22, 2019, Flood Review Board meeting minutes. Seconded by Mr. Hunt. Motion passed 4-0.

Meeting adjourned at 9:46 a.m., MDT