

Act 121: The Flood Safety Act



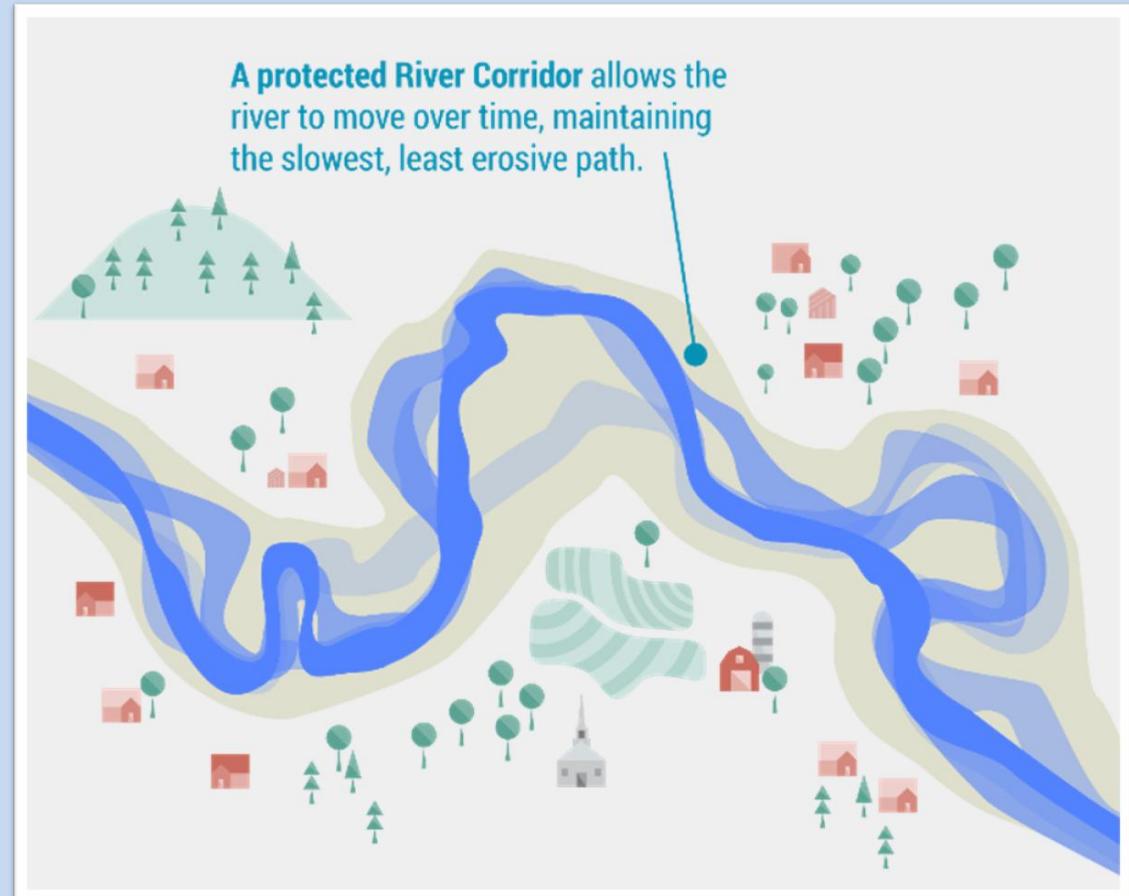
In support of





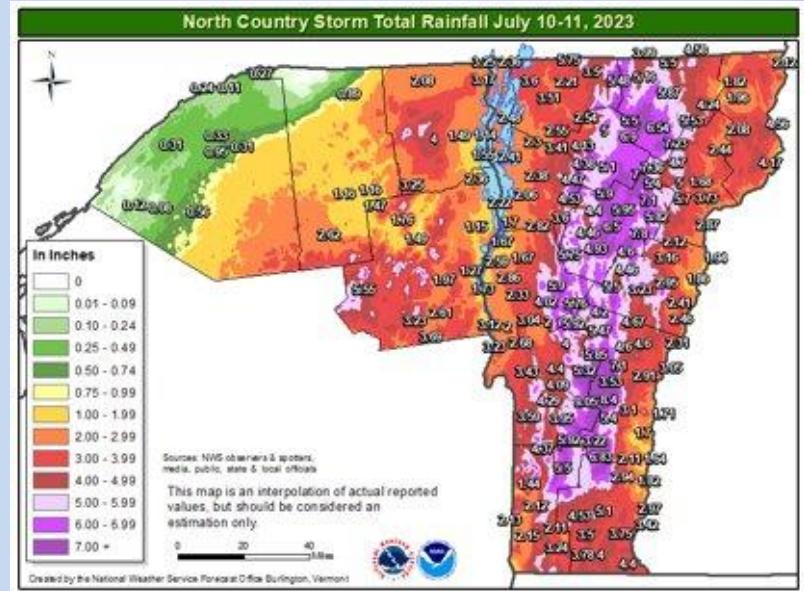
Mapping River Corridors to Reduce Exposure to Fluvial Erosion hazards

River Corridors:
the area on either
side of the river
where we expect
the channel to
adjust over time



Flood Safety Act (Act 121)

- Passed in 2024 after the historic flooding of 2023
- Watershed-wide approach makes sure all towns upstream or downstream have the same protections, making all communities safer



Flood Safety Act (Act 121) aims to mitigate flooding in multiple ways



Establishes state regulation of proposed development in river corridors

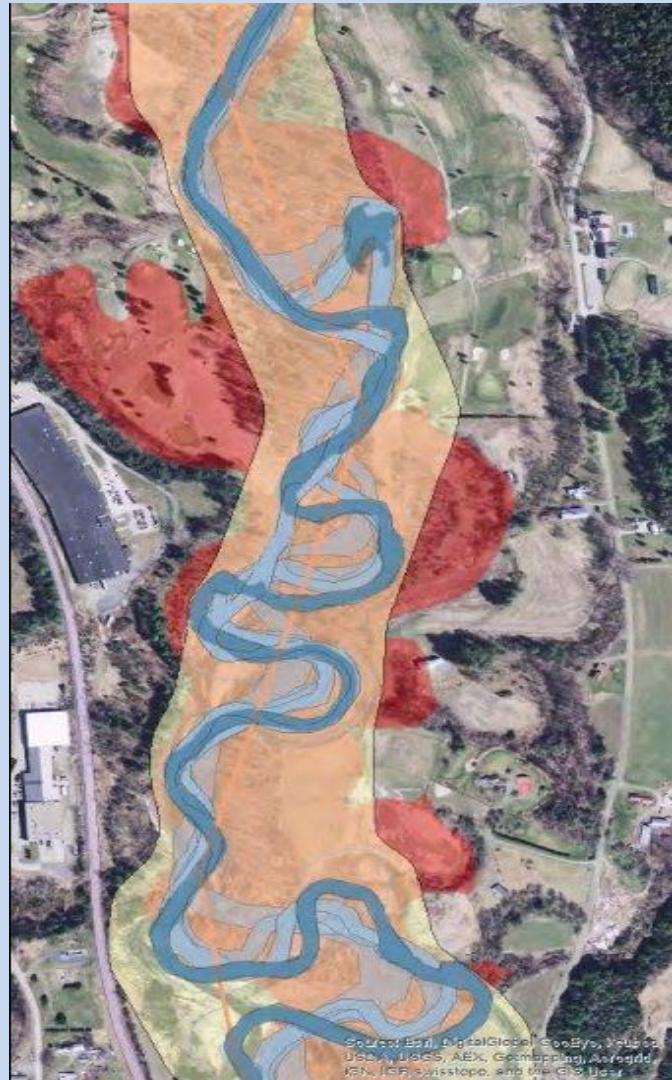
Creates statewide minimum standard for development in NFIP-enrolled towns

Strengthens dam safety through increased oversight and maintenance requirements

Increases floodwater storage in wetlands by establishing a “net gain” rule

River Corridors Timeline

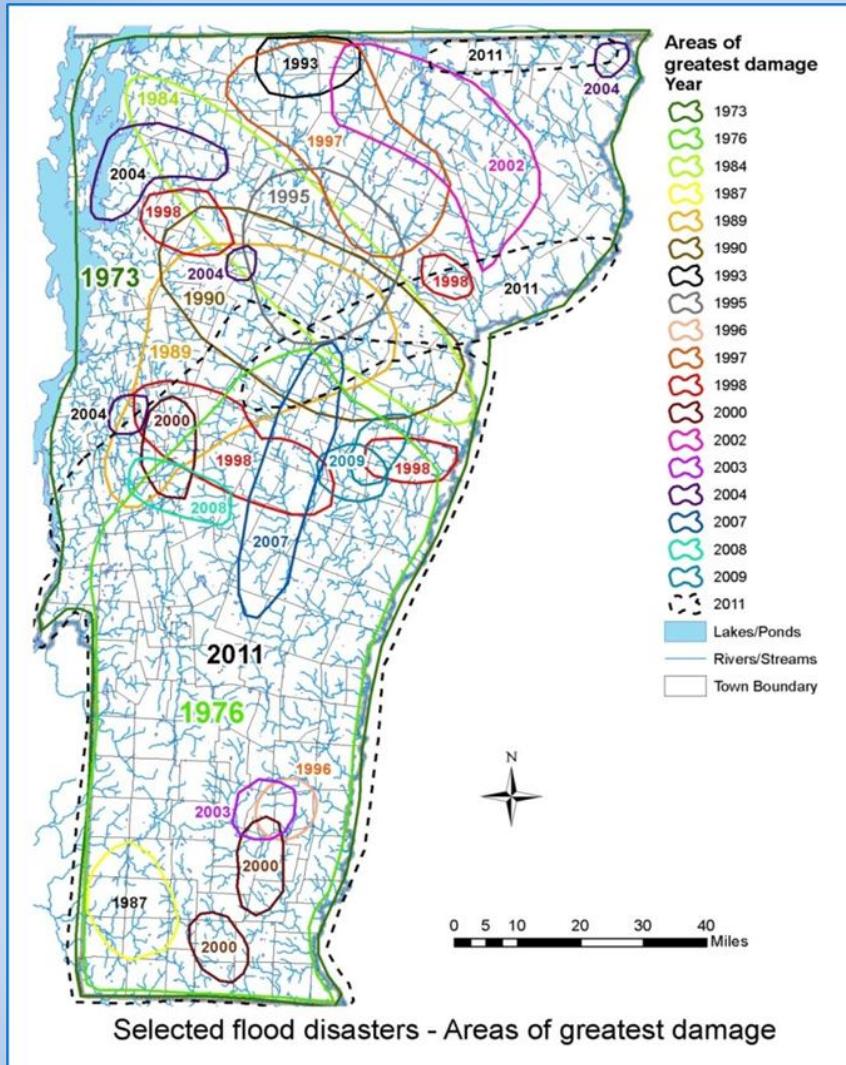
- Conduct 2-yr. education and outreach effort and collect input from the public (Jan. 1, 2025 – Jan. 1, 2027)
- Update River Corridor map to ID areas in existing settlements that will not increase fluvial erosion hazards (Jan. 1, 2026)
- Submit a report to legislature summarizing public input (Jan. 15, 2027)
- Adopt rules to limit new development in the mapped river corridors (July 1, 2027)
- Begin administration of the rules (Jan. 1, 2028)



A History of Vermont's Largest Floods

All New England Flood:	1869	Unknown
The Great Vermont Flood:	1927	\$450M
The Great New England Hurricane:	1938	\$482M
Floods of 1973:	1973	\$326M
Tropical Storm Irene:	2011	\$750M
July 2023 Flooding:	2023	\$620M

Source: National Weather Service Cost figures adjusted for 2012 dollars



Frequent Flood Disasters

1973 – 2011: 19 regional scale floods (1 every 2 years)

Flooding is the most common and costly recurring hazard in Vermont

\$30M: Vermont's average annual public flood damage costs. (Source: TNC analysis of FEMA public flood damage cost data for 2008-2021)

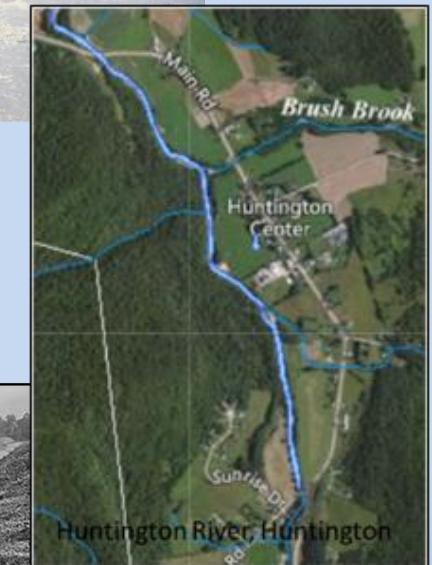
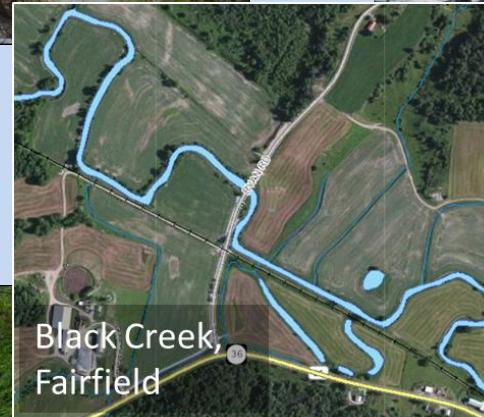
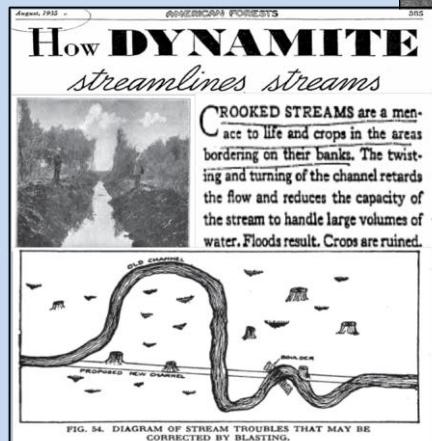
Flooding Damage:



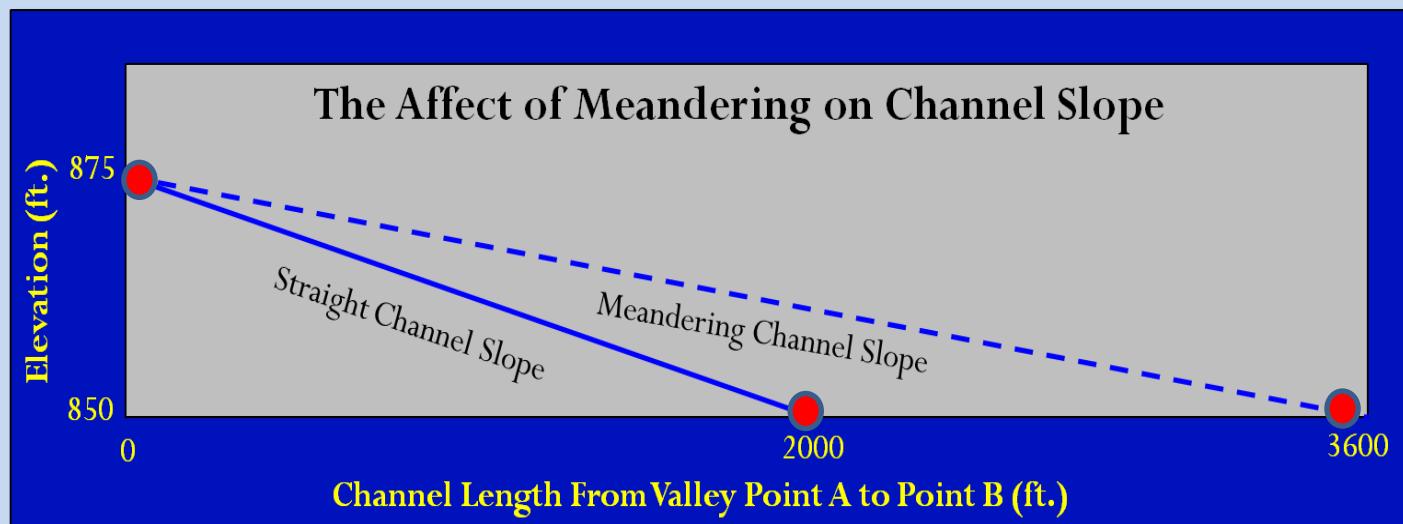
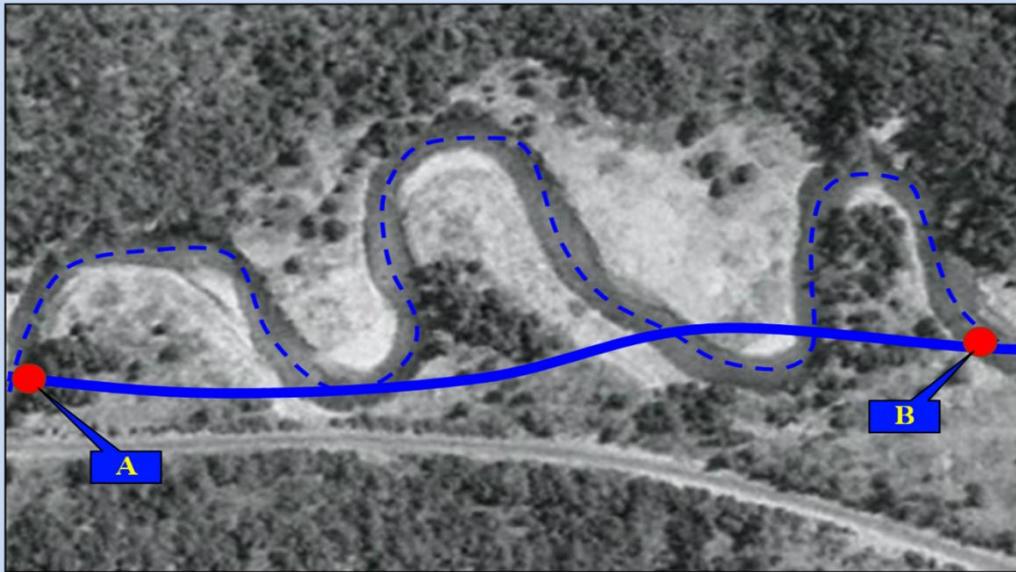
Inundation vs. Erosion

Over 75% of monetary flooding damages are due to fluvial erosion in Vermont
State Hazard Mitigation Plan

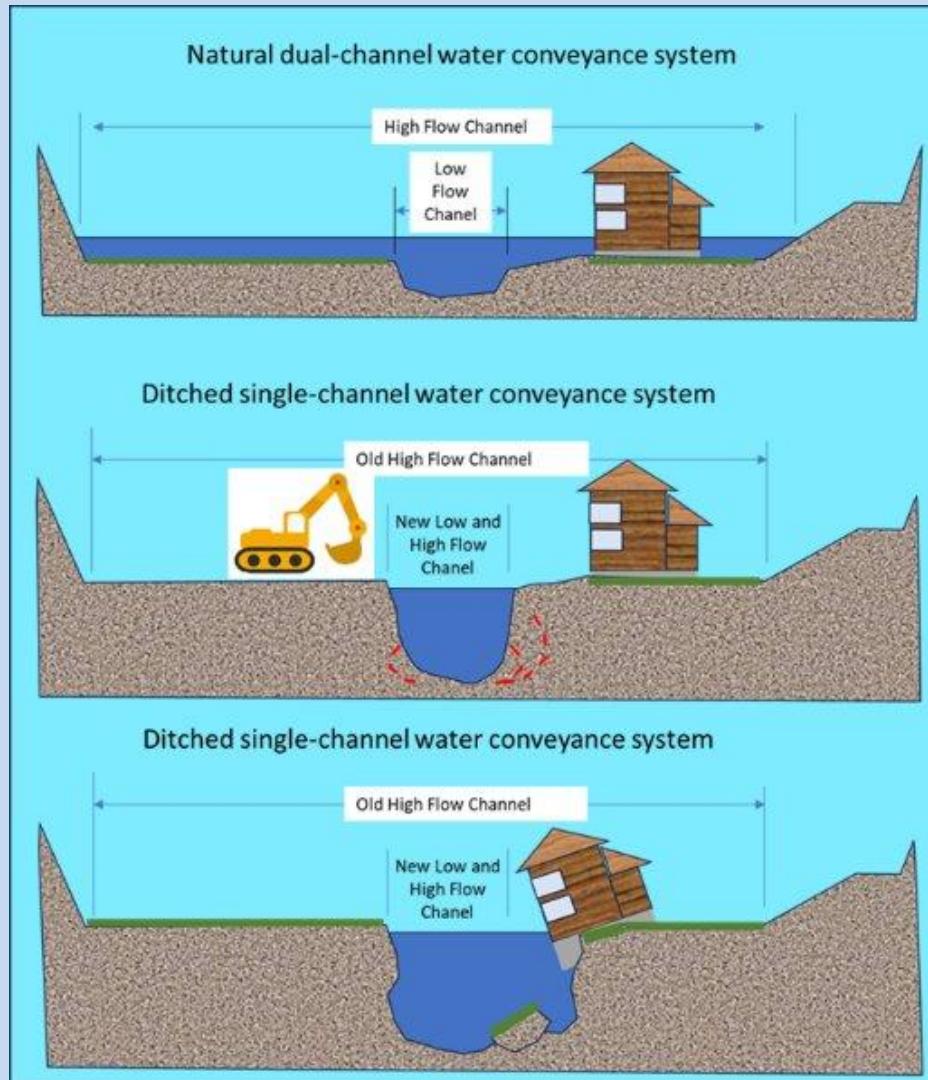
Controlling Rivers to Mitigate Fluvial Erosion Hazards



Channel Straightening and Slope

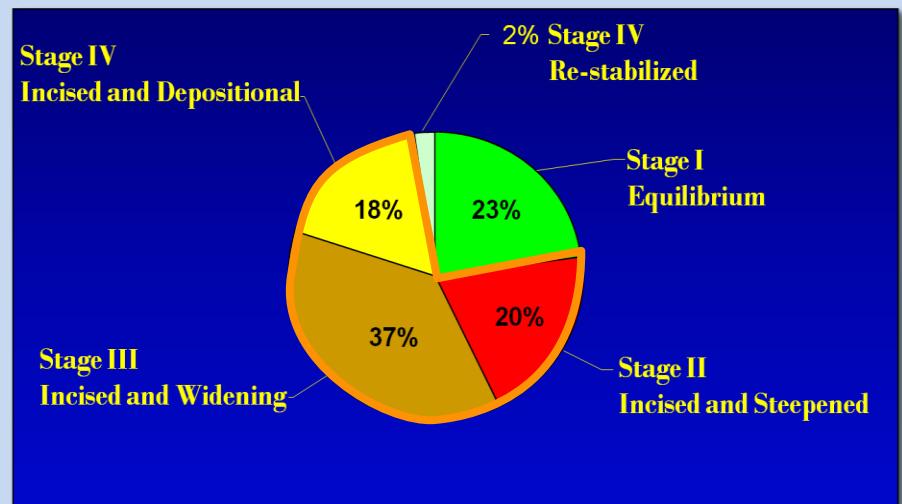
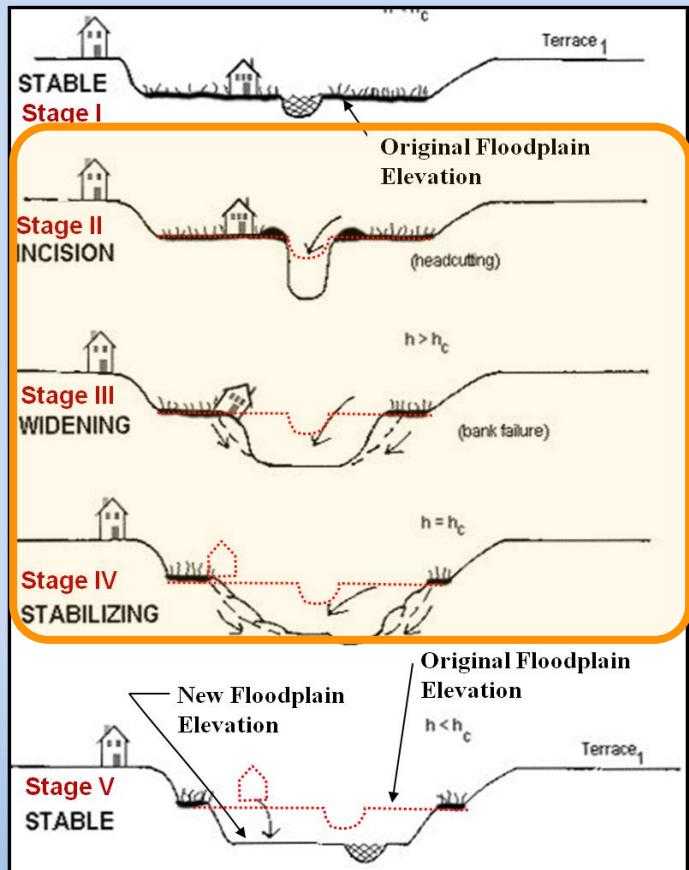


Channel Dredging and Erosion

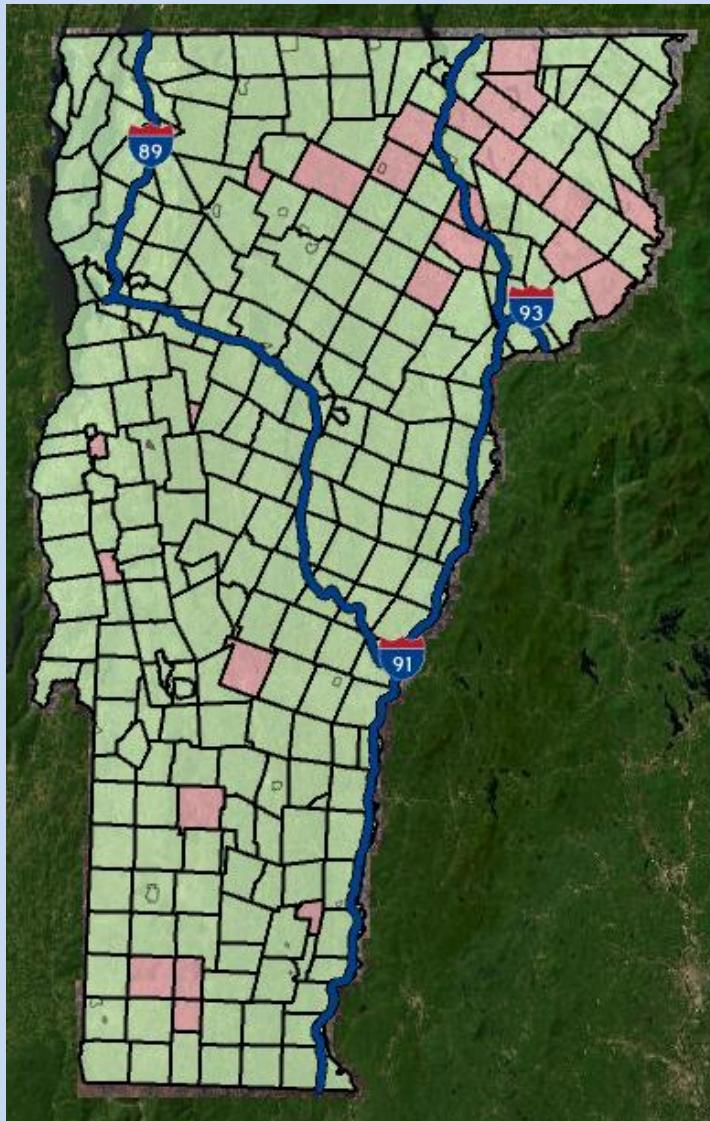


Protecting Development by Controlling the River

Historic land use and channel management activities have resulted in extensive channel instability.



- 5,000 river miles assessed.
- 75% disconnected from floodplain and highly unstable.



Vermont NFIP Participation

1/2025

Legend

		National Flood Insurance
Program		
274 Communities		Participating Community
20 Communities		Not Participating

List of NFIP Participating communities
available at:

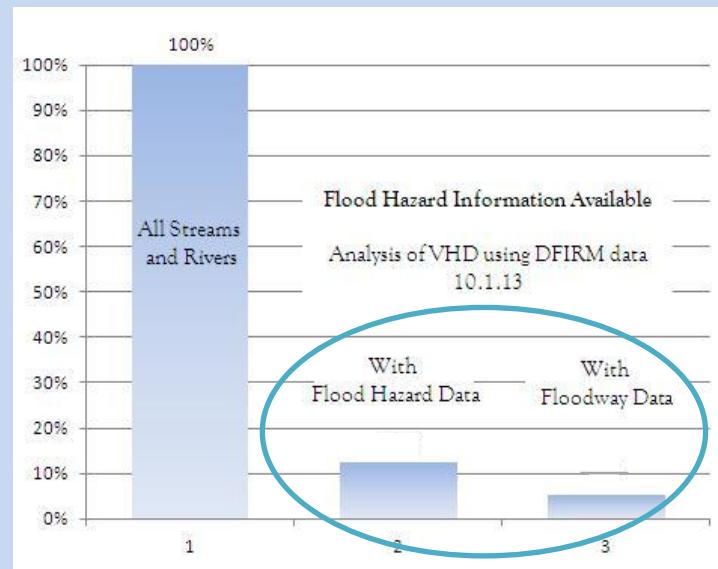
<https://www.fema.gov/cis/VT.html>

Map available from:
[Flood Ready Vermont Atlas](#)

Many Vermont flood risks are not identified by the NFIP floodplains



- Many streams have no FEMA-mapped floodplain
- Flash flooding and moving streams are not mapped



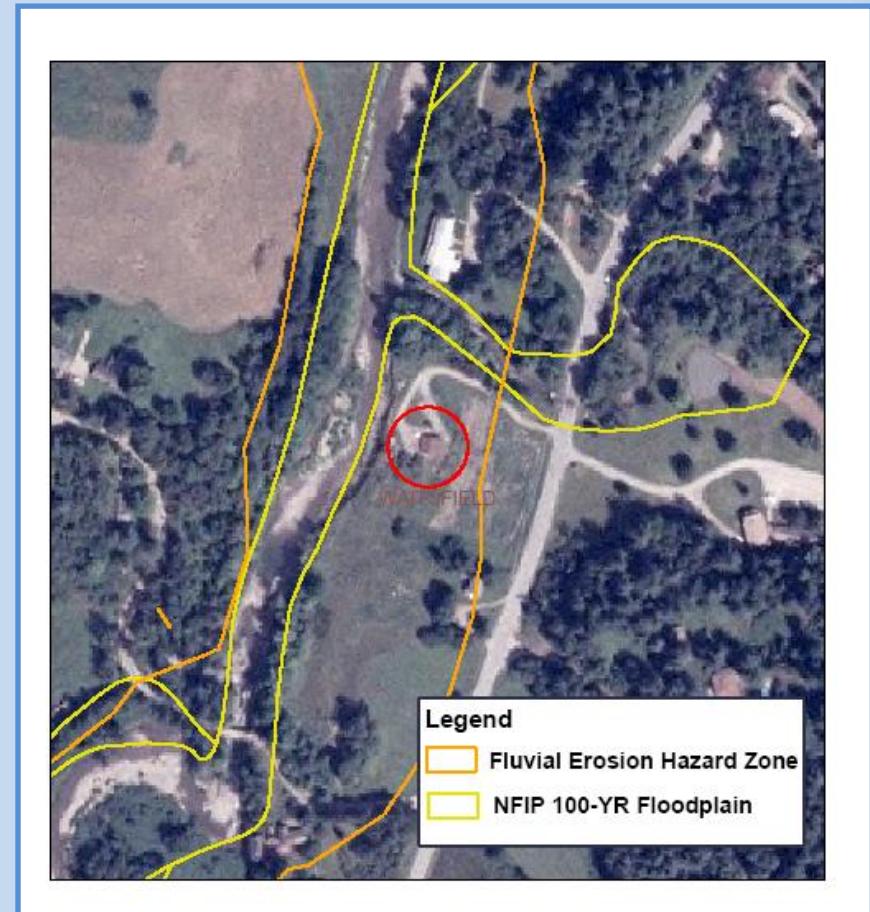
National Flood Insurance Program Does Not Address Fluvial Erosion Hazards

Not in the NFIP Floodplain



Mad River in Waitsfield, Vermont

100 feet from NFIP Floodway and 8 feet above the 100yr. flood elevation.

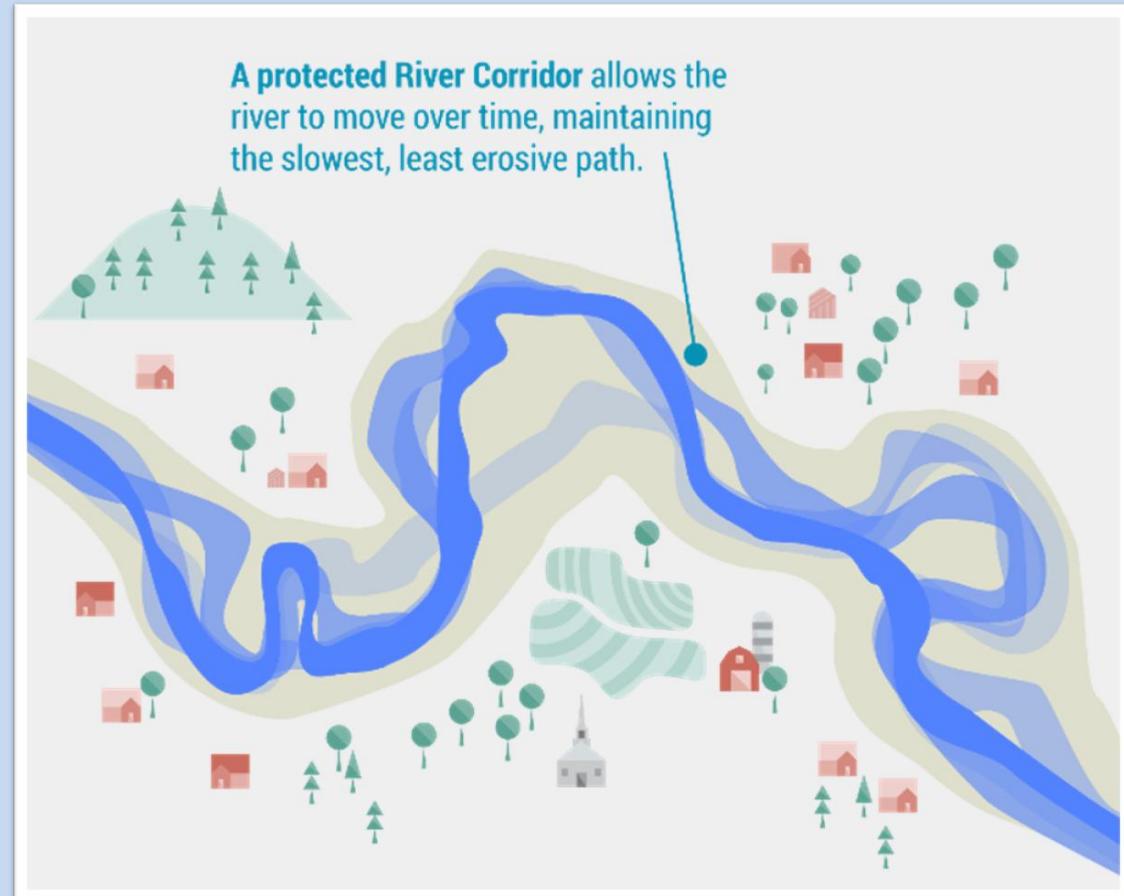


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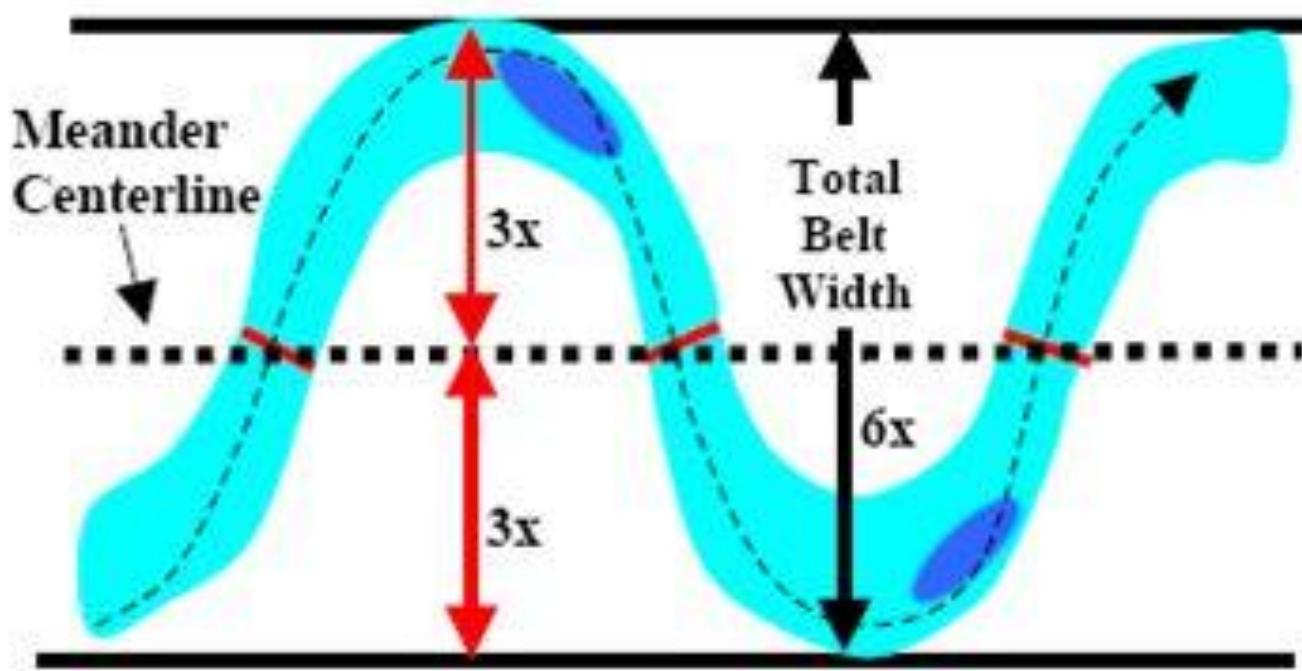
- Fluvial Erosion Hazard Zone
- NFIP 100-YR Floodplain

Mapping River Corridors to Reduce Exposure to Fluvial Erosion hazards

River Corridors:
the area on either
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How River Corridors are Mapped



Depiction of Meander Belt Construction

Combining Floodplains & River Corridors to Reduce Flood Hazards

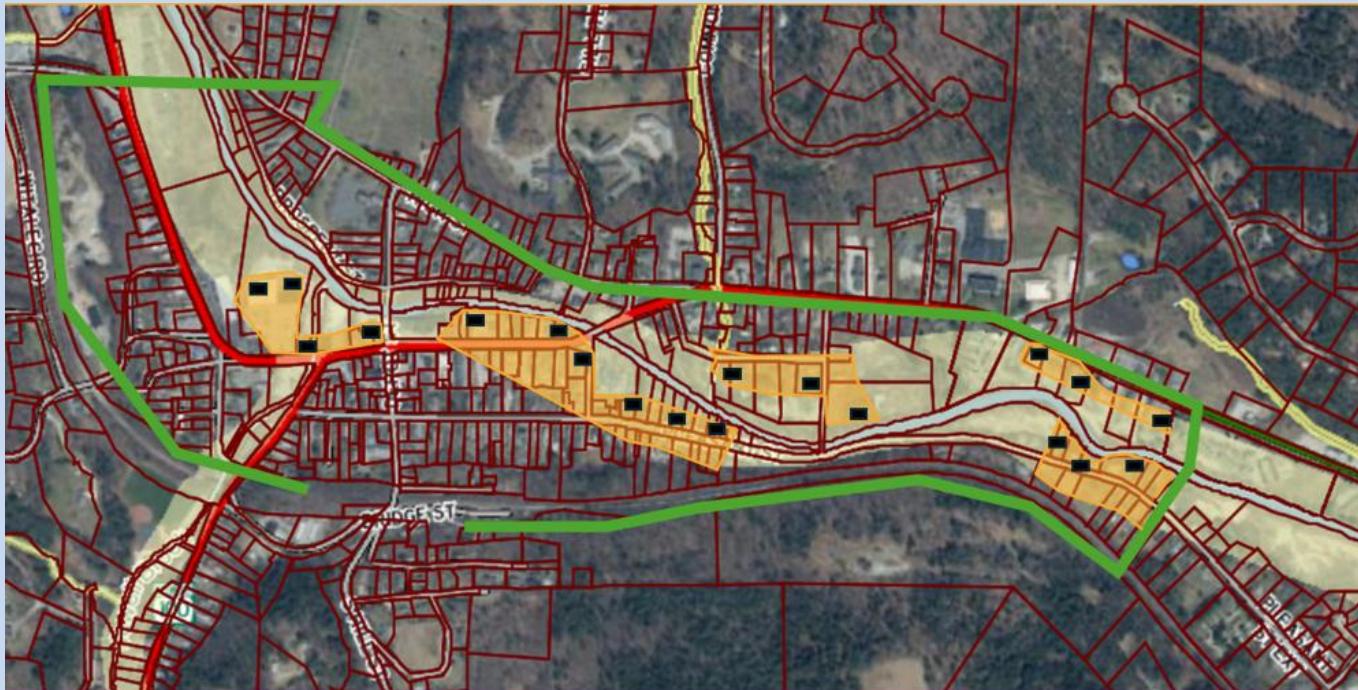
FEMA Flood Hazard Area

ANR River Corridor

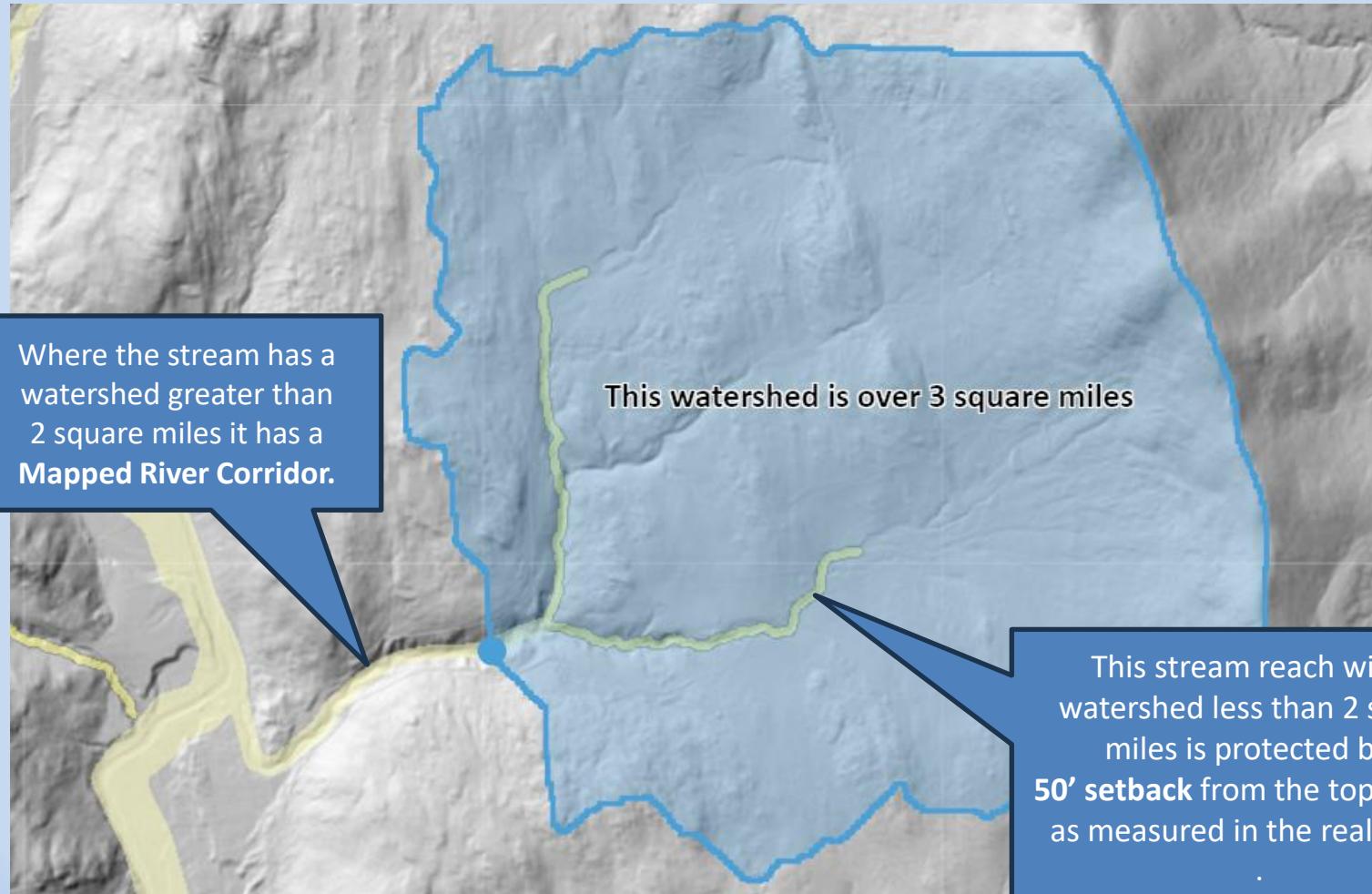


River Corridor Infill and Redevelopment Areas

The Flood Safety Act recognizes the need to continue to develop within existing settlement areas, even when those areas are within river corridors.

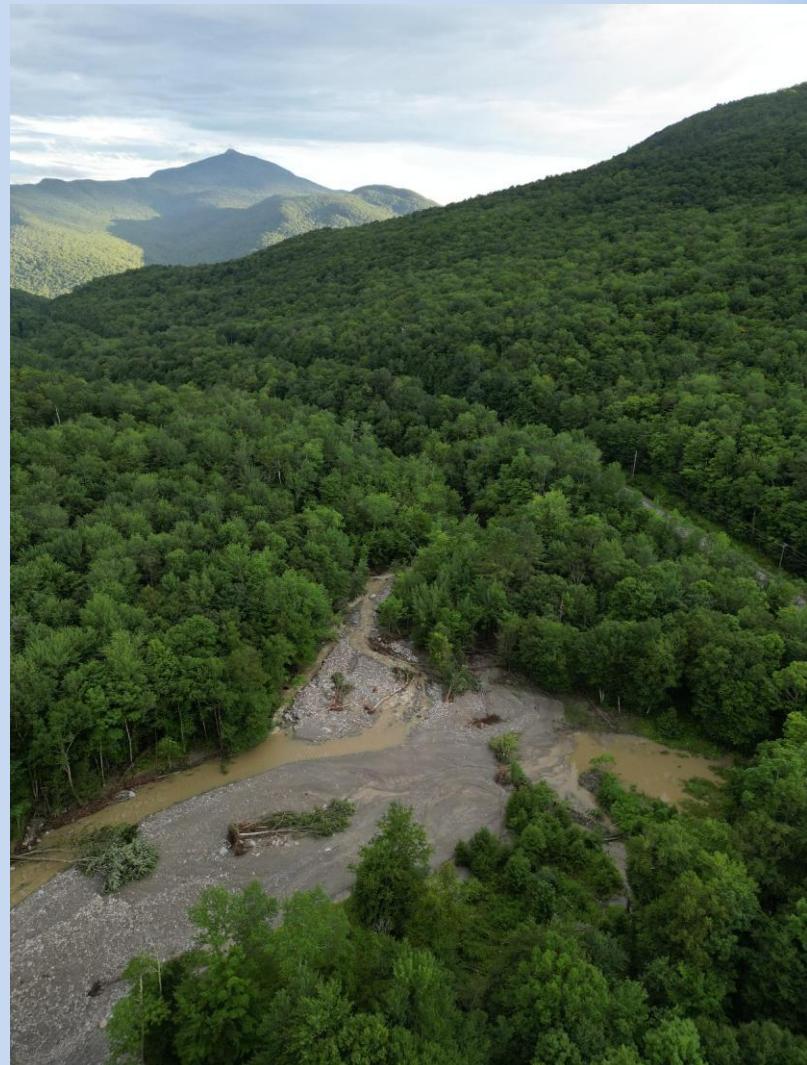


Act 121 Applies Only to Rivers Draining More Than 2 Square Miles



Act 121 Considerations for Municipalities

- All river corridor maps can be found on the ANR atlas or Flood Ready Atlas.
- The act only addresses new development in river corridors. DEC will begin requiring permits for development in river corridors starting in 2028.
- Municipalities may choose to regulate development along smaller streams (less than 2 sq. mil. watersheds).
- The ERAF incentive structure after 2028 is yet to be determined.
- The Act provides for the opportunity to delegate regulation of mapped river corridors to municipalities. The specifics will be determined during the rulemaking process.



More information about the Flood Safety Act is available on the Flood Ready website

bit.ly/flood-safety-act

- Regularly updated information about the Act
- Frequently asked questions
- Infographics and other resources

Vermont's Flood Safety Act

The Flood Safety Act of 2024

After widespread flood damage in 2023, the Flood Safety Act (Act 121) was enacted in 2024 to address Vermont's growing vulnerability to extreme precipitation and flooding. Through a watershed-wide approach, the Flood Safety Act will build statewide flood resilience, protect public safety, and help prevent further damage to homes and infrastructure.

Reducing Flood Risk and Vulnerability to Flood Damage



Establishes state regulation of proposed development in river corridors



Requires a statewide minimum standard for development in floodplains



Increases floodwater storage in wetlands by establishing a "net gain" rule



Strengthens dam safety through increased oversight and maintenance requirements

FLOOD READY

Submit Questions or Comments to VT DEC

We want to hear from communities and residents statewide.

Please complete the Flood Safety Act Comment Form:

- <https://bit.ly/fsa-comment>

Questions and comments submitted through this form will go directly to DEC.

You may also reach out to:

Shayne Jaquith, The Nature Conservancy - Shayne.Jaquith@tnc.org

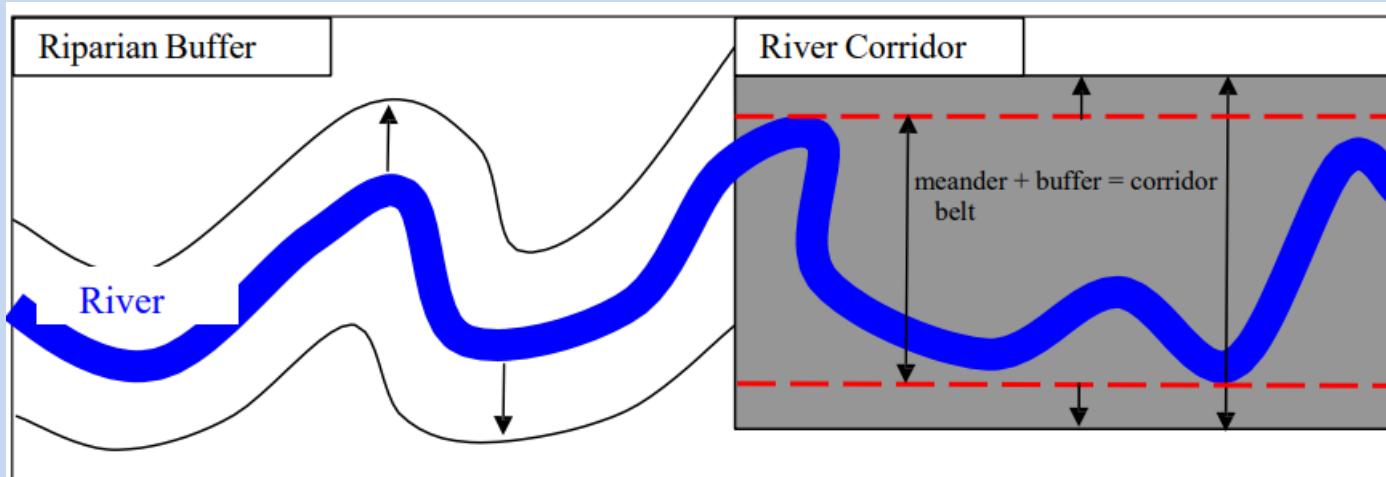
Alison Spasyk: Lake Champlain Sea Grant – Alison.Spasyk@uvm.edu



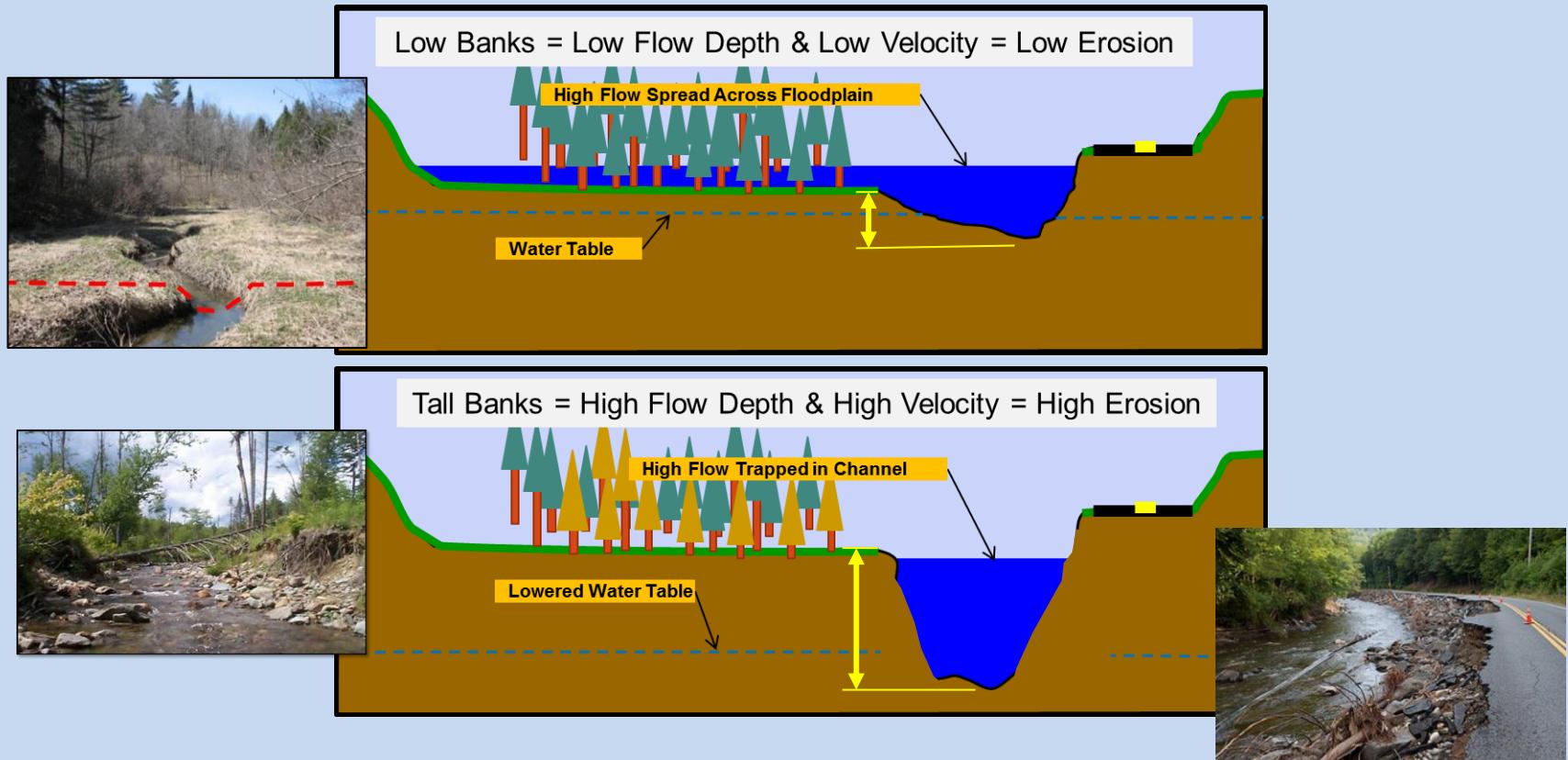
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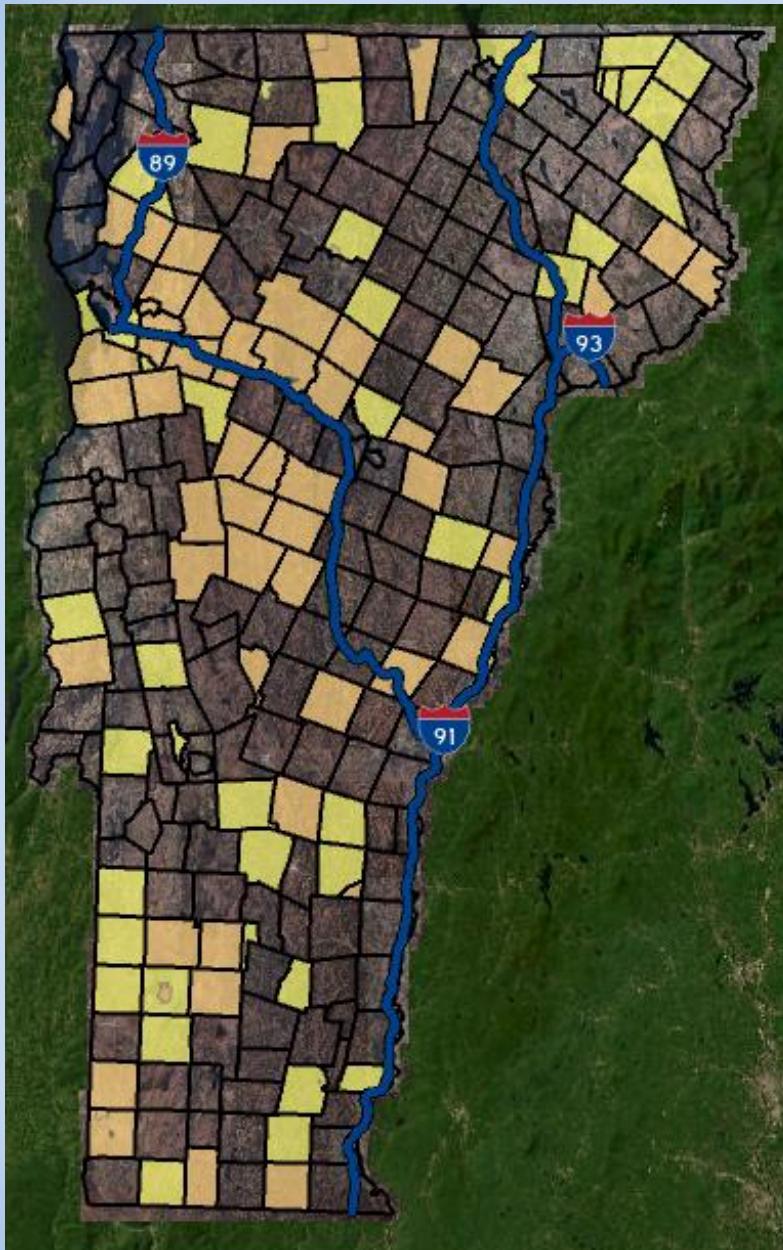
A River Corridor is different than a Buffer

- Minimum space needed to maintain the natural, least-erosive slope of the channel.
- Avoid new encroachments to minimize future river conflicts



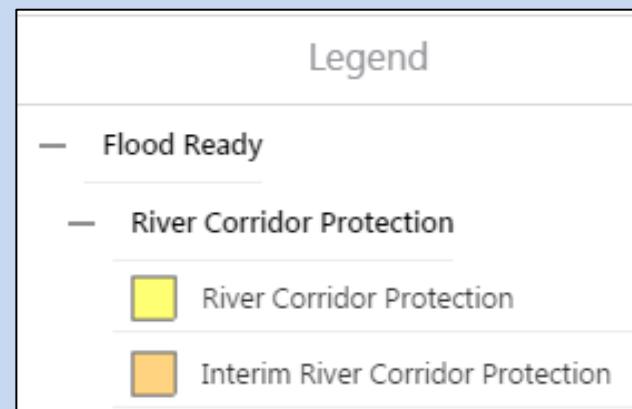
Channel Dredging and Erosion





Many towns have already adopted river corridor bylaws

1/2025



Map available from:
[Flood Ready Vermont Atlas](#)