BACKGROUND
The devastating flooding events of September 2013 in Colorado have highlighted the on-going need for
sound floodplain management practices and uniform standards for development in flood prone areas.
While many communities in Colorado have incorporated higher floodplain management standards than
the National Flood Insurance Program minimum standards into local regulations, there is clearly a need to
fully implement statewide higher standards. The CWCB promulgated “Rules and Regulations for
Floodplains in Colorado (Rules)” dated January 14, 2011 that include higher floodplain management
standards, which will help communities to reduce the risks to people and property caused by flooding.
The Rules are now the effective minimum floodplain standards for Colorado, and communities were
given a three year transition period to adopt local regulations consistent with the Rules. The Rules apply
statewide to all communities, State agencies, and Federal activities financed fully or partially by State
funds.

AUTHORITY
This Policy is consistent with the CWCB’s broad authorities for floodplain management related to public
health, safety, and welfare for the prevention of floods and flood damages therefrom, granted under 37-60-
106(1)(c) through 37-60-106(1)(f), and 37-60-106(1)(k). In addition, the CWCB has funding authority for
water and flood-related loans and grants, and has promulgated “Rules and Regulations for Regulatory
Floodplains in Colorado”(2-CCR-408-1) for the purposes of providing uniform standards and flood damage
reduction.

TECHNICAL ASSISTANCE AND FUNDING
The CWCB is committed to a collaborative approach for community resiliency and flood loss reduction.
Staff provides technical assistance and helps to ensure that flood recovery and rebuilding activities are
consistent with the higher floodplain management standards. Although many recovery projects such as
irrigation facilities will not be directly impacted by the Rules, some flood-damaged facilities will need to
be upgraded in order to be consistent with the higher standards. Although locally financed projects may
be subject to the status of local ordinances, which were given three years to become compliant with these
standards, the Rules require activities involving state jurisdiction or financing to be compliant as of
January 2011.

Efforts to bring damaged facilities into compliance with current standards may be eligible for federal
funding under the Public Assistance program, which requires all rebuilt structures to be compliant with
enforceable federal, state, and local regulations. In addition, Section 406 of the Stafford Act allows for
discretionary authority to fund further mitigation measures in conjunction with the repair or replacement
of disaster-damaged facilities. CWCB staff coordinates with FEMA and will continue to help affected
entities incorporate beneficial mitigation activities into permanent repair projects.

For those communities affected by the September 2013 flood disaster, the higher floodplain management
standards will be one of several key elements in the flood recovery process, helping to reduce the
potential for future flood losses and increasing Colorado’s resiliency to flood events.

POLICY
Recipients of state funding for the purposes of rebuilding infrastructure shall incorporate floodplain
management standards, as appropriate, contained in the “Rules and Regulations for Floodplains in Colorado
(Rules)” dated January 14, 2011 for activities financed using these state funds. CWCB staff shall work
collaboratively with these recipients and other local, state, and federal partners to assist with this work.
Adherence to these higher standards, in place by rule since January 2011, is essential to mitigating risk during
future events.