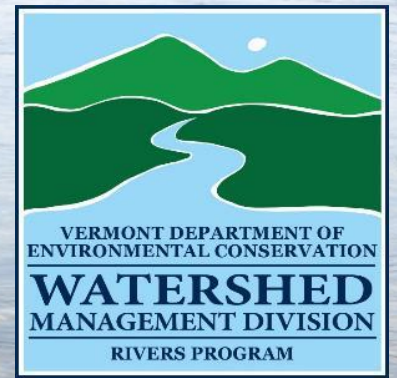


# Flood Hazards & Flood Disclosure H.639

Prepared for the House  
Committee on General &  
Housing Affairs

March 14th, 2024

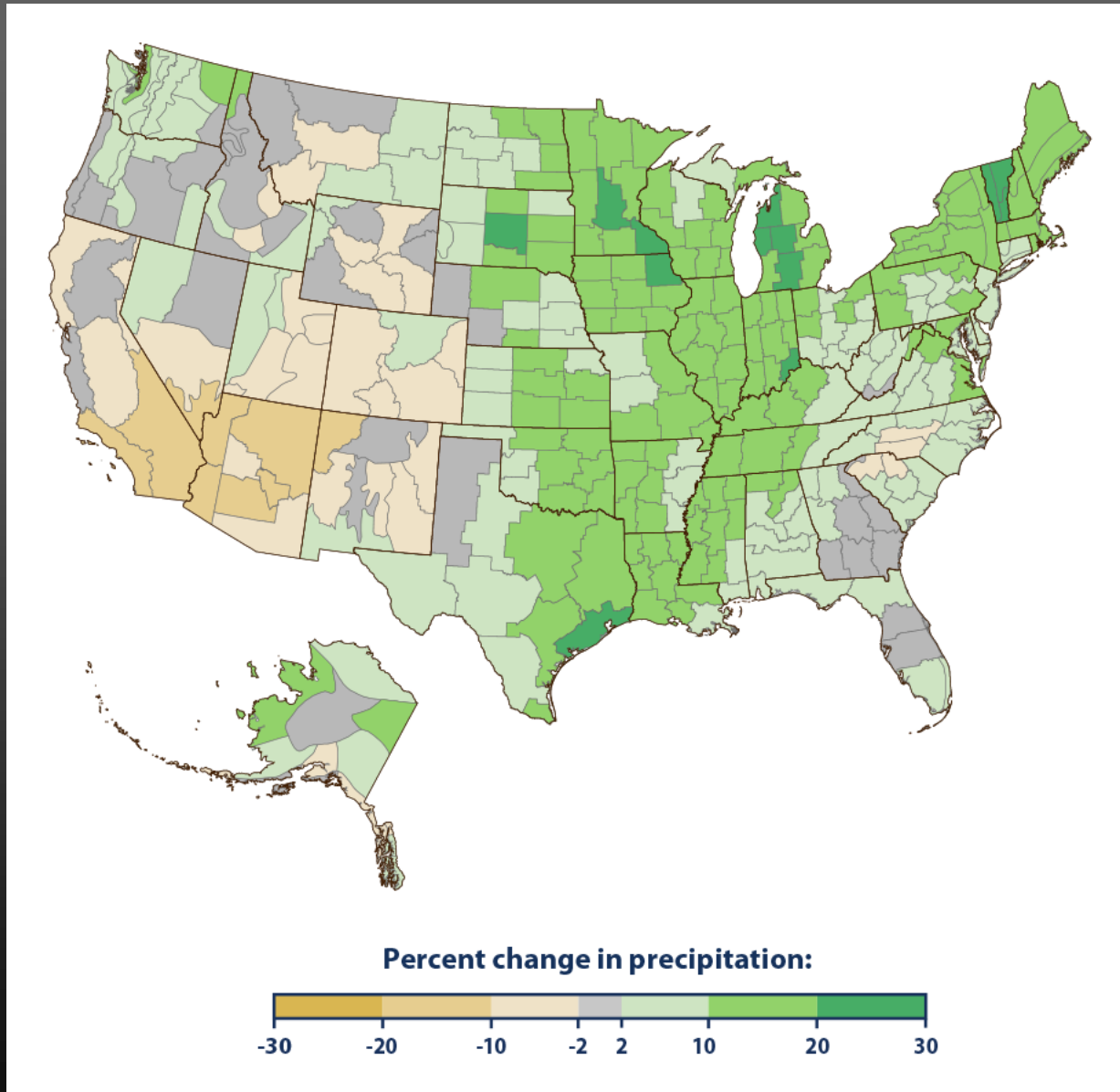


**Rebecca Pfeiffer, CFM**  
Vermont NFIP Coordinator  
River Corridor & Floodplain Protection Program  
VT Agency of Natural Resources (VTANR)

# FLOODPLAIN MANAGEMENT PRINCIPLES



# CLIMATE CHANGE IS INCREASING EXPOSURE

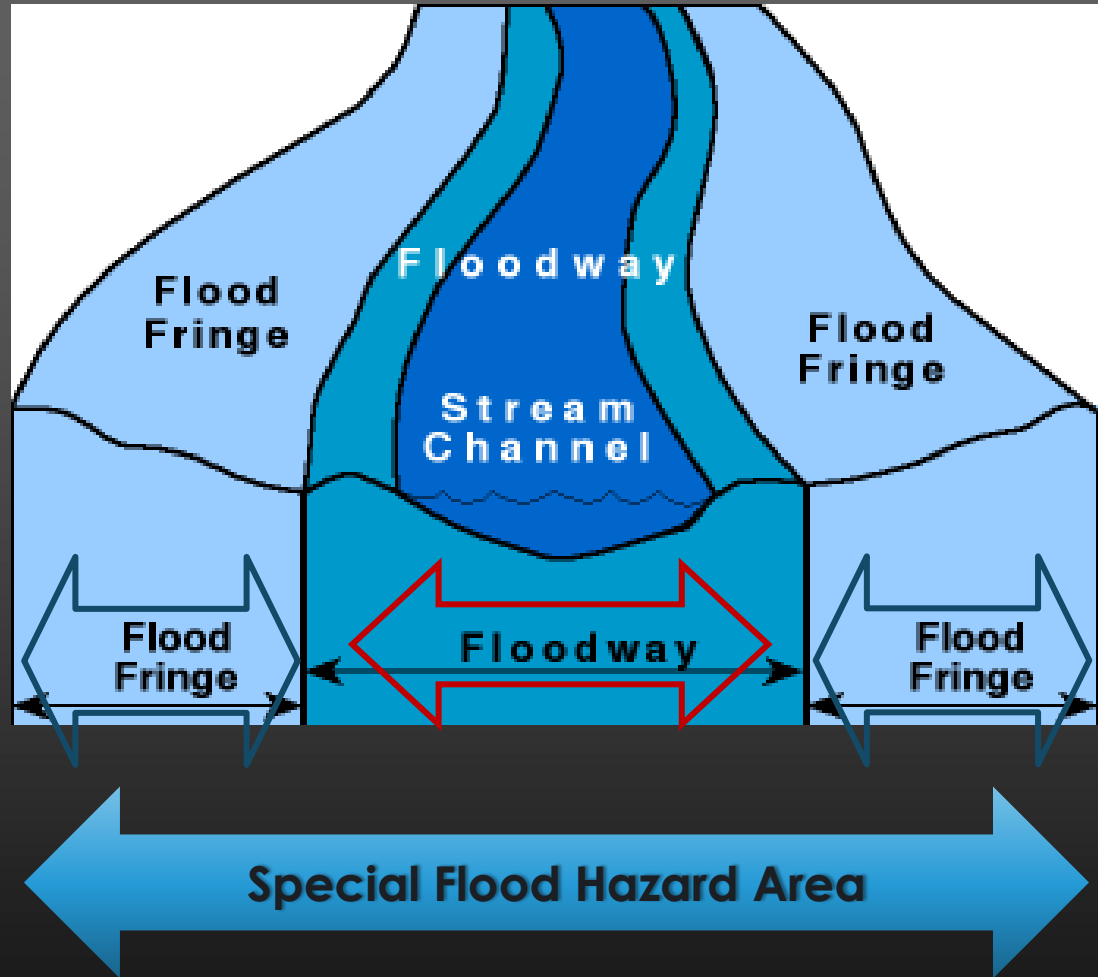


Change in  
Precipitation in  
the United  
States  
1901–2021:  
NOAA (National  
Oceanic and  
Atmospheric  
Administration).  
2022. Climate at  
a glance.  
Accessed March  
2022. [www.ncdc.noaa.gov/cag](http://www.ncdc.noaa.gov/cag)

# FEMA'S SPECIAL FLOOD HAZARD AREA (SFHA)

**Floodway = Flood Right-of-Way**

Flood Fringe = More Shallow and Slower Floodwaters



Land area inundated by the base flood, or the area affected in the 1% annual chance flood, aka the "100 year" floodplain



# INUNDATION VS. EROSION FLOODING



# FLOOD CHANCE & BASE FLOOD

## Chance of Flooding over a Period of Years

Time Period	Flood Size			
	10-year	25-year	50-year	100-year
1 year	10%	4%	2%	1%
10 years	65%	34%	18%	10%
20 years	88%	56%	33%	18%
30 years	96%	71%	45%	26%
50 years	99%	87%	64%	39%





**FEMA**



**NATIONAL FLOOD  
INSURANCE PROGRAM®**

# NATIONAL FRAMEWORK FOR FLOODPLAIN MANAGEMENT



# NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

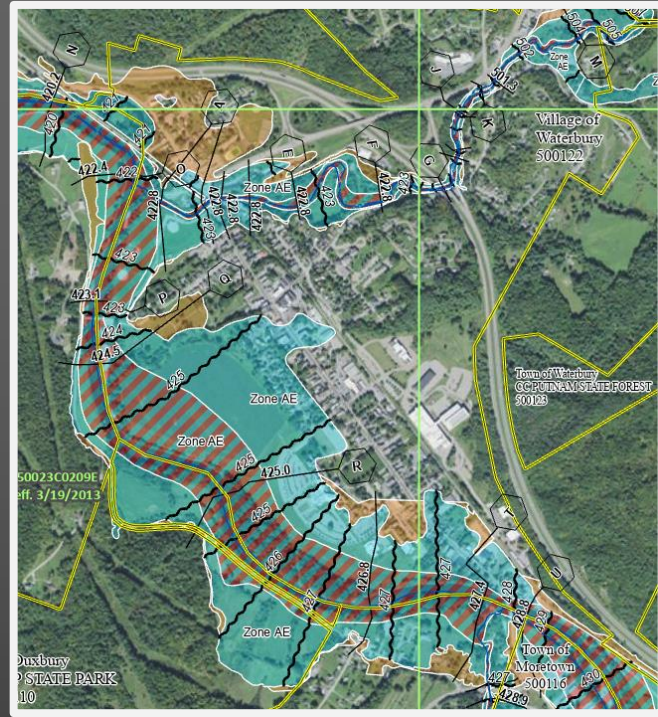
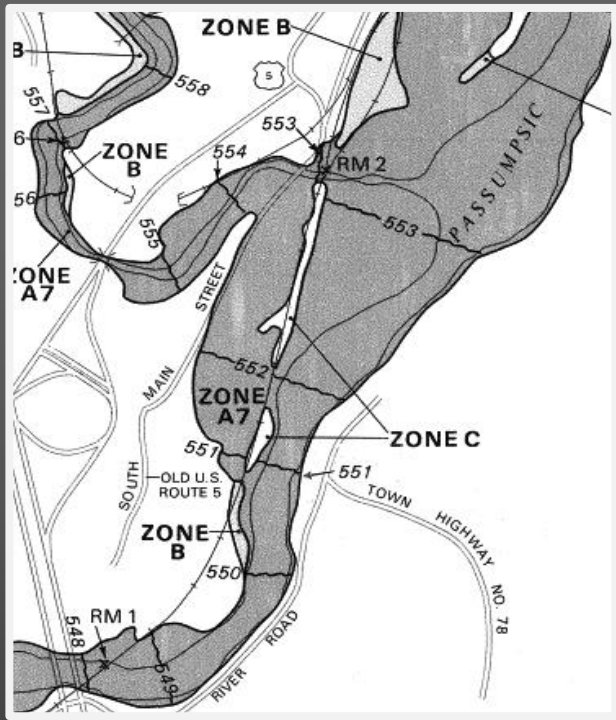
**Flood Insurance**  
policies  
available to  
residents

**Floodplain  
Regulations**  
enforced by  
communities

**Flood Hazard  
Mapping**  
completed by  
FEMA

**Flood Hazard  
Mitigation  
Grants**  
available to  
communities

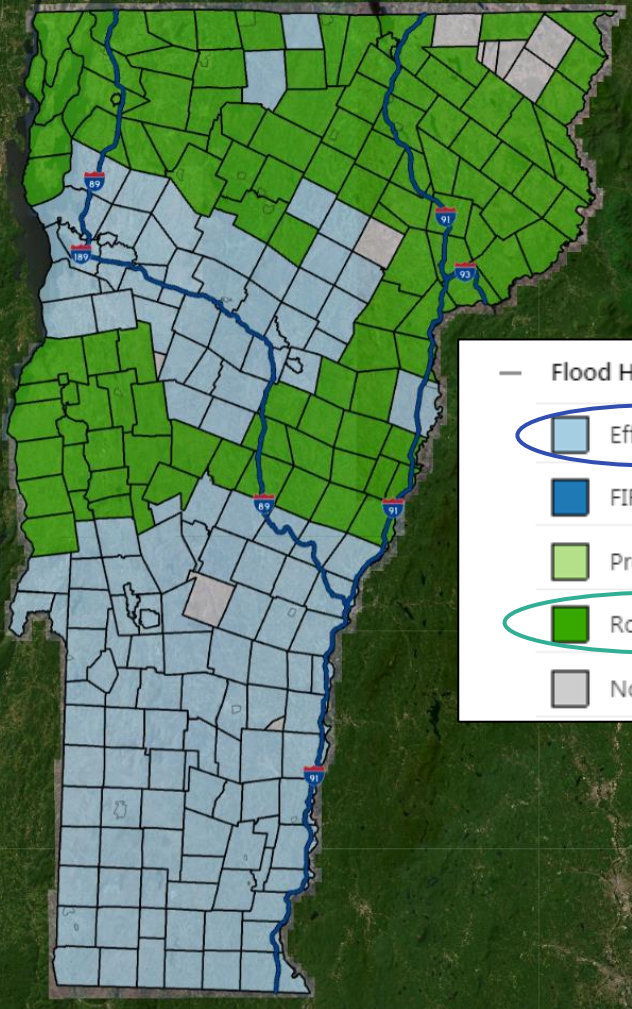




# NFIP FLOOD HAZARD MAPS

# FEMA Flood Insurance Rate Map (FIRM) Status

10/2023

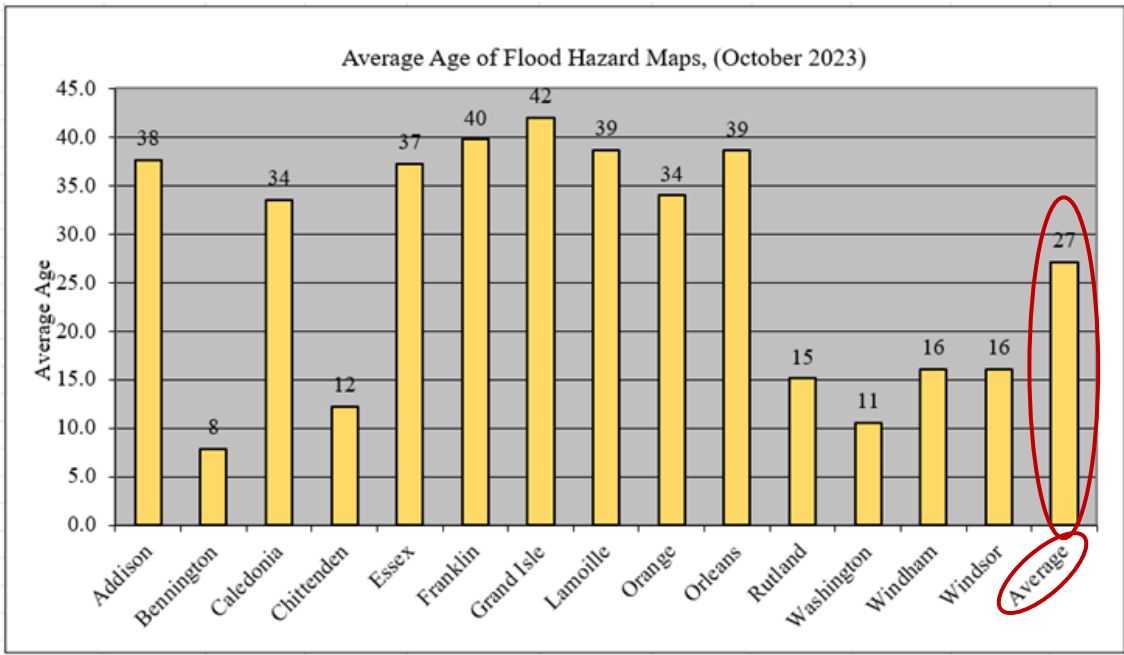


**Flood Hazard Mapping**

- Effective DFIRM
- FIRM (not digitized)
- Preliminary DFIRM
- Rough digital data
- None

Available on Atlas

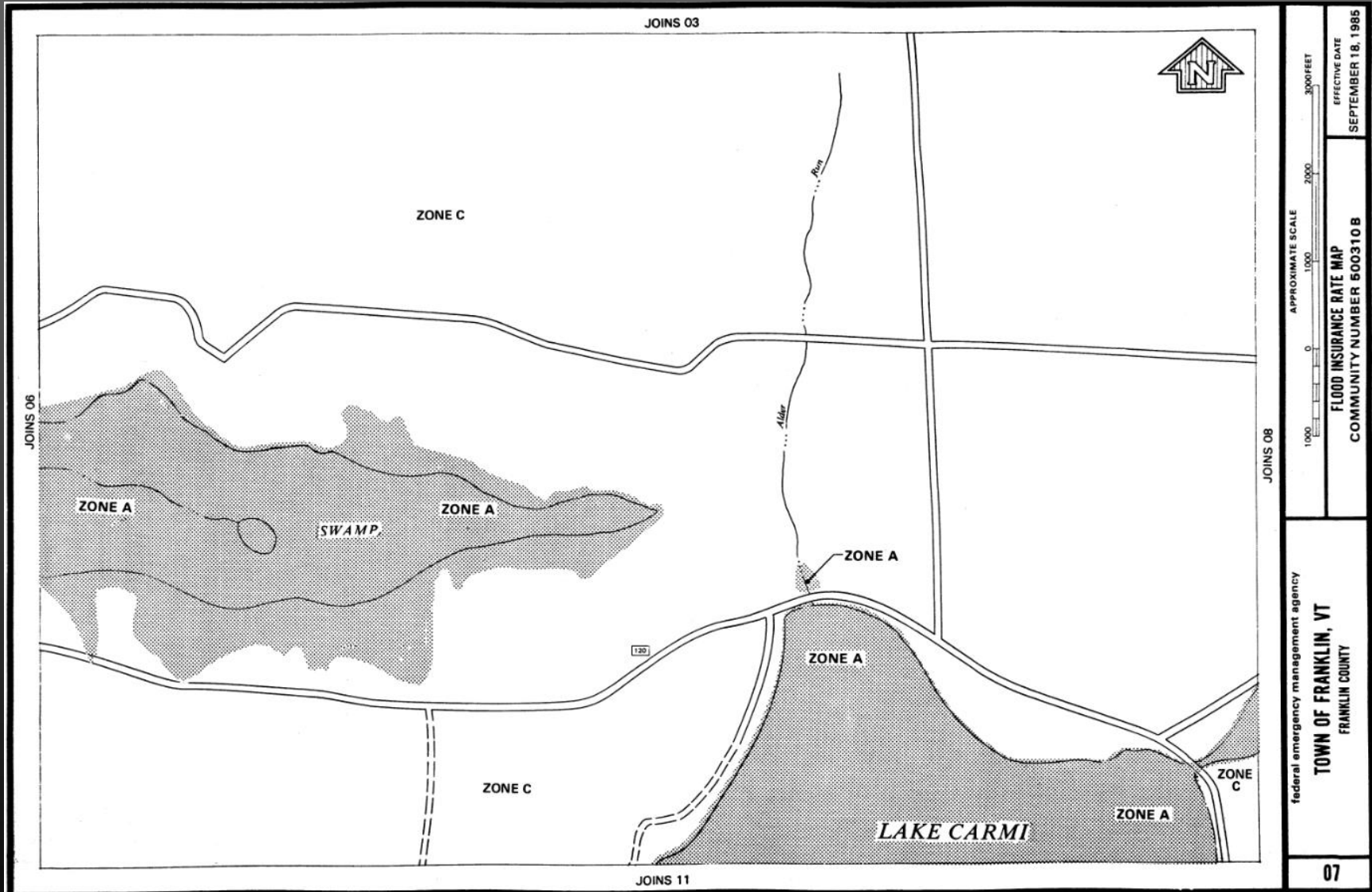
Available at [msc.fema.gov](https://msc.fema.gov)





# FLOOD HAZARD BOUNDARY MAPS

(MAY STILL BE THE MAPS FOR FRANKLIN COUNTY OR THE NEK)



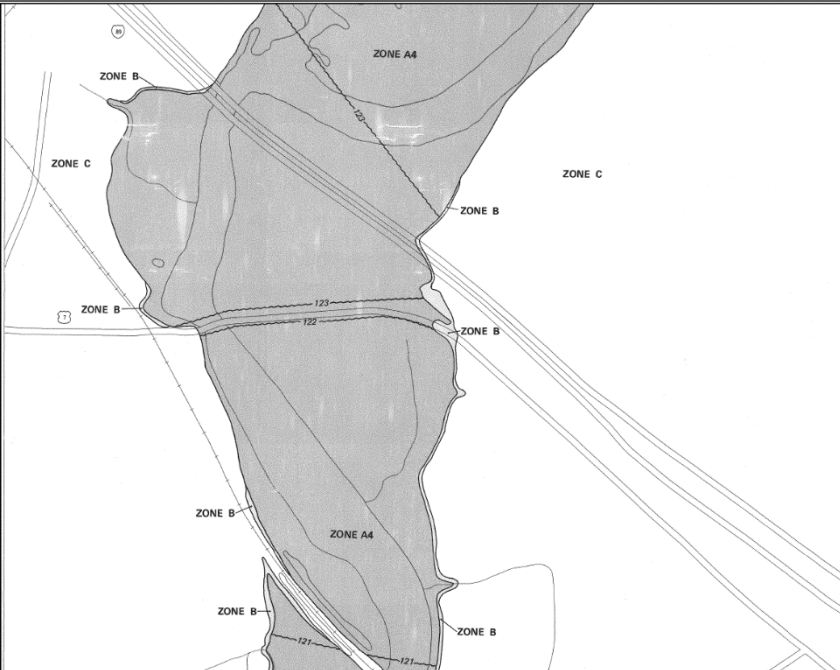
federal emergency management agency

TOWN OF FRANKLIN, VT  
FRANKLIN COUNTY

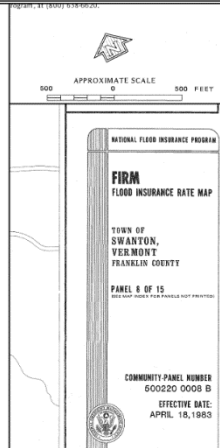


# 1980'S VINTAGE FLOOD MAPS

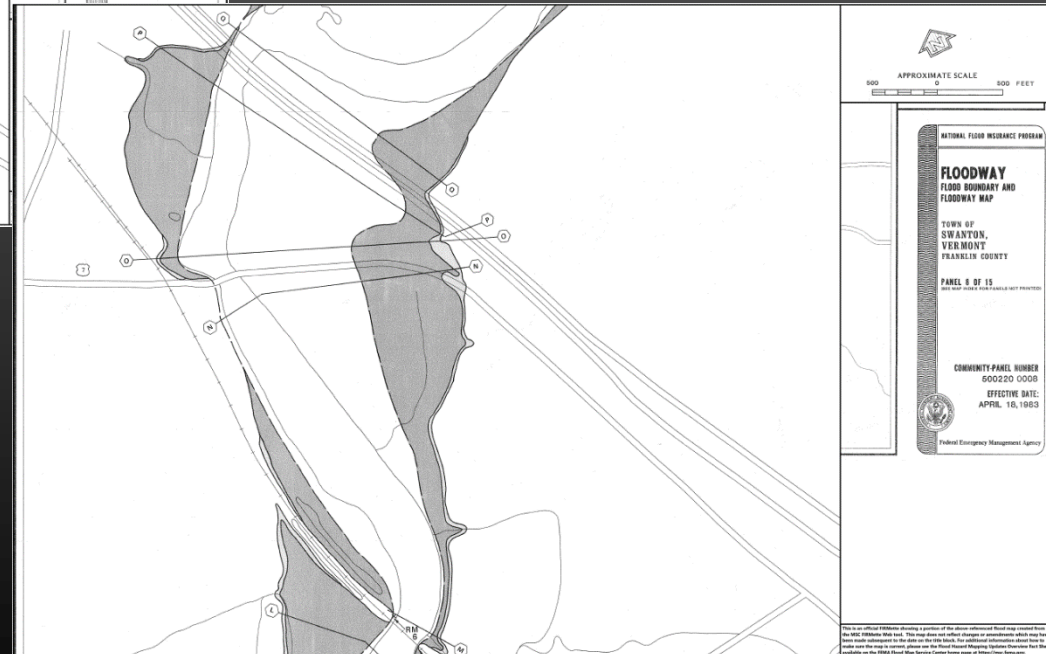
(STILL THE MAPS FOR ABOUT 1/3 OF VERMONT COUNTIES)



Flood Insurance Rate Map (FIRM)

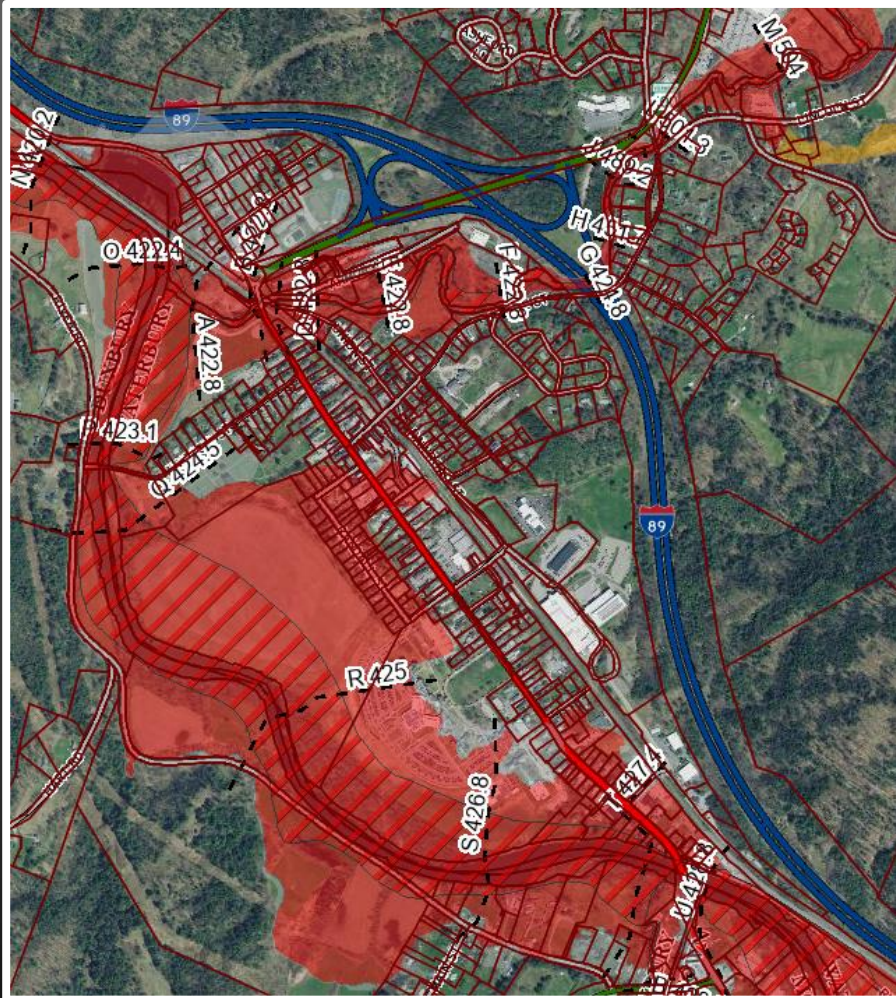


Flood Boundary & Floodway Map (FIBM)

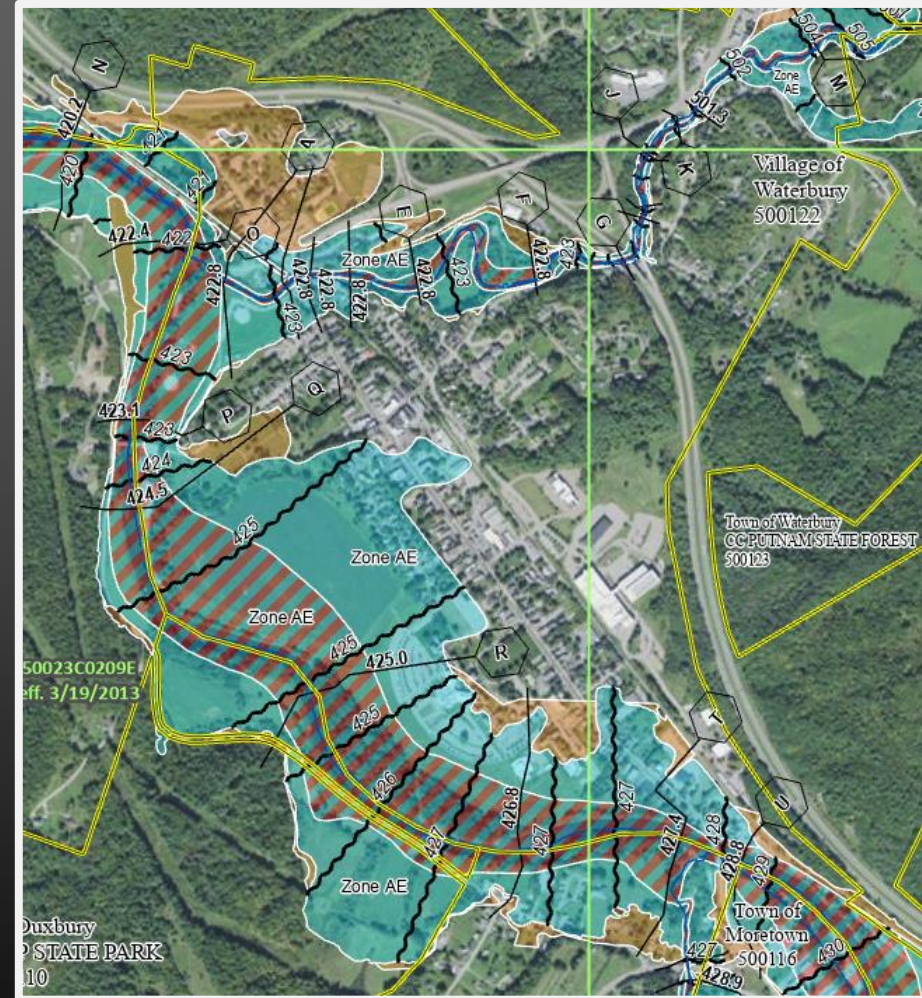




# DIGITAL FLOOD INSURANCE RATE MAP (DFIRM)

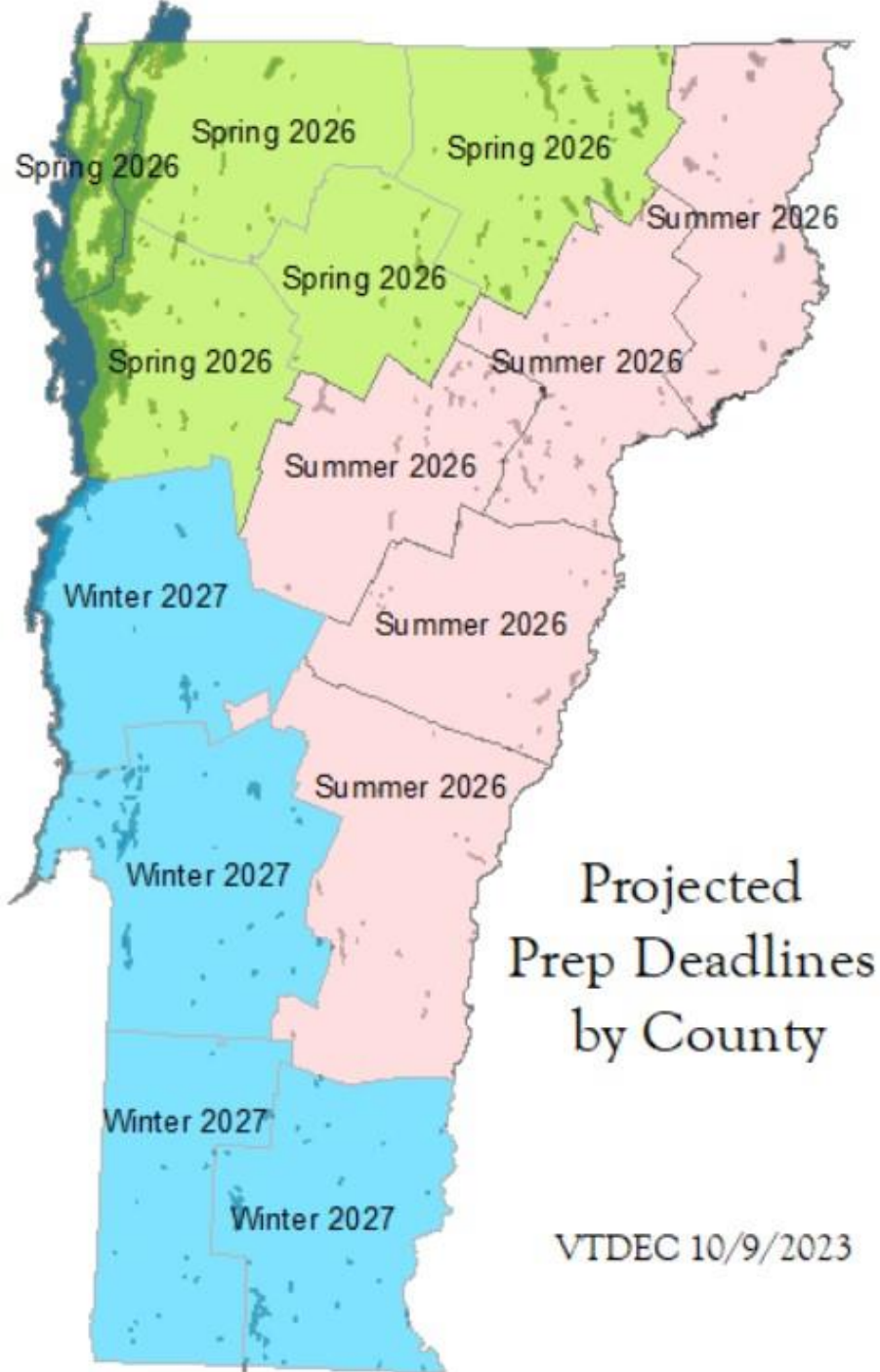


VT ANR Natural Resource Atlas

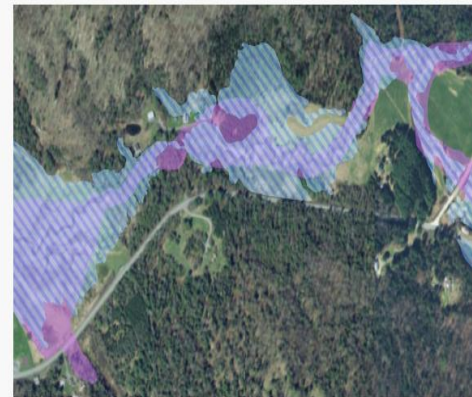


FEMA's Map Service Center





# GET READY FOR NEW FEMA MAPS



In this example, the purple areas are current Zone A and the blue lined areas are proposed new Zone A. Notice that the new Zone A is more detailed and often changes which areas of land are considered at a high risk of flooding.

\*Prep deadline is approximately 4 months prior to new map effective dates

<https://floodtraining.vermont.gov/protection-tools/get-ready-new-fema-flood-insurance-rate-maps#status>



# GETTING A FLOOD MAP

[MSC.FEMA.GOV](https://MSC.FEMA.GOV)



Navigation

Search

Languages

MSC Home

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MSC Search All Products

MSC Products and Tools

Hazus

LOMC Batch Files

Product Availability

MSC Frequently Asked Questions (FAQs)

MSC Email Subscriptions

Contact MSC Help

## FEMA Flood Map Service Center : Welcome!

Looking for a Flood Map? [?](#)

Enter an address, a place, or  
longitude/latitude coordinates:

Search



Looking for more than just a current flood  
map?

Visit [Search All Products](#) to access the full range of flood risk products for your  
community.

## About Flood Map Service Center

The FEMA Flood Map Service Center (MSC) is the official public source for flood hazard information produced in support of the National Flood Insurance Program (NFIP). Use the MSC to find your official flood map, access a range of other flood hazard products, and take advantage of tools for better understanding flood risk.



# FEMA Flood Map Service Center : FAQs

Navigation

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▼ [MSC Products and Tools](#)

[Hazus](#)

[LOMC Batch Files](#)

[Product Availability](#)

[MSC Frequently Asked Questions \(FAQs\)](#)

[MSC Email Subscriptions](#)

[Contact MSC Help](#)

This page serves as a reference guide for some of the most common uses of the FEMA Flood Map Service Center. New users of the site will find directions here on how to accomplish various common activities associated with understanding flood risk.

[> Expand All Sections](#)

[> FAQ: General Information](#)

[> FAQ: Locating Our Products](#)

[> FAQ: Using Our Products](#)

[FIRMette Tutorial](#)

[> FAQ: Flood Insurance](#)

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# ANR NATURAL RESOURCE ATLAS

<http://anrmaps.vermont.gov/websites/anra/>

The screenshot shows the Vermont Natural Resources Atlas website. The browser address bar displays <http://anrmaps.vermont.gov/websites/anra/>. The page header includes the Vermont logo and the text "Natural Resources Atlas Vermont Agency of Natural Resources". A search bar and "Quick Tools..." button are visible. The main content area features a map of Vermont with a grid overlay. A red circle highlights a sidebar menu on the left containing the following items:

- Release Notes - GE4.11 - HTML5 v2.12 - Updated: 3/7/2018
- The Vermont Agency of Natural Resources has been busy making the Natural Resources Atlas the best online mapping tool for Vermont's Natural Resources. With over 150 map layers available to make your custom map from across all of our departments and other state and municipal agencies, you can use the Atlas to create a robust map for any purpose.
- Is the map slow? Try the Atlas Lite!**  
Make the switch now: [Click Here](#)
- Issues with Unresponsive Script Errors?**  
Are you using Firefox? [Click Here](#)
- YouTube** - Watch an Atlas orientation video!  
Click the YouTube Logo.
- FAQ** - Please visit the NEW FAQ before contacting ANRGIS!
- VT ANR GIS logo
- MAP SIMPLY. (with icons for location, mobile, and desktop)

The bottom of the page features a scale bar (0 to 40km), a "1:500" scale indicator, and a footer with the text: "VCGI | VTANR | VTANRGIS | VCGI, RPCs, VTans, ANR, Contractors and towns | VTANR GIS |".



National Flood Insurance Program

# Elevation Certificate

and Instructions

2023 EDITION



# FEMA

# FEMA ELEVATION CERTIFICATE

Form Instructions

U.S. DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency  
National Flood Insurance Program

OMB Control No. 1650-0008  
Expiration Date: 06/30/2026

### ELEVATION CERTIFICATE

**IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11**

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.


SECTION A – PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name:		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:		Company NAIC Number:
City:	State:	ZIP Code:
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number:		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.):		
A5. Latitude/Longitude: Lat.	Long.	Horiz. Datum: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).		
A7. Building Diagram Number:		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s):		
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings:      Engineered flood openings:		
d) Total net open area of non-engineered flood openings in A8.c:		
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions):		
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions):		
A9. For a building with an attached garage:		
a) Square footage of attached garage:		
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings:      Engineered flood openings:		
d) Total net open area of non-engineered flood openings in A9.c:		
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions):		
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions):		
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION		
B1.a. NFIP Community Name:	B1.b. NFIP Community Identification Number:	
B2. County Name:	B3. State:	B4. Map/Panel No.:
B5. Suffix:		
B6. FIRM Index Date:	B7. FIRM Panel Effective/Revised Date:	
B8. Flood Zone(s):	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth):	
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other:		
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source:		
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input type="checkbox"/> No Designation Date: <input type="checkbox"/> CBRS <input type="checkbox"/> OPA		
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input type="checkbox"/> No		



## Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION				LEGAL PROPERTY DESCRIPTION				
COMMUNITY	TOWN OF WILLISTON, CHITTENDEN COUNTY, VERMONT			A portion of Parcel A, as described in the Quit Claim Deed, recorded in Book 452, Pages 47 and 48, in the Office of the Town Clerk, Town of Williston, Vermont.				
	COMMUNITY NO.: 500043			The portion of property is more particularly described by the following metes and bounds:				
AFFECTED MAP PANEL	NUMBER: 50007C0292D							
	DATE: 7/18/2011							
FLOODING SOURCE: WINOOSKI RIVER				APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 44.430, -73.029 SOURCE OF LAT & LONG: ARCGIS 10 DATUM: NAD 83				
DETERMINATION								
LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
Parcel A	--	--	10191 Williston Road →	Portion of Property	X (shaded)	302.8 feet	--	304.0 feet
<b>Special Flood Hazard Area (SFHA)</b> - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equalled or exceeded in any given year (base flood).								
ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)								
LEGAL PROPERTY DESCRIPTION PORTIONS REMAIN IN THE FLOODWAY								
<p>This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equalled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.</p> <p>This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.</p>								
 Luis Rodriguez, P.E., Chief Engineering Management Branch Federal Insurance and Mitigation Administration								

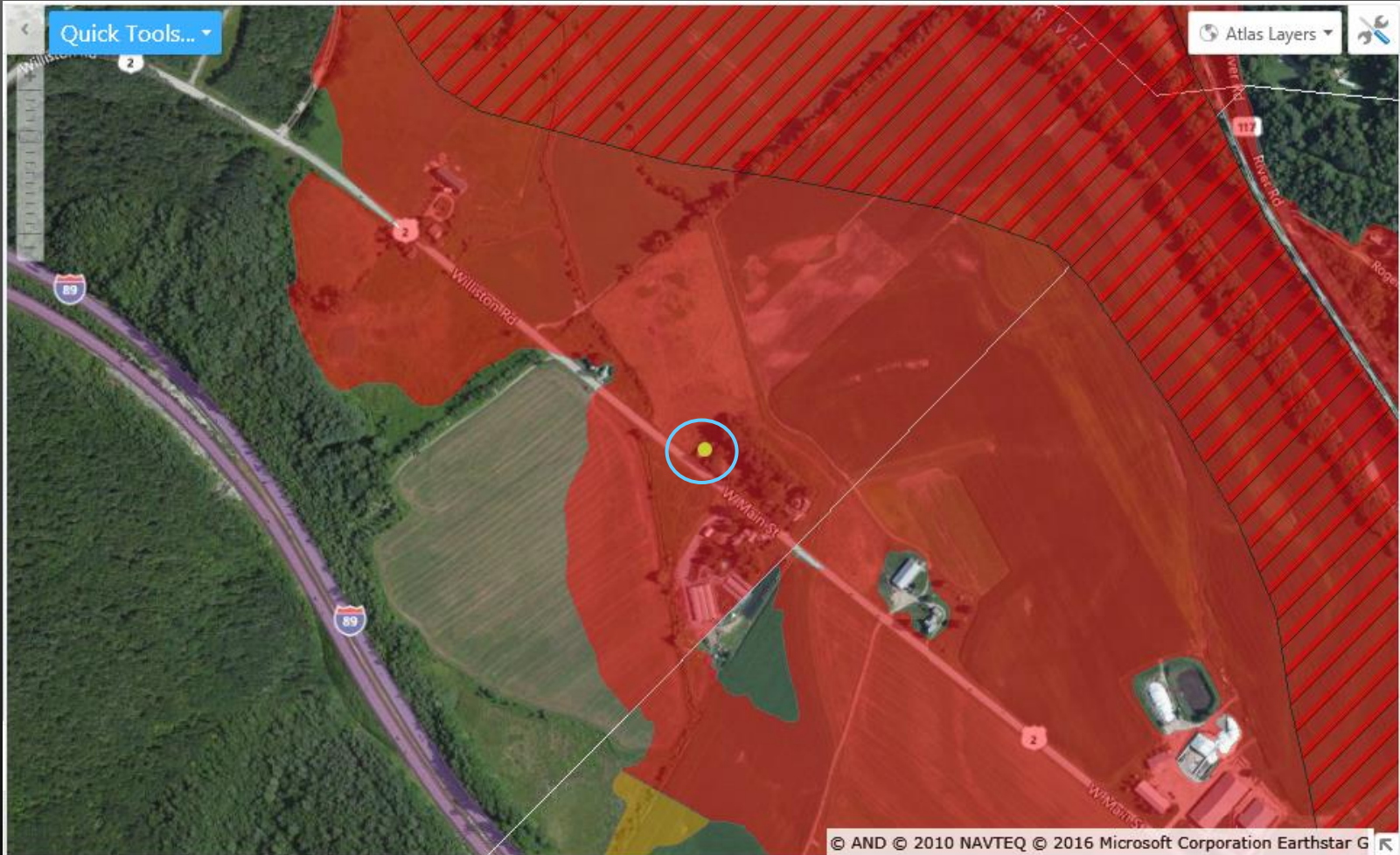
# LOMA: LETTER OF MAP AMENDMENT


Removes a  
portion of the  
property or the  
structure





A LOMA REMOVES THE BUILDING OR PROPERTY FROM THE SHFA, BUT THE MAP REMAINS



Page 1 of 2		Date: February 04, 2010	Case No.: 10-01-0265A	LOMA				
 <b>Federal Emergency Management Agency</b> Washington, D.C. 20472								
<b>LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)</b>								
COMMUNITY AND MAP PANEL INFORMATION			LEGAL PROPERTY DESCRIPTION					
COMMUNITY	VILLAGE OF BARTON, ORLEANS COUNTY, VERMONT		A parcel of land, as described in the Warranty Deed, recorded in Book 154, Pages 347 and 348, in the Office of the Town Clerk, Village of Barton, Vermont					
	COMMUNITY NO.: 500082							
AFFECTED MAP PANEL	NUMBER: 5000820001C							
	DATE: 2/2/1994							
FLOODING SOURCE: BARTON RIVER			APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 44.745, -72.180 SOURCE OF LAT & LONG: STREETS & TRIPS 2009 DATUM: WGS 84					
<b>DETERMINATION</b>								
LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
--	--	--	291 Glover Road	Structure	X (unshaded)	859.5 feet	864.8 feet	--
<b>Special Flood Hazard Area (SFHA)</b> - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).								
ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)								
PORTIONS REMAIN IN THE SFHA								
This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the structure(s) on the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from								



No Digital Data Available  
Unmapped

USGS The National Map: Orthoimagery. Data refreshed October, 2017. 



# LOMA QUESTIONS:

## FEMA Flood Map Service Center: Contact Us

For questions regarding the **FEMA Flood Map Service Center (MSC)** website or other flood mapping-related questions, please visit our self-service options or contact a **Map Specialist** with the [FEMA Map Information eXchange \(FMIX\)](#).

> [Expand All Sections](#)

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### ✓ [Self Service](#)

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- [MSC General Information](#)
- [Frequently Asked Questions](#)

> [Contact A Map Specialist](#)

---

> [Flood Insurance Questions](#)



# HAZARD DISCLOSURE

**“Home Sales Need Better Disclosure of Flood Risk, Experts Say”**  
**Scientific American** -- February 2, 2021



Behind this sign was a house—no trace remains  
Photo credit: Lars Gange, Mansfield Heliflight

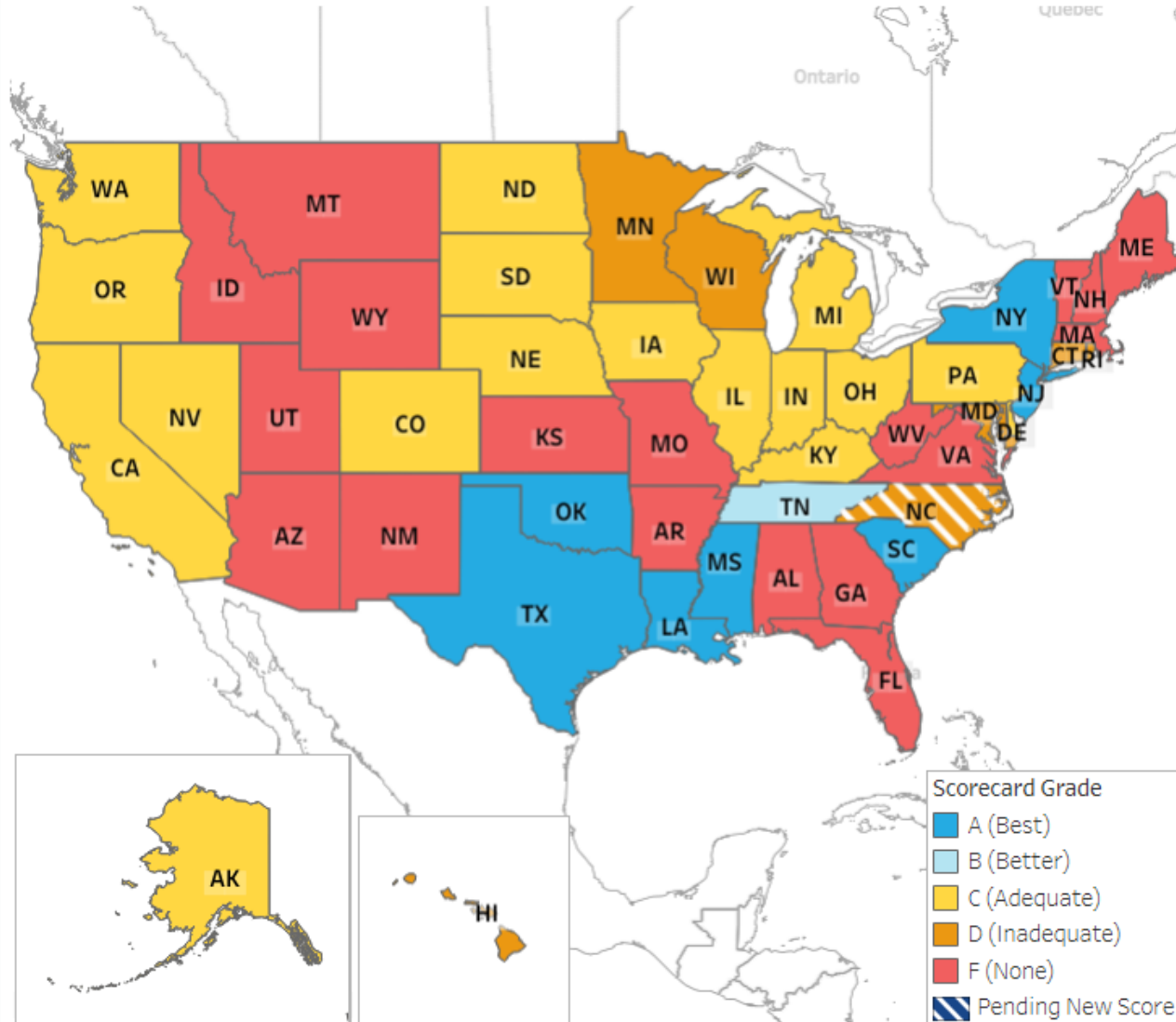


# FLOOD RISK DISCLOSURE LAWS SCORECARD

Updated September 25, 2023



SEARCH BY STATE:  SEARCH BY GRADE:



Natural Resources Defense Council's Flood Risk Disclosure Scorecard



## Vermont | F (None)

Vermont has no statutory or regulatory requirements for a seller to disclose a property's flood risks or past flood damages to a potential buyer. As such, Vermont home buyers are greatly disadvantaged when it comes to learning of a home's past flood history or potential for future flooding.

While the Vermont Association of Realtors has created a disclosure statement for sellers to use, the form is voluntary and, as such, sellers do not have to provide it to a buyer. The association's form asks the seller to disclose whether:

- the property is located in a flood hazard zone designated by federal, state, or local statute, regulation or ordinance;
- there are any past or present flood problems affecting the property; and
- there has been significant damage to the property or any of its structures from floods.

Natural Resources  
Defense Council's  
Flood Risk Disclosure  
Scorecard





## New York | A (Best)

Per New York law, a seller must disclose the following:

- whether any or all of the property is located wholly or partially in the Special Flood Hazard Area ("SFHA"; "100-year floodplain") according to the Federal Emergency Management Agency's (FEMA's) current flood insurance rate maps for your area
- whether any or all of the property is located wholly or partially in a moderate risk flood hazard area ("500-year floodplain") according to FEMA's current flood insurance rate maps for your area
- whether the property is subject to any requirement under federal law to obtain and maintain flood insurance on the property
- whether they ever received assistance, or are aware of any previous owners receiving assistance, from FEMA, the U.S. Small Business Administration, or any other federal disaster flood assistance for flood damage to the property
- whether there is flood insurance on the property
- whether there is a FEMA elevation certificate available for the property
- whether a claim for flood damage to the property has been filed with any insurance provider, including the National Flood Insurance Program
- whether the structure on the property has experienced any flood damage, water seepage, or pooled water due to a natural flood event, such as heavy rainfall, coastal storm surge, tidal inundation, or river overflow.

(In 2023, New York adopted these requirements and eliminated the \$500 credit that sellers could pay to avoid

Natural Resources  
Defense Council's  
Flood Risk Disclosure  
Scorecard



# GENERAL RECOMMENDATIONS:

Recommendations based on existing draft and Vermont specific issues:

- In addition to flood disclosure for real property, include a **flood disclosure requirement for a seller to report any previous flood damage for the purchase and sale of manufactured homes.**
- Consider requiring flood hazard disclosure for commercial leases, in addition to residential leases
- Remove the requirement for disclosure of actual paid flood insurance premiums (but keep disclosure of existence of a policy)
  - NFIP policies and premiums are generally protected as PII (Personal Identifiable Information)
  - While policies can be transferred (policy assumption), this may not occur at a sale, or changes to the transferred policy (like occupancy) may result in significantly different insurance rates and premiums

# TOP RECOMMENDATIONS FROM THE NRDC ASSESSMENT:

Top Recommendations based on provisions from top-tier states (New York, New Jersey, South Carolina, Texas, Oklahoma, Louisiana, Mississippi):

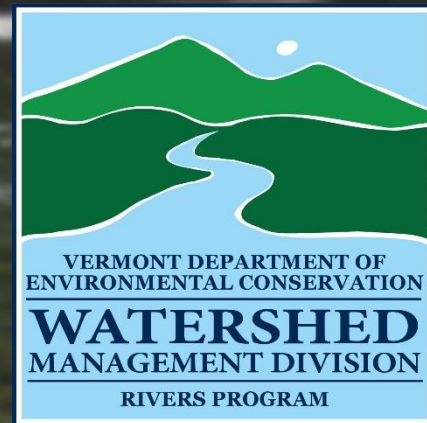
- ★ Indicating whether any or all of the structure or the property is included of **both** 100 and 500-year SFHA, **and** the floodway;
- ★ Whether the property is subject to requirements under Federal law for the owner to maintain flood insurance on the property;
- ★ (Vermont specific) Whether the property was subject to flooding while the seller possessed the property. This would include reporting flood damage from either inundation or **flood-related erosion or landslide** damage during flooding.
- ★ Whether there is a FEMA Elevation Certificate available for the property;



# OTHER RECOMMENDATIONS FROM THE NRDC ASSESSMENT:

- ★ Whether the owner has ever received federal assistance from Federal flood disaster programs for flood damage on the property or is aware of any previous owners receiving assistance. And if yes, the type and amount of aid received;
- ★ Whether the current owner has flood insurance on the property (but not require the rate that is paid), either NFIP-backed policy or private flood insurance policy;
- ★ Whether a claim for flood insurance has been filed with an insurance provider, including NFIP-backed or private flood insurance;
- ★ Flood damage repairs made to the property as a result of flood events that were NOT filed with a private or public insurance provider during their ownership;
- ★ Provide a description and dates of damage to the structure due to flooding;

Rebecca Pfeiffer, CFM  
Vermont NFIP Coordinator;  
State Floodplain Manager  
[Rebecca.Pfeiffer@vermont.gov](mailto:Rebecca.Pfeiffer@vermont.gov), 802-490-6157



Visit:

▶ MORE INFORMATION

For complete details on Substantial Damage requirements, see FEMA's Substantial Improvement/  
Substantial Damage Desk Reference Guide (P-758):

[www.fema.gov/media-library/assets/documents/18562](http://www.fema.gov/media-library/assets/documents/18562)

For more resources for local officials, please go to  
VTDEC's *After the Flood* website:



<https://dec.vermont.gov/watershed/rivers/river-corridor-and-floodplain-protection/after-a-flood>

For questions, please contact your local VT DEC  
Regional Floodplain Manager at:



[https://dec.vermont.gov/sites/dec/files/wsm/rivers/docs/floodplain\\_mgr\\_regions.pdf](https://dec.vermont.gov/sites/dec/files/wsm/rivers/docs/floodplain_mgr_regions.pdf)

Flood Ready Vermont (River Corridor FAQs, ERAF & More) :  
<http://Floodready.Vermont.gov>

Vermont Rivers Program (Municipal Assistance):  
<http://watershedmanagement.vt.gov/rivers/htm>