

Agency of Natural Resources, Watershed Management Division response to
FHOD Revisions
January 31, 2025

Hi Keith,

Thanks for your patience during this review. Great work and I appreciate the letter outlining your rationale and statements referencing the FEMA 480 language. The removal of incidental structures/utilization of temporary structures and permit requirements seems to pass the checklist (#16, #17) and overall, the bylaw meets the intent of the NFIP floodplain regulation. Once you have the fully edited, adopted version please send along for our files.

One item I'd clarify from the letter, you reference "to a higher BFE" a couple of times, I'd recommend higher elevation or lower BFE. Implying the floodwaters are less impactful at these locations.

As a Disclaimer that we've discussed - FEMA will likely be reviewing all Town bylaws for NFIP compliance prior to new FIRM map updates - Chittenden Co. expected in 2027-2028. The bylaw may get a thorough review by FEMA as part of the map update process. Given the ad hoc language you've included (which does appear to meet the intent of NFIP), the ANR cannot make any guarantees that it will not need edits at that time, this is purely based on FEMA staff review/NFIP Management standards at map update time. One of the main reasons we recommend the DEC model bylaw in these reviews is that it has been pre-approved by FEMA and is consistent with state floodplain management standards to (hopefully) avoid any last-minute edits. You also have an advantage in Richmond over some of the smaller towns in that you have a Planning and Zoning staff that can be engaged to make any edits in a timely manner. Please let me know if you have any questions, happy to discuss further if helpful.

Respectfully,

Kyle Medash | Western Floodplain Manager

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