

Colorado Flooding Brings Flood Of Attention To Vital Regulatory Permitting Program

By Eileen Williamson, Omaha District Public Affairs Specialist

In mid September, a wet monsoonal pattern stalled along the Front Range of the Rocky Mountains bringing heavy rains to the foothills west of Boulder. The resulting flooding impacted roads, bridges and other infrastructure, with rivers carving new channels and eroding riverbanks. Major roadways in the Estes Park area sustained severe damages with limited alternatives to access these areas for repairs.

The U.S. Army Corps of Engineers, Omaha District activated its Emergency Operations Center Sept. 12, in preparation for the anticipated requests for assistance during and following the resulting flooding.

Calls also began to flood the Omaha District's Denver Regulatory office located on Chatfield Dam near Littleton, Colo.

"Callers wanted to know what they could and couldn't do to protect or repair their properties related to the flooding," said Kiel Downing, with the Denver Regulatory Field Office, who was only weeks into his newly promoted position of State Regulatory Program Manager.

Even during a flood emergency, landowners must obtain a Section 404 permit when one is required, for work associated with protecting and repairing flood-damaged areas. Regulatory personnel have been working non-stop to make sure emergency and nonemergency flood-damage repair-work can be given the green light. Any time material is added to or removed from a Waterway of the U.S. landowners should work with the Corps.

During an emergency like the flooding, we ask landowners to contact us so we can work with them to determine what type of permit might be required, said Downing. "We have to ensure that in the race to protect, repair and rebuild, we do not compromise the waterways which make Colorado the beautiful state it is," he added.

"We used streamlined permitting authorities enabling us to respond to the high volume of permitting requests, with an average of least 65 percent of the issued

permits authorized either the same or following day. Much of the authorized work involved flood-related activities to repair and reconstruct existing roads, bridge embankments, or to protect or repair utility structures, protect and stabilize stream banks and protect and restore intake structures,” said Downing. “The permits still require the Corps to review each project but helps by avoiding the need to go through the lengthy public hearing process.”

According to the State of Colorado, 17 counties were declared disaster areas with property damage estimates exceeding \$1.36 billion. Anticipating the increase in requests and the need to provide public support, led the District to augment its existing regulatory staff with personnel from other regulatory field offices located in Colorado and through reach-back support from regulatory project managers across the Omaha District and the Northwestern Division.

Additional concerns from the public and the state were related to the lapse in appropriations caused by the government shutdown, which began Oct. 1.

“To meet the needs of FEMA, the State and other resource agencies, we received a mission assignment from FEMA for a liaison to serve as a regulatory project manager within their Joint Field Office, which was established to support the State’s requests for recovery assistance,” said Martha Chieply, Chief of Regulatory Programs for the Omaha District. “Additionally, we worked through our Division and Headquarters to ensure we were able to remain open to provide support to the public.”

By Oct. 18, state regulatory personnel had authorized more than 170 flood-related projects primarily via Nationwide Permits and Emergency General Permits.

“Once people were connected with the Denver Regulatory Office, they were able to get the information they needed to make sure they were getting their work properly permitted so they could proceed. We appreciate the regulatory office personnel’s commitment to working with the public through this event,” said Dave Hard with Director of the office of Emergency Management for the State of Colorado.

Among those permits, are permits with the Colorado Dept. of Transportation to repair and restore the 50 bridges and more than 200 miles of highways damaged or lost to the flooding. Colorado Gov. John Hickenlooper has established Dec. 1, as a target date completing these repairs.



Col. Joel R. Cross, Omaha District Commander, applauded the collaborative efforts and hard work put forth by Corps personnel and the responding agencies, adding that state-wide, their initiative and innovation has not gone unnoticed.

“These are dedicated individuals who demonstrate a commitment to duty and selfless service,” said Cross. “They are working together with a common goal to contribute to Colorado’s recovery.”

Chieply emphasized the effective coordination among agencies. To help streamline interagency coordination procedures, Denver Regulatory Office personnel developed a programmatic agreement, in coordination with the Colorado State Historic Preservation Officer and Advisory Council on Historic Preservation, for flood-related repair work. Additionally, emergency Endangered Species Act consultation procedures were used to improve coordination times with the U.S. Fish and Wildlife Service.

“Interagency state and Federal resource agencies came together quickly to address these proposed dredging operations and emergency authorizations. There was a ‘win-win’ situation where impacted waterways clogged with flood sediments would be restored with the sediment removal providing needed fill material,” said Chieply. “Many thanks go to our State and Federal partners for their prompt response and comments for these tough emergency permits and programmatic agreements that provided emergency response and protected important aquatic and cultural resources.”

Steve Moore from the Sacramento District’s, Grand Junction Regulatory Office, and later Joe McMahon from the Omaha District Regulatory Branch, deployed to serve as a regulatory liaison within FEMA’s Joint Field Office. They served as part of the USACE technical team supporting the Joint Field Office mission and activities. As liaisons, they have provided regulatory permitting guidance and at times, acted as a “conduit” between the Denver Regulatory Office and the FEMA JFO. To assist the USACE technical team, they have participated in public meetings to communicate a regulatory perspective, provide general permit information with regard to Section 404 regulatory permitting and to field general questions concerning the types of permitting that may be required in response to flood repairs. Among FEMA’s response, repair and recovery projects supported by the District’s regulatory liaisons, a majority of work involves stream restoration, road repairs, utility line activities and watershed protection to name a few.

“Within each request, we determined whether to assemble teams to review the potential project and ensure impacted waterways are restored or potentially improved through restoration and repairs,” said Chieply.

Additional efforts were made to help improve the processes for ensuring permits and requests for information received a timely response. Alternate (Emergency) Permit processing procedures were developed with approval delegated from Northwestern Division Commander to Omaha District Commander Colonel Cross. These procedures were later modified to include dredging operations to obtain fill material for roadways and infrastructure repairs during the flood event. These procedures also included authorities to respond to potential downstream flooding impacts in Nebraska along the South Platte and into the Platte rivers.

Among the authorizations issued, one allows the removal of Idylwilde Dam in the Big Thompson Canyon to support reconstructing U.S. Highway 34, which was severely damaged by flooding. Idylwilde Dam was rebuilt following the flooding in 1976 and its demolition will provide silt, sand, rock and boulders for up to 100,000 cubic yards of project material. Other permits and notifications include a request to dredge Longmont Reservoir to help restore a major component of the City of Longmont's water supply, requests to perform bridge and culvert repairs in Rocky Mountain National Park, Estes Park and along North Turkey Creek and several projects to remove sediment and debris in Weld, Boulder and Larimer counties.

For nearly 600 residential road crossings in Boulder and Jefferson counties impacted by the flooding, regulatory staff has been assisting with determining permitting needs to repair and replace those crossings.

The Department of the Army Regulatory Program is one of the oldest in the Federal Government. The program is complex in its breadth, complexity and authority. The Corps evaluates permit applications for essentially all construction activities in the Nation's waters, including wetlands. The USACE Regulatory Program is committed to protecting the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions.

