

**PRESS RELEASE**  
**Vermont Agency of Natural Resources**  
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**Vermont Agency of Natural Resources is Expediting Flood Recovery**

*Montpelier.* The Vermont Agency of Natural Resources (ANR) announced today the steps they are taking to help municipalities and homeowners expedite flood recovery. “We recognize that in many places the river changed course, damaging homes and businesses, and wiping out roads and bridges,” said Vermont Agency of Natural Resources Secretary Deb Markowitz. “We need to rebuild this infrastructure immediately but if we are not careful, the things we do today could have a catastrophic impact later on.” She added, “To help prevent future problems, we have deployed a team of experts who are out in Vermont communities, ready to help with technical assistance, expert advice and problem solving. “

Recognizing that recovery in the aftermath of a statewide flood disaster requires extensive in-stream work, the Department of Environmental Conservation’s (DEC) Rivers Program will assist landowners, municipalities, and other agencies as they conduct emergency work. DEC staff will ensure that rebuilding occurs in the best possible way in order to minimize loss from the next flood event.

State Rivers Program Manager Mike Kline said, “It is important to understand how rivers and streams behave during floods when we decide how to rebuild infrastructure and buildings and when we consider whether we should be altering the new course of the stream.” Secretary Markowitz said, “It is also important to keep in mind that simply rebuilding a road or home in the exact same location may be a mistake. The decisions we make recovering from this flood may well determine how we fare during the next one.”

**Expedited Flood Recovery:** Where needed, the ANR Rivers Program will provide technical assistance to:

1. **Relocate streams to a former location:** During an immediate flood recovery period DEC River Program staff will be available in the field and by phone, to authorize excavation and relocation of stream channels to pre-flood alignments where necessary to reestablish roads and other public infrastructure and to restore / protect private property. Technical assistance is being offered in the field to help reduce the effect of such recovery operations on future flood hazards, public safety, and the rights of other landowners.
2. **Reestablish channel capacity:** On a case-by-case basis DEC River Program staff will authorize the removal of gravel and other debris from filled-in segments of river where the channel has aggraded, no longer has the capacity to carry the annual flood discharge, and property damage has occurred or further damage is imminent.

3. **Facilitate stream stability:** DEC River Program staff will provide technical assistance on the most successful approaches and engineering solutions to improving both vertical and lateral stream stability where public infrastructure and private property has been damaged or is threatened; such that future floods will result in less damage rather than more.
4. **Reestablish stream crossings:** Hundreds of private and public stream crossings are lost. DEC River Program staff will provide technical assistance to VTrans, municipalities, and private owners to reestablish culverts and bridges in a manner that reduces the public safety hazard and vulnerability to future flood loss. This includes help to determine appropriate structure type, size and location. Agency program staff will also help to plan and seek funding for better designed stream crossing structures over the longer term.
5. **Expedited assistance and permit approvals.** DEC River Program staff will use its emergency authorities, general permit process and expedite permit approvals during the flood recovery period (the time frame necessary to avoid imminent danger to private and public property) so that critical public infrastructure can be restored as quickly as possible.

**Practices that require approval during the flood recovery period:** The following practices can contribute to damage caused by flood erosion and inundation. Consequently, municipalities and landowners must get approval from DEC River Program staff prior to using these techniques in their flood recovery efforts:

1. **Berming** – using gravel and other aggregate to fill and create a linear barrier between the river and its floodplain. Berming will only be approved when no other options exist to protect the damaged or threatened facility.
2. **Rechanneling streams in unstable dimensions and/or elevations** –excavating the channel substantially deeper, wider, and/or steeper than the dimensions and longitudinal slope of the channel required for the annual flood discharge; or extending dredging operations beyond that necessary for the removal of existing threats will be permitted when necessary. However, commercial gravel mining in streams is prohibited by law, and statutory limits for riparian landowner use of 50 cubic yards without a permit still apply in flood recovery periods.
3. **Creating new straightened river channels** –excavating new channels that did not exist prior to the flood event will be allowed in limited circumstances.

### **Gravel Pit Access and Removal – Act 250**

The Natural Resources Board oversees the Act 250 process that regulates the extraction of gravel. The NRB has announced that it will authorize reasonable activities related to this emergency. Gravel for road repair and debris management are critical to Vermont's post-Irene response. To assure availability of needed gravel, the Natural Resources Board (Act 250) has:

1. Temporarily suspended enforcement of extraction limits and trucking, and is allowing closed gravel pits and rock quarries to be reopened as needed. **If you need gravel from a quarry that is**

**not permitted to extract gravel you must call the District Environmental Coordinator to inform them of the emergency gravel extraction and provide the information related to the activity.** The information allows the coordinators to work with the pit operator to prevent any problems. The District Coordinators and NRB Chair will be available over the holiday weekend to continue assisting emergency extractions.

2. In addition, the NRB is temporarily suspending enforcement of limits on hours of operation and trucking in Act 250 permits for landfills to make it easier to dispose of flood debris.

“ANR is here to help communities recover, and will be wherever we are needed to offer technical assistance during this extreme situation,” Secretary Markowitz said, “but it is important to remember that the environmental protections that protect our streams are not suspended during flood recovery. With permission from our River Management engineers, emergency in-stream work may proceed under emergency provisions set in statute, and we will do everything in our power to expedite the process.”

You can find the stream alteration statutes and the General Permit online at:

[http://www.vtwaterquality.org/rivers/docs/rv\\_Stream%20Alteration\\_General%20Permit04-18-11.pdf](http://www.vtwaterquality.org/rivers/docs/rv_Stream%20Alteration_General%20Permit04-18-11.pdf)

Guidelines for in-stream work are located on the flood information page of the ANR website at:

<http://www.anr.state.vt.us/site/html/flood.htm#after>

Contact information and coverage maps for River Management Engineers is located at: [http://www.vtwaterquality.org/rivers/docs/rv\\_contact.pdf](http://www.vtwaterquality.org/rivers/docs/rv_contact.pdf)

**Cell phone numbers:**

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