



# Federal Emergency Management Agency

Washington, D.C. 20472

MAR 10 2004

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:  
Case No.: 04-08-0141R

The Honorable Barbara Connor  
Mayor, Town of Erie  
P.O. Box 750  
Erie, CO 80516

Community: Town of Erie, CO  
Community No.: 080181

104

Dear Mayor Connor:

**CLOMR/Project  
Description**

This responds to a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) comment on the effects that a proposed project would have on the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community, in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a letter dated December 15, 2003, [REDACTED], requested that FEMA evaluate the effects that a proposed grading project along Coal Creek, associated with the Erie Commons residential and commercial development, would have on the flood hazard information shown on the effective FIRM and FIS report. The proposed project will include excavation and placement of fill along the western bank of Coal Creek from just upstream to approximately 10,000 feet upstream of Perry Street.

**FEMA's Comment**

All data required to complete our review of this request for a Conditional Letter of Map Revision (CLOMR) were submitted with letters from [REDACTED] e

We reviewed the submitted data and the data used to prepare the effective FIRM for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. We currently are reviewing a request for a Letter of Map Revision (LOMR) that is based on improved topographic data and updated bridge modeling (Case No. 04-08-0066P) for the reach of Coal Creek encompassed by this CLOMR. In addition, the requested LOMR will reflect the annexation by the Town of Erie of the former areas of Weld County that are affected by this CLOMR. The HEC-RAS hydraulic computer model, dated November 4, 2003, based on revised bridge modeling and updated topographic information, used to revise the FIRM and FIS report for Case No. 04-08-0066P, was used as the corrected effective model in our review of this CLOMR request. We believe that, if the proposed project is constructed as shown on the submitted topographic work maps entitled "Erie Commons CLOMR Submittal Hydraulic Base Map," [REDACTED], dated November 11, 2003, and the data listed below are received, a revision to the FIRM would be warranted.

**Compare**

Our comparison of the corrected effective model to the effective flood hazard information revealed that as a result of the revised bridge modeling and updated topographic information, the elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) for Coal Creek increased compared to the effective Base Flood Elevations (BFEs). The maximum increase in BFE, approximately 2 feet, occurred approximately 8,100 feet upstream of Perry Street.

**Comparisons**

The proposed conditions model incorporated into the corrected effective model the effects of the proposed project along Coal Creek. As a result of the proposed project, the BFEs for Coal Creek will increase in some areas and decrease in other areas compared to the corrected effective BFEs. The maximum decrease in BFE, 3.6 feet, will occur approximately 4,400 feet upstream of Perry Street. The maximum increase in BFE, 0.8 foot, will occur approximately 70 feet upstream of Perry Street.

As a result of the proposed project, revised bridge modeling, and updated topographic information, the BFEs for Coal Creek will increase in some areas and decrease in other areas compared to the effective BFEs. The maximum decrease in BFE, 3.0 feet, will occur approximately 5,000 feet upstream of Perry Street. The maximum increase in BFE, approximately 2 feet, will occur approximately 6,500 feet upstream of Perry Street. The width of the Special Flood Hazard Area (SFHA), the area that would be inundated by the base flood, will increase in some areas and decrease in other areas compared to the effective SFHA width. The maximum increase in SFHA width, approximately 350 feet, will occur approximately 11,000 feet upstream of Perry Street. The maximum decrease in SFHA width, approximately 1,100 feet, will occur approximately 200 feet upstream of Perry Street.

As a result of the proposed project, revised bridge modeling, and updated topographic information, the width of the regulatory floodway will increase in some areas and decrease in other areas compared to the effective floodway width. The maximum decrease in floodway width, approximately 1,200 feet, will occur just upstream of Perry Street. The maximum increase in floodway width, approximately 250 feet, will occur approximately 13,000 feet upstream of Perry Street.

**LOMR Submittal Requirements**

Upon completion of the project, your community may submit the data listed below and request that we make a final determination on revising the effective FIRM and FIS report.

- Detailed application and certification forms, which were used in processing this request, must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1, entitled "Overview & Concurrence Form," must be included. (A copy of this form is enclosed.)
- The detailed application and certification forms listed below may be required if as-built conditions differ from the preliminary plans. If required, please submit new forms (copies of which are enclosed) or annotated copies of the previously submitted forms showing the revised information.

Form 2, entitled "Riverine Hydrology & Hydraulics Form"

Form 3, entitled "Riverine Structures Form"

Hydraulic analyses, for as-built conditions, of the base flood; the floods having a 10-, 2-, and 0.2-percent chance of being equaled or exceeded in any given year; and the regulatory floodway, together with a topographic work map showing the revised floodplain and floodway boundaries, must be submitted with Form 2.

- Effective September 1, 2002, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. In

accordance with this schedule, the current fee for this map revision request is \$3,800 and must be received before we can begin processing the request. Please note, however, that the fee schedule is subject to change, and requesters are required to submit the fee in effect at the time of the submittal. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card. The payment must be forwarded to the following address:

Federal Emergency Management Agency  
 Fee-Charge System Administrator  
 P.O. Box 3173  
 Merrifield, VA 22116-3173

**LOMR Submittal Requirements**

- As-built plans, certified by a registered professional engineer, of all proposed project elements
- Community acknowledgment of the map revision request
- A copy of the public notice distributed by your community stating its intent to revise the regulatory floodway, or a statement by your community that it has notified all affected property owners and affected adjacent jurisdictions
- A letter stating that your community will adopt and enforce the modified regulatory floodway, OR, if the State has jurisdiction over either the regulatory floodway or its adoption by your community, a copy of your community's letter to the appropriate State agency notifying it of the modification to the regulatory floodway and a copy of the letter from that agency stating its approval of the modification

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM and FIS report. Because the BFEs would change as a result of the project, a 90-day appeal period would be initiated, during which community officials and interested persons may appeal the revised BFEs based on scientific or technical data.

**Community Information**

The basis of this CLOMR is, in whole or in part, a channel-modification project. NFIP regulations, as cited in Paragraph 60.3(b)(7), require that communities assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management regulations. Consequently, the ultimate responsibility for maintenance of the modified channel rests with your community.

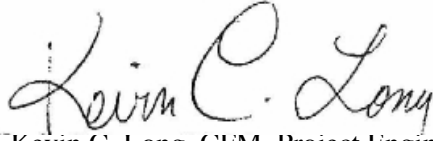
This CLOMR is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

If you have any questions regarding floodplain management regulations for your community or the NFIP in general, please contact the Consultation Coordination Officer (CCO) for your community. Information

**Com.  
Info**

on the CCO for your community may be obtained by calling the Director, Federal Insurance and Mitigation Division of FEMA in Denver, Colorado, at (303) 235-4830. If you have any questions regarding this CLOMR, please call our Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Sincerely,



Kevin C. Long, CFM, Project Engineer  
Hazard Identification Section  
Mitigation Division  
Emergency Preparedness  
and Response Directorate

For: Doug Bellomo, P.E., CFM, Acting Chief  
Hazard Identification Section  
Mitigation Division  
Emergency Preparedness  
and Response Directorate

Enclosures

cc: The Honorable David E. Long  
Chairman, Weld County  
Board of Commissioners

Ms. Wendi Palmer  
Department of Public Works  
Town of Erie

