



Legislative Oversight of Hazard Mitigation Activities

Recommended Addition to H.397

House Government Operations and Military Affairs Committee Presentation

March 14, 2025

Recommendation to Committee: Add language below requiring VEM to provide annual in-person progress report to standing committees so the Legislature can make informed decisions about spending and policy decisions relating to hazard mitigation and emergency planning.

20 V.S.A. § 3a

(a) In addition to other duties required by law, the Division of Emergency Management shall:

(1) Establish and maintain a comprehensive State emergency management strategy that includes an emergency management plan; establish and define regional emergency management committees; and prepare an all-hazards mitigation plan in cooperation with other State, regional, and local agencies in compliance with adopted federal standards for emergency management. The strategy shall be designed to protect the lives and property, including domestic animals, of persons within this State who might be threatened as the result of all-hazards, and shall align State coordination structures, capabilities, and resources into a unified and multidisciplined all-hazards approach to incident management. The Division shall annually provide an in-person status report on all action items in the all-hazards mitigation plan to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations.



DOUGLAS R. HOFFER
Vermont State Auditor

Vermont's State Hazard Mitigation Plan

Minimal Executive Oversight and Low
Completion Rate of Actions Reduces
Effectiveness of Vermont's State Hazard
Mitigation Plan

September 3, 2024

Rpt. No. 24-04

September 2024 audit examined the effectiveness of Vermont's Hazard Mitigation Plan

Exhibit 4: The State Did Not Complete Most Hazard Mitigation Actions from the 2018 Plan

Plan Goal	Not Completed	Completed
Create a <u>common understanding</u> of - and coordinated approach to - mitigation planning and action.	85%	15%
Enhance the resilience of our <u>built environment</u> - our communities, infrastructure, buildings, and cultural assets.	70%	30%
Develop and implement <u>plans and policies</u> that create resilient natural systems, built environments and communities.	67%	33%
Protect, restore and enhance Vermont's <u>natural resources</u> to promote healthy, resilient ecosystems.	43%	57%

1/3 of mitigation actions completed, and approx. 1/2 of “priority actions”

Examples of Mitigation Actions in 2023 SHMP

Establish a statewide conservation and buyout program	23	Create a mechanism for monitoring tax-sale/foreclosed properties and other for sale properties located within SFHA and State River Corridor maps to identify flood-vulnerable structures for removal (BRIC scoping application).
	24	Develop a priority list and map of community-identified properties that have been damaged repetitively but are not on the FEMA Repetitive Loss (RL) or Severe Repetitive Loss (SRL) list to be used for buyout/conservation prioritization (BRIC scoping application).
	25	Develop a Benefit-Cost Analysis methodology to facilitate buyouts in areas at risk from flood-related erosion and role of the River Corridor and outside of FEMA-mapped Special Flood Hazard Areas (BRIC scoping application).
	26	Develop a modified BCA process more adequately incorporate social equity considerations specific to Vermont within the BCA tool (BRIC Scoping).
	27	Create a mechanism for monitoring the relocating or retrofitting at-risk mobile home parks at the time of sale or substantial rehabilitation.

No Legislative Oversight/Review of Hazard Mitigation Progress Exists

Neither the plan nor annual progress reports are presented to any legislative committees. The Legislature does not know which actions are being completed, and which are not and why not.

Example #1 of How Consideration of Legislation Like H.397 Would Benefit From Annual VEM Updates to Legislative Committees

Consider Section 7 of H.397 in the context of these two “priority actions” from the 2018 SHMP which remain incomplete.

Improve headwater storage	Develop an inventory of critical headwater and floodplain storage areas that would result in a measurable abatement of flooding.	WG June 2017	Data Gap	Inundation; Fluvial Erosion	ANR, USGS, TNC, VLT, UVM, VRC	TNC, State Resources	2019-2020	High	High
	Complete a pilot project in a strategic watershed, using the above inventory, to prioritize land conservation and determine the cost of averted flood damage.	Focus Group	Data Gap	Inundation; Fluvial Erosion	ANR, USGS, TNC, VLT, UVM, VRC	TNC, HMGP 5% Initiative	2020	High	High
	Conserve land identified in the critical headwater storage inventory through landowner outreach and existing conservation programs.	WG June 2017	Education/ Outreach	Inundation; Fluvial Erosion	ANR, watershed Groups, RPCs, Land Trusts, VRC	Existing State and Nonprofit Resources	Ongoing	High	Medium
	Identify critical headwater storage areas enrolled in the Current Use program and conduct outreach to inform landowners of the value of protecting these areas during harvesting operations.	Focus Group	Regulation/ Policy	Inundation; Fluvial Erosion	ANR, AAFM, VRC	Existing State Resources	Ongoing	High	Medium
	Identify stormwater-impaired headwater storage areas where stormwater treatment and stream restoration would result in hazard mitigation co-benefits.	Expert Review	Data Gap	Inundation; Fluvial Erosion	ANR, RPCs, VEM, VRC	FEMA HMA	Ongoing	Medium	Medium

Example #2

Consider Section 3 of H.397 requires VEM and ACCD to establish a voluntary buyout program. As we described in our audit (see passage below), the buyout program exists. This was a priority action that was completed. However, the 2023 Plan articulates a new priority action – securing a long-term funding stream.

Additionally, the long-term impact of one completed priority action to design a program to purchase and remove structures on flood-vulnerable properties is uncertain. The State used federal funds from the American Rescue Plan Act to implement this program and buy out several properties, but these funds were temporary. The 2023 Plan notes that a top priority is securing long-term funding for this program.