Act 121: The Flood Safety Act

The Nature Conservancy

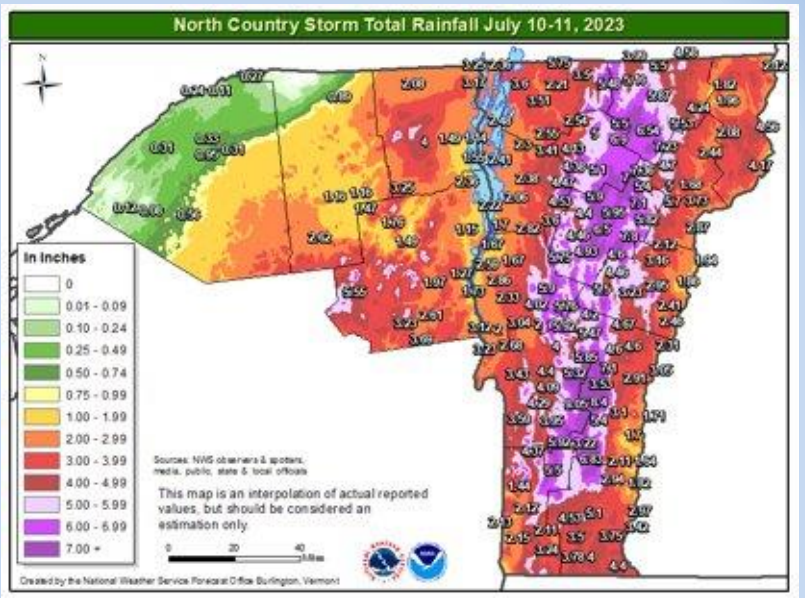
Sea Grant
LAKE CHAMPLAIN

In support of

VERMONT
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

Gives DEC authority to limit new development in river corridors statewide

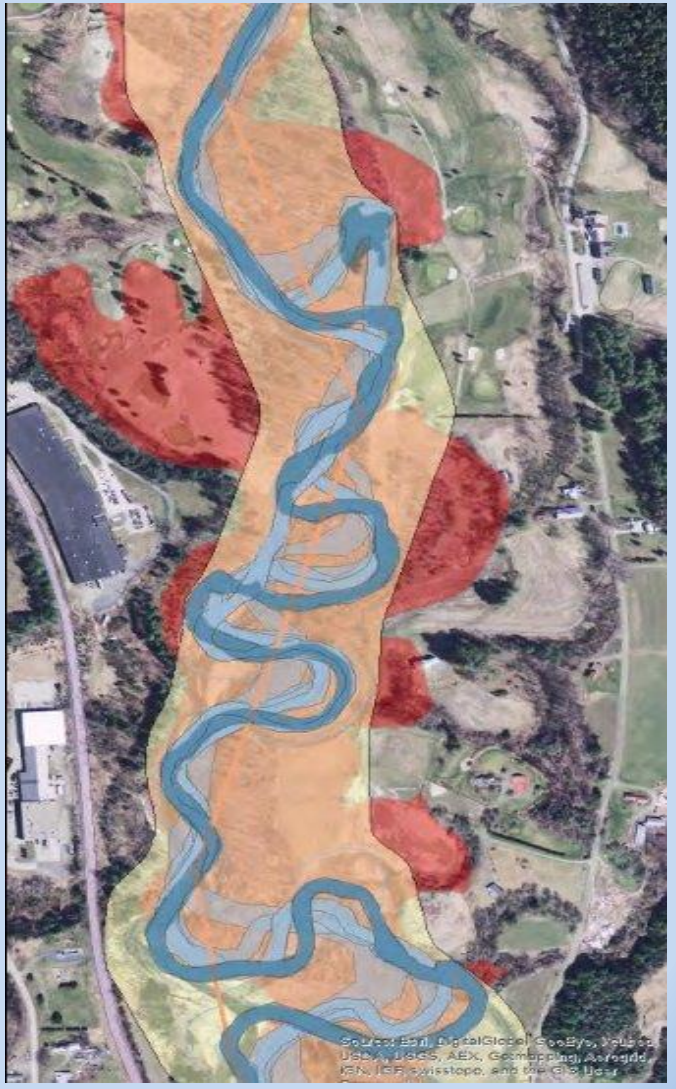
Creates statewide minimum standard for development in NFIP-enrolled towns

Strengthen oversight and strategically remove derelict dams

Protect and restore wetlands to create a net gain in wetland acreage

River Corridors Timeline

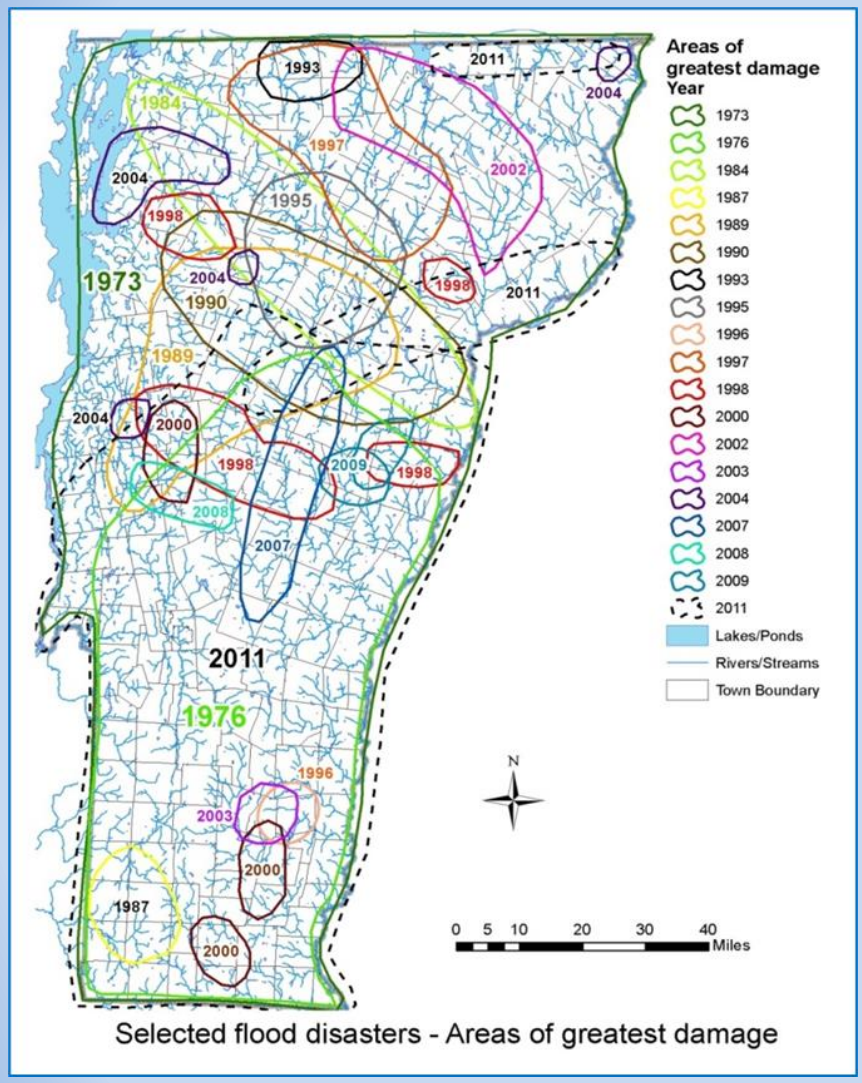
- Conduct 2-yr. education and outreach effort and collect input from the public (Jan. 1, 2025 – Jan. 1, 2027)
- Update River Corridor map to ID areas in existing settlements that will not increase fluvial erosion hazards (Jan. 1, 2026)
- Submit a report to legislature summarizing public input (Jan. 15, 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

Source: National Weather Service
Cost figures adjusted for 2012 dollars



Selected flood disasters - Areas of greatest damage

Vermont DEC

Flooding is the most common and costly recurring hazard in Vermont

Vermont's communities are vulnerable to flooding due to:

- Topography
- Increased precipitation
- Historic river management practices
- Historic development patterns

"Nearly $1 billion in damaged infrastructure after record rainfall in July 2023 and 2024"
(Vermont Public)

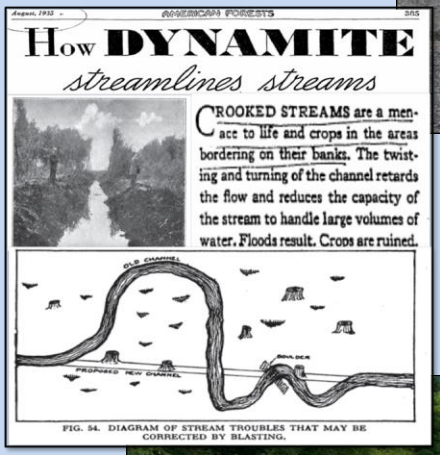
Flooding Damage:

Inundation vs. Erosion

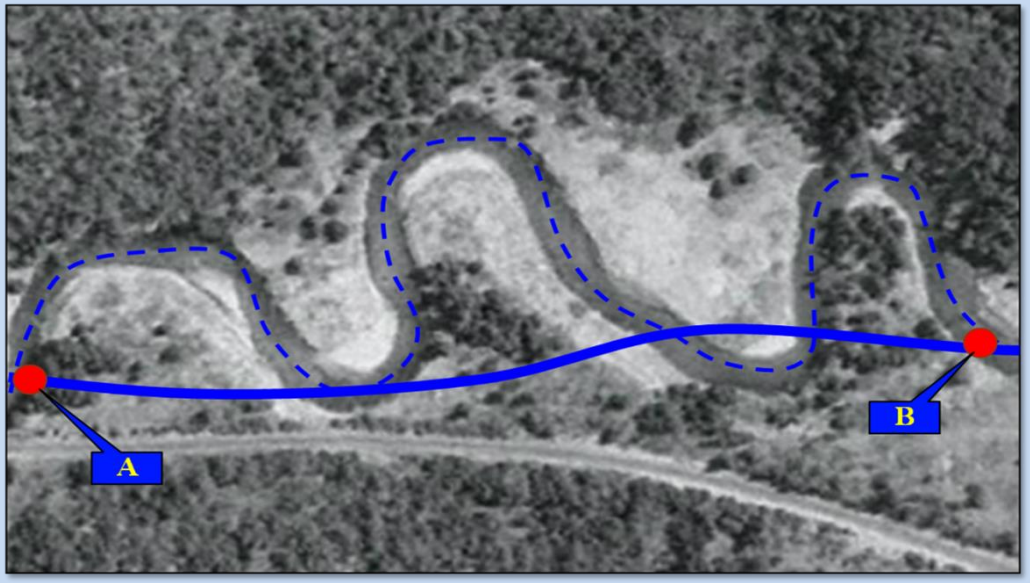
Over 75% of monetary flooding damages are due to fluvial erosion in Vermont

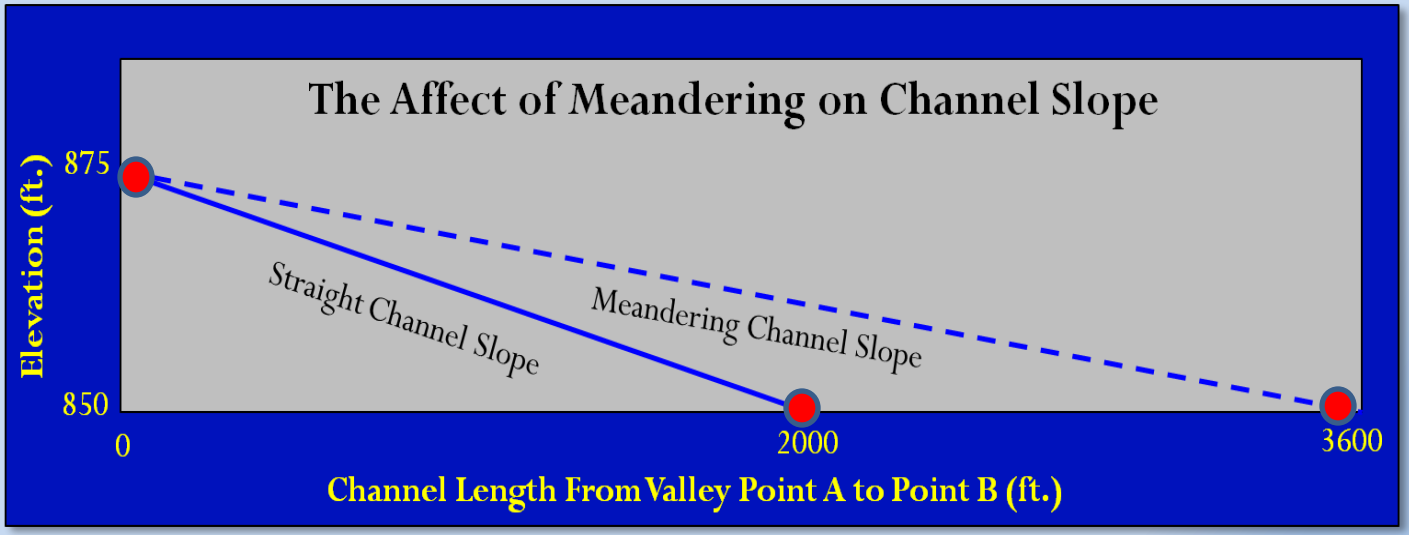
State Hazard Mitigation Plan

Controlling Rivers to Accommodate Adjacent Land Uses

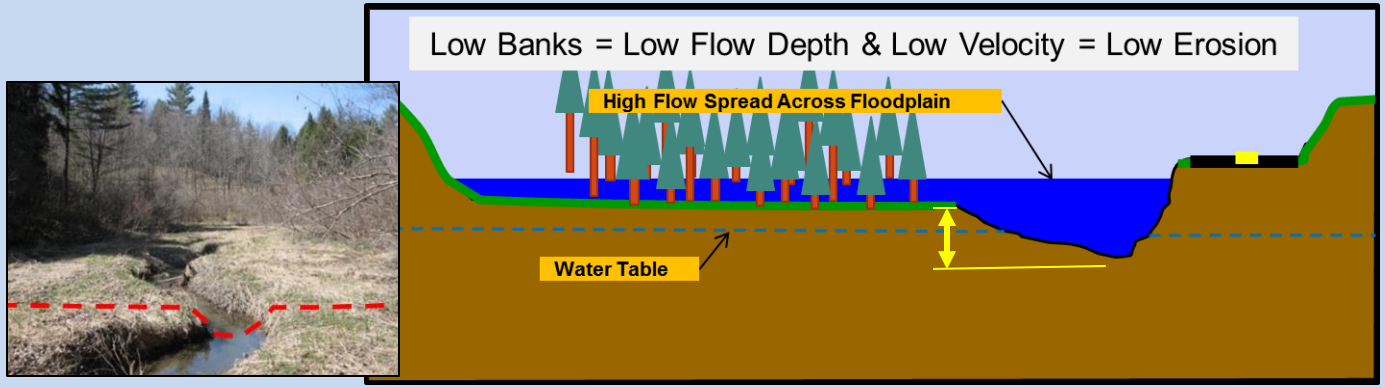


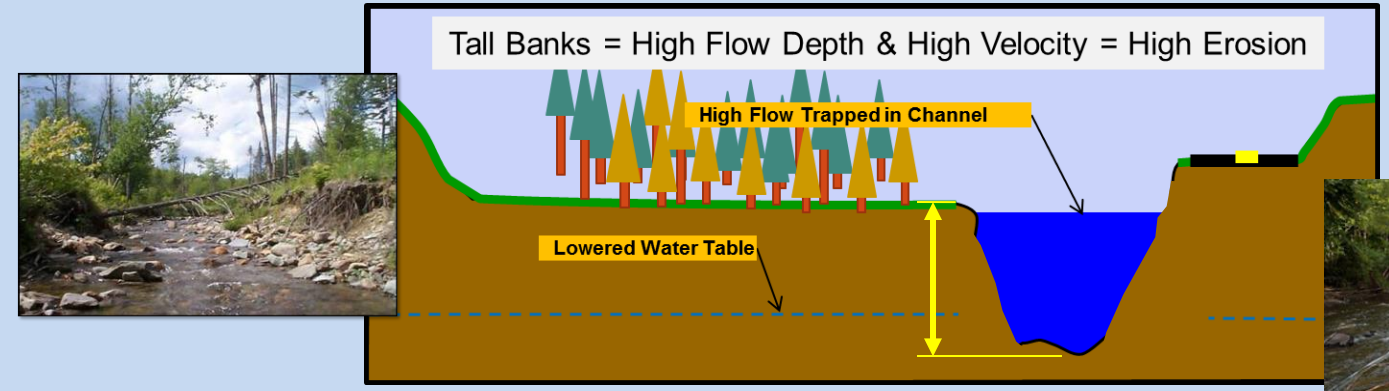
Channel Straightening and Slope





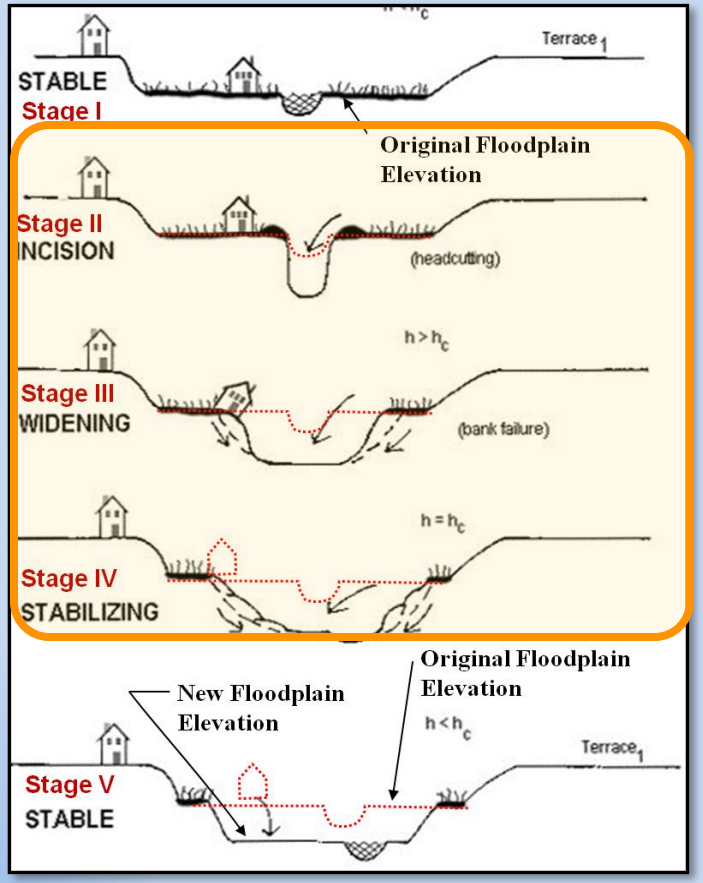
Channel Dredging and Erosion

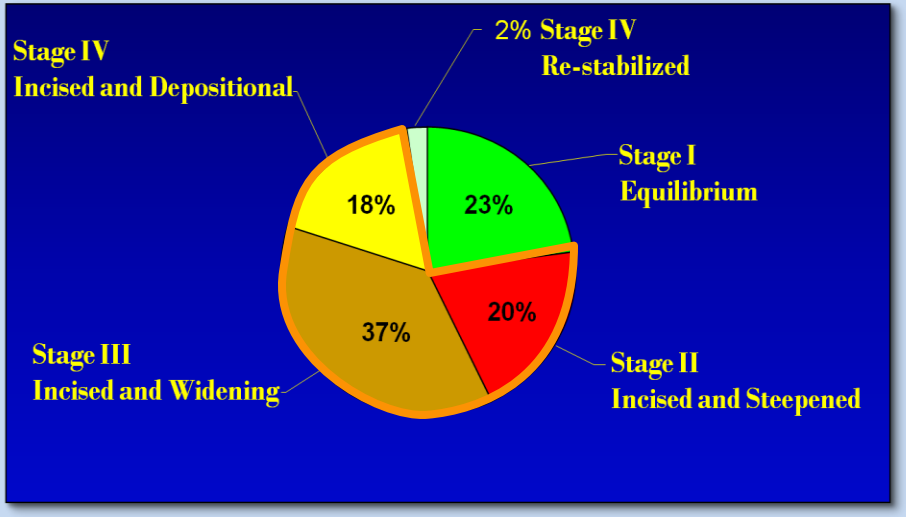




Protecting Development by Controlling the River

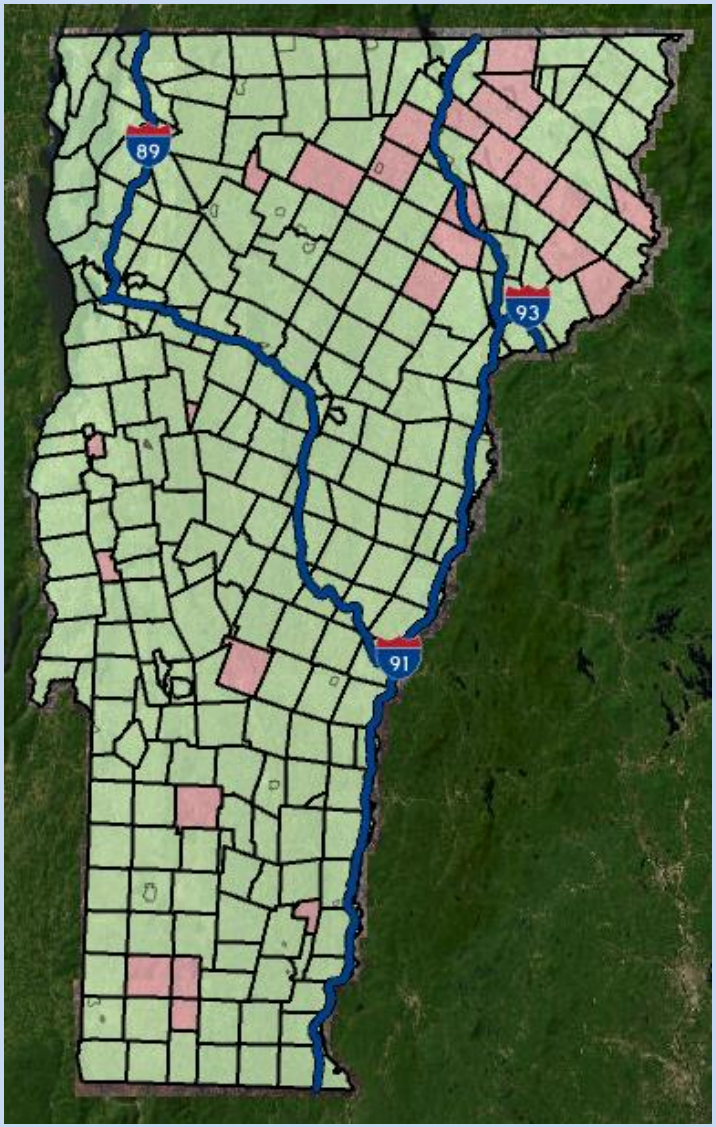
Historic land use and channel management activities have resulted in extensive channel instability.





- **5,000 river miles assessed.**
- **75% undergoing channel evolution.**

Vermont DEC



Vermont NFIP Participation

1/2025

Legend

National Flood Insurance Program

274 Communities — Participating Community

20 Communities — Not Participating

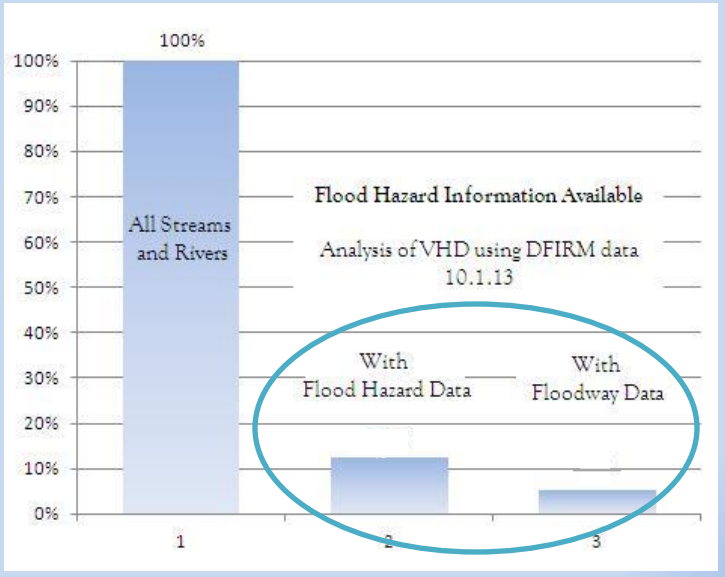
List of NFIP Participating communities available at:
https://www.fema.gov/cis/VT.html

Map available from:
Flood Ready Vermont Atlas

Many Vermont flood risks are not identified by the NFIP floodplains

Unnamed Tributary, White River, 2007

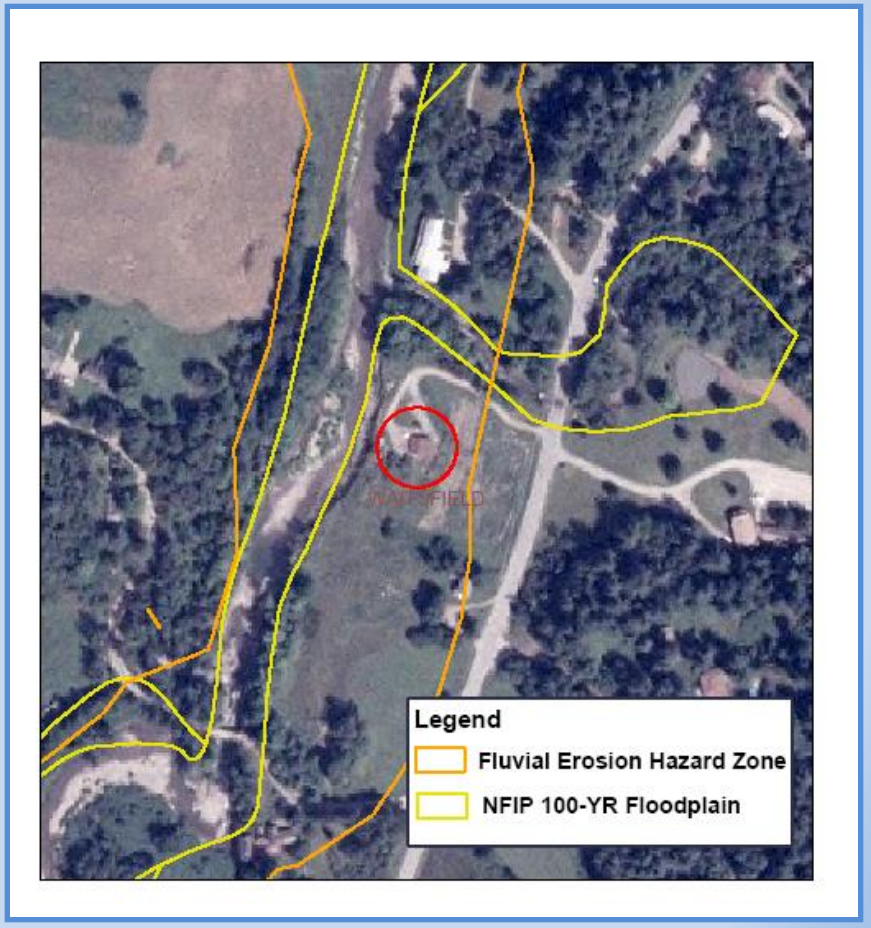
- Many streams have no FEMA-mapped floodplain
- Flash flooding and moving streams are not mapped



National Flood Insurance Program Does Not Address Fluvial Erosion Hazards

Not in the NFIP Floodplain

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



The Nature Conservancy
Protecting nature. Preserving life.

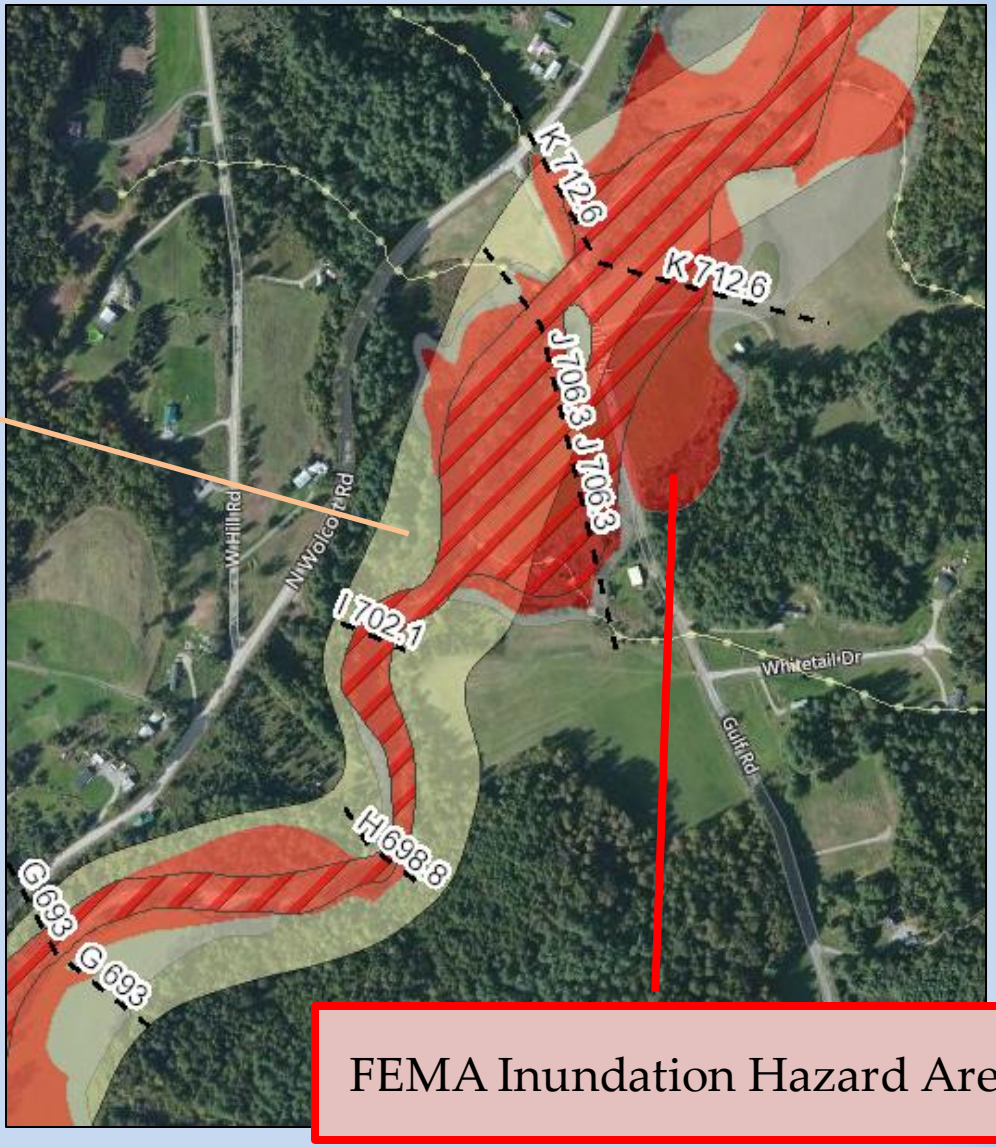
Mapping River Corridors to Reduce Exposure to Fluvial Erosion hazards

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

Floodplains & River Corridors to Reduce Flood Hazards

ANR River Corridor

- The river corridor and NFIP inundation hazard area work together to provide comprehensive protection
- In some areas they overlap, in others they do not



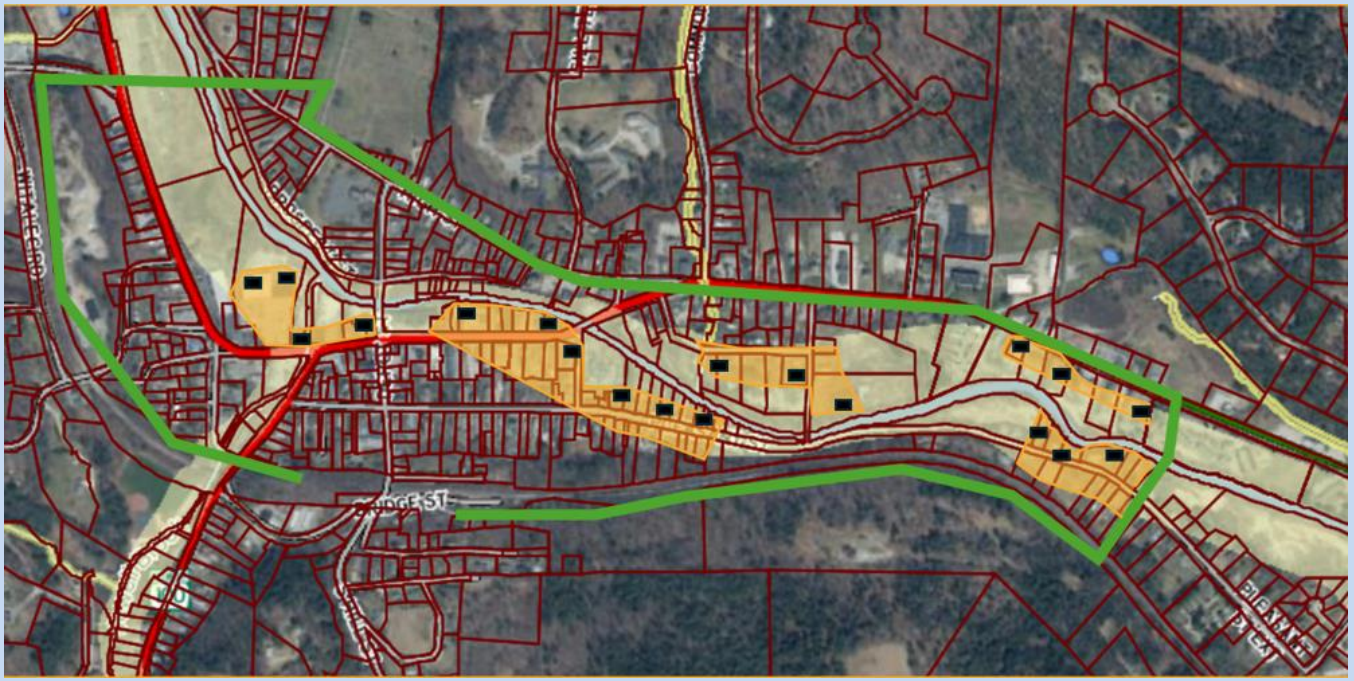
FEMA Inundation Hazard Area

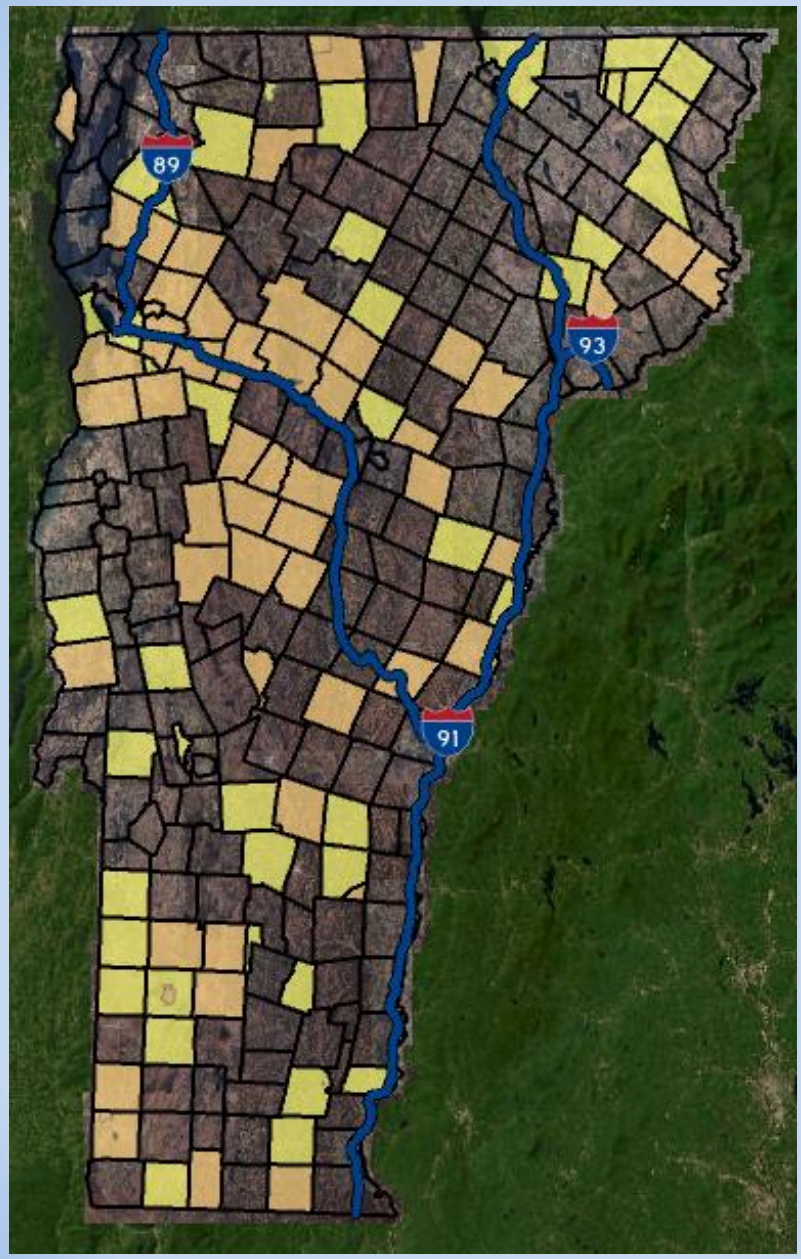
ANR Natural Resource Atlas
Http://Anrmaps.Vermont.Gov/Websites/Anra5/

Wild Branch in Wolcott

River Corridror Infill and Redevelopment Areas

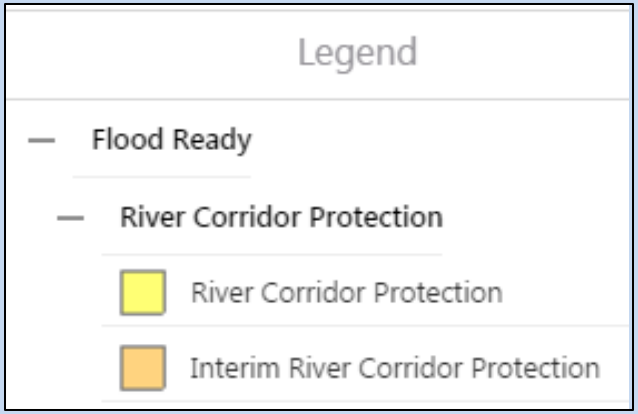
The Flood Safety Act recognizes the need to continue to develop within existing settlement areas, even when those areas are within river corridors. The act calls for the river corridor map to be revised to include areas within designated centers that development will not create additional erosion hazards.





Many towns have already adopted river corridor bylaws

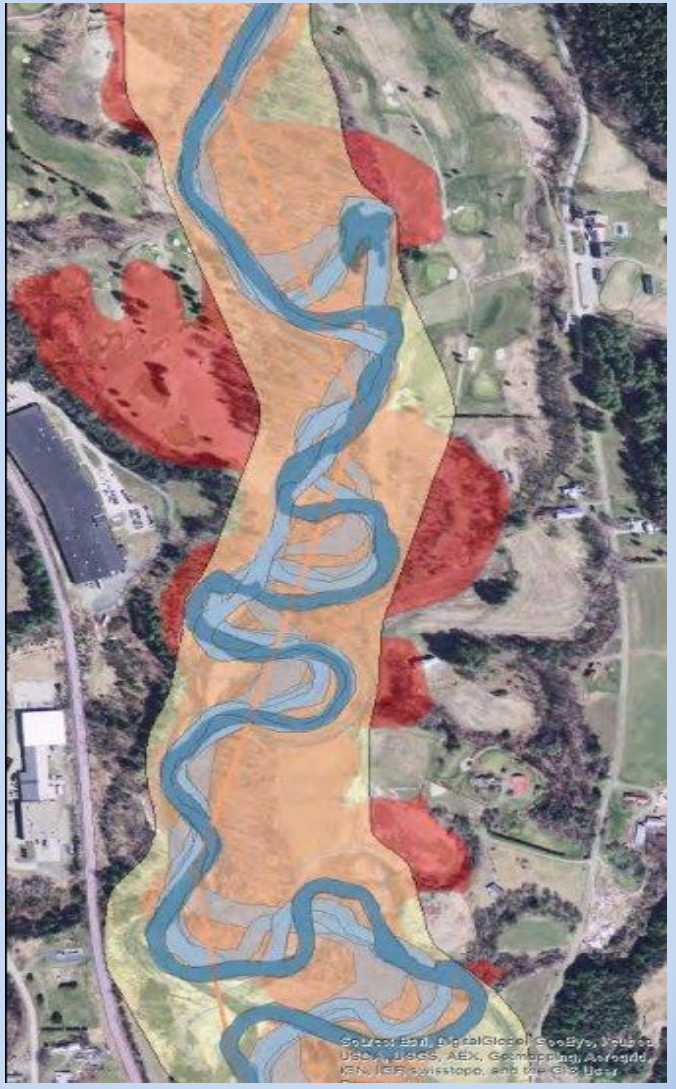
1/2025



Map available from:
Flood Ready Vermont Atlas

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)



Resources in Development

- Flood Safety Act webpage on floodready.vermont.gov
  - Regularly updated information about the Act
  - Frequently asked questions
  - Infographics and other resources

FLOOD READY

We want your feedback

- Do you have more questions about river corridors or the new statewide changes passed under Act 121?
- What information would be helpful for your community?
- Feel free to provide feedback in this short survey: https://forms.office.com/r/RVK0i3mc3n

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

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

The Nature Conservancy

Sea Grant
LAKE CHAMPLAIN