

## FLOOD REVIEW BOARD

**Date:** May 28, 2020

**Time:** 8:30 AM

**Locations:** Lake Estes Conference Room, 200 W. Oak St., Fort Collins, CO 80521 and Video Conference

**Contact:** Devin Traff, Larimer County Engineering Department

## MEETING MINUTES

**Staff Present:** Devin Traff, Tina Kurtz (remote)

**Board Members:** Greg Koch, John Hunt, Chad Morris (remote), Mike Oberlander

**Applicant Present(s):** Blair Hurst (Otak), Gary Wolff (Otak), Christine Schrader (City of Loveland), Rae Brownsberger (Otak), Brian Murphy (Otak), Travis Rounsaville (Anderson Consulting Engineers)

Mr. Koch opened the meeting at 8:38 a.m., MDT

### Introductions

#### Item #1. 5900 CR 5 Floodplain Special Review - Underground Powerline

Mr. Traff introduced the project. The item is a petition filed on behalf of Dan Kehn for a Floodplain Special Review of a proposed underground powerline located within the Cache La Poudre River Floodway District. The project includes removing 200 feet of existing overhead powerline with two power poles and replacing it with a new underground power line that is 530 feet long. A disturbance area will be about 0.1 acres. The proposed project is located at the parcel 8611000006 or address 5900 CR 5, Fort Collins, CO 80528. Mr. Traff mentioned that the project would meet the no-rise criteria by matching proposed ground to existing ground. It was mentioned that the primary concern of the project is the possible scour near the steep western bank closest to the channel.

Mr. Rounsaville presented. Mr. Rounsaville provided figures of the location of where the under-ground line will be installed. The underground line will be further west than the



overhead line staying away from the bank but is still located within the floodplain. There is a risk of scour, however it is not much of a concern.

Mr. Hunt asked Mr. Traff which mapping program the county should be referring to, the RIST or effective mapping. Mr. Traff said that the most restrictive map is the one that the Federal Emergency Management Agency (FEMA) would recommend they use.

Mr. Hunt asked about historical photos of how the channel moved in this area. Mr. Rounsaville said that after checking past photographs, it seems that there has not been much movement but could still move in the future.

With no further discussion, Mr. Oberlander went forward to make a motion.

**Motion:**

- Mr. Oberlander moved to recommend approval of Dan Kein's underground powerline to the Board of County Commissioners. Mr. Morris seconded the motion. The motion passed 3-0.

**Item #2. Idylwilde Variance**

Mr. Traff introduced the project. Following the 2013 flood event, the dam was dredged, and the fill was used for US 36 emergency repairs. Channel and floodplain restoration work was done in 2014. The project will include a variety of grading and dredging activities for stream restoration including the construction of a parking lot further downstream and removal of a pullout. There is no rise in BFEs except in one area where the pull-out will be removed. The Board is asked to determine whether a Conditional Letter of Map Revision (CLOMR) shall be required for the project prior to construction. A variance can be granted to not require a CLOMR if there is a no rise certification.

Mr. Koch asked why this project is not a flood plain special review issue. Mr. Traff and Ms. Kurtz explained that floodplain special review covers roads, water crossings, utilities, and water control structures. This project does not fall into any of those categories. Mr. Koch asked those from Otak present the project and their request for a variance.

Mr. Murphy from Otak presented and introduced Ms. Schrader to speak. Ms. Schrader from the City of Loveland discussed why it is important to the city of Loveland that the variance is approved as it will cost more time and money if a CLOMR is required. Mr. Murphy said the pullout needs to be removed and pulling back the toe will increase the floodway model. The existing embankment will be removed, and the toe will be pushed back about 30 feet to match the downstream toe. FERC license surrender requires landowner approval of restores conditions. Mr. Murphy said CDOT prefers the removal of the pullout while UFCS requires the removal. Removing the pullout will reduce the overall risk to highway 34 with increased channel conveyance capacity. Mr. Murphy opened for questions about the project.

Mr. Hunt asked if this is USFS land and is not on CDOT right of way. Ms. Hurst responded that the pullout is within the CDOT maintenance easement but is on USFS land. Mr. Hunt started the discussion that this project would ultimately remove CDOT's ability to widen the road in the future. This concern



was resolved by the fact the CDOT wants this pullout removed so that drivers can park in the safer new parking lot that will be built about 400 feet downstream from the pullout. Ms. Hurst also added that this is a positive project for all parties involved as CDOT gets a nicer parking lot and the pullout is torn out.

Mr. Oberlander asked if LOMRs will come to the Board following the approval of this request and he hoped that all the following changes can be in one single LOMR.

Mr. Koch asked about the possibility of the channel moving where riprap is installed and the long-term degradation in this area. Ms. Hurst responded that the design that is agreed upon will account for toeing down the riprap properly.

Mr. Hunt decided to abstain from the motion following discussion regarding bias with CDOT.

There was discussion on the definition of a CLOMR for FEMA as there was concern of violating the federal code if this is approved. Discussion followed regarding that a violation would not take place if it is approved not to require the applicant to submit a CLOMR. Mr. Koch motioned to not submit a CLOMR with conditions.

**Motion:**

Mr. Koch motioned to approve not to submit a CLOMR prior to construction upon the following conditions: (1) concurrence or approval from CDOT and USFS in writing (2) As built conditions are included in CDOT PMR or a separate LOMR. Mr. Oberlander seconded the motion. The motion passed 3-0 with one abstaining.