

Updated 03/07

Emergency Response Plan

for

Natural and Non-Radiological Emergencies

Vermont Agency of Natural Resources

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SUBSECTION C
AGENCY OF NATURAL RESOURCES

I. MISSION

To protect, sustain and enhance Vermont's natural resources, for the benefit of this and future generations. The mission includes the reduction of adverse impact on the environment, and on the health of Vermont's people, in emergency or disaster situations.

II. AUTHORITY

3 VSA Chapter 51

III. SITUATION AND ASSUMPTIONS

The Agency of Natural Resources is the branch of Vermont state government involved with all conditions which may affect the environment and public health. Headed by a secretary who is appointed by the Governor, the Agency has three departments: Environmental Conservation; Fish and Wildlife; and Forests, Parks and Recreation. Additionally, the Agency has independent divisions including: Management Services; Human Resources, Legal, Information Technology, and Planning. The commissioners of the departments and the directors of the independent divisions report to the Secretary.

Natural and technological hazards in Vermont are capable of causing emergency or disaster situations which can affect the total environment and infrastructure. Because of this, the assets of the Agency are called to respond to an emergency according to the nature of the event. Historically, the greatest natural disasters to occur in Vermont have been floods. Major concern has been given to monitoring streambeds and stream bank repairs in order to ensure that any damage done to the natural character of the streams and their related habitat is minimal.

The Agency is also concerned with other disaster events such as summer and winter storms, wild fires, freezing temperatures, ice jams, drought, and other major events which would be classified as an emergency or disaster having an impact on the State's environment. Potential man-made emergency situations include contamination of public water supplies, and spills or leaks of hazardous materials into the air, water, ground, water supply or a waste-water treatment facility. Other man-made emergency situations include terrorist incidents, which may affect the natural environment or infrastructure. Since the environment of the State can be adversely affected by almost every possible emergency/disaster situation, the Agency of Natural Resources is designated as a Primary Response organization.

The Agency of Natural Resources' roles and responsibilities in emergency management are defined in Vermont's State Emergency Operations Plan, which is coordinated by Vermont Emergency Management. The responsibilities defined in ANR's Emergency Response Plan are consistent with those defined in the State Emergency Operations Plan.

IV. EMERGENCY CONTACTS in the Agency of Natural Resources are contained in Appendix A..

V. IMPLEMENTATION

This Subsection will be activated with its assigned responsibilities upon the order of the Governor of Vermont. The Director of Vermont Emergency Management or State Coordinating Officer, as applicable, will notify the Secretary of Natural Resources, the Planning Director, the Commissioners, or the Deputy Secretary as required and described in each of the subsequent Departmental Subsections.

VI. ADMINISTRATION

A. The Secretary of Natural Resources is responsible for the overall Agency emergency response.

B. Delegation of authority is as follows:

1. The Director of Planning is the Secretary's delegate and authorized representative to the Emergency Operations Center. The Director of Planning is also responsible for formulation of emergency or disaster related planning. The Chief of Policy Research and Planning is the alternate. The Secretary, Planning Director and Chief of Policy and Planning share shift-change responsibilities at the Emergency Operations Center.

2. The Commissioner of Environmental Conservation is responsible for the coordination of all damage assessments performed by Agency personnel regarding state-wide or isolated flooding, ice jams, and PL 100-707 - Damage Surveys, including Damage Survey Reports, and Final Inspections for municipal water systems and pollution control facilities. The Commissioner is responsible for coordination and communication with municipal operators of wastewater treatment and water supply facilities. The Commissioner is responsible for the Hazardous Spill Team. The Commissioner is also responsible for other activities described in subsection C3 of this document. The Deputy Commissioner of Environmental Conservation shares shift responsibility at the Vermont Emergency Operations Center when it is activated and may be delegated DEC responsibilities as deemed necessary by the DEC Commissioner.

3. The Commissioner of Fish and Wildlife is responsible for monitoring and coordinating with local, State and Federal agencies whose activities may have an impact on fish and wildlife habitat in emergency or disaster situations. In most emergency situations the Fish and Wildlife Division of Law Enforcement game wardens are attached to the chain of command of the Vermont State Police.

4. The Commissioner of Forests, Parks and Recreation is responsible for the Agency's input into wild fire control, damage assessment, Damage Survey Reports, and Final Inspections for state forests and parks and recreational facilities and state forests and parks road systems which may be affected by disasters. The Commissioner is responsible for notifying visitors at State Parks and lands of emergency situations. Forests and Parks operates a radio system which may become the primary means of communication for Agency of Natural Resources in an emergency situation.

5. The Director of Management Services is responsible for maintaining a log and records of the number of personnel, hours worked (including overtime) and other costs and expenses (including direct costs) in the administration of disaster related responsibilities in order to later determine the total State costs for possible use by the Governor in a request for a Major Disaster Declaration.

6. The Deputy Secretary of the Agency of Natural Resources is responsible for coordinating with local, State and Federal agencies whose activities during an emergency or disaster situation might be in conflict with, or require permits under existing state statutes. The Deputy Secretary has primary responsibility for the safety of ANR staff, facilities, systems and continuity of Agency operations. The Deputy Secretary may assume shift responsibilities when the EOC is activated.

VII. COMMUNICATIONS

A. Effective communication during each phase of emergency management is fundamental to success in this mission.

B. The Deputy Secretary has primary responsibility for effective communication with ANR staff, with partners in emergency management, and with the public during all phases of an emergency. There is an array of communications tools and strategies. The right mix for effective leadership, coordination and management will depend on the specifics of the emergency. Practice in communication decisions and strategies is essential to performing well in an emergency.

VIII. CONTINUITY OF OPERATIONS

A. Continuing to provide critical services in the event of an emergency is both a challenge and a major responsibility. At the direction of the Secretary of Administration in 2002, all state agencies and departments defined their critical functions, systems and staff, and developed plans to continue these functions in an emergency. In doing so, ANR defined a set of functions that may not meet the full definition of "critical function," but which come close. The most critical resources for continued performance of these functions are electronic files, data bases and computer systems. ANR's Information Technology staff have improved the safety and availability of these resources throughout ANR since 2002. It is necessary to review and update our list of these resources at least annually, and to periodically test our continued access to these resources in emergency scenarios.

SUBSECTION C 1

DEPARTMENT OF FISH AND WILDLIFE

I. MISSION

To conserve and protect the fish, wildlife, plants, and their habitats for the people of Vermont.

II. AUTHORITY

3 VSA 2871

10 VSA 1022, Stream Alterations

10 VSA 1282, Oil and Hazardous Materials

10 VSA 4041-4047, 4081-4907, 4131-4152 and 4191-4197, Fish and Wildlife

III. SITUATION AND ASSUMPTIONS

The Department of Fish and Wildlife is the branch of Vermont state government primarily involved with all conditions affecting the fish, wildlife, and fur-bearing animals, as well as threatened and endangered species within the State. The Department is headed by a commissioner who is appointed by the Secretary of Natural Resources. The Department has emergency response assignments.

Disasters within the State of Vermont can create adverse conditions affecting fish and wildlife. The Department has the capability and expertise to respond to particular types of emergencies and disasters in a support position. In addition, the uniformed personnel are trained and equipped to assist in emergency situations requiring additional law enforcement and search and rescue operations. In most emergency situations requiring the activation of the EOC the uniformed personnel are subject to the chain of command of the Vermont State Police.

The Commissioner is responsible for notification of hatchery workers and dispersed field personnel.

The Commissioner must arrange for around the clock staffing in emergencies requiring the activation of the Emergency Operations Center.

IV. EMERGENCY CONTACTS in the Department of Fish and Wildlife are contained in Appendix A.

SUBSECTION C 2

DEPARTMENT OF FORESTS, PARKS AND RECREATION

I. MISSION

To practice and encourage high-quality stewardship of Vermont's environment.

II. AUTHORITY

3 VSA 2872

10 VSA 2001-2014, 2191-2215, 2461-2462, 2501-2514

III. SITUATIONS AND ASSUMPTIONS

The Department of Forests, Parks and Recreation is the branch of Vermont State government primarily involved with all conditions affecting the forests and state-owned parks. Headed by a commissioner who is appointed by the Secretary of Natural Resources, the Department has four divisions: Forestry, State Lands, Parks, and Administration. The Directors of the Divisions report directly to the Commissioner. The Division of Forestry has the major emergency response assignment. However, the Division of Parks may coordinate damage assessment activities involving its facilities.

Disasters within the State of Vermont can create adverse conditions, which affect the state's forests and parks. The Department will become involved when fire threatens to destroy woodlands, or when weather-caused disasters damage forestlands or park facilities. Expertise and personnel are the primary resources provided in such emergency situations. The Department is also responsible for alerting field personnel and visitors to Vermont State Parks and lands of emergency situations. This may require evacuation of state parks in some instances; and in others, to require visitors to stay in place until the emergency passes. The Department maintains a radio system, which may become the primary means of communication for Agency of Natural Resources personnel in an emergency.

IV. EMERGENCY CONTACTS in the Department of Forests, Parks and Recreation are contained in Appendix A..

V. IMPLEMENTATION

The implementation of this Subsection varies with the specific type of response required. The Commissioner must arrange for around the clock staffing in emergencies requiring the activation of the Emergency Operations Center.

SUBSECTION C 3

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

I. MISSION

To preserve, enhance, restore, and conserve Vermont's natural resources, and protect human health, for the benefits of this and future generations.

II. AUTHORITY

3 VSA 2873

10 VSA 901-911

10 VSA Chapter 41, Subchapter 2, Alteration of Streams

10 VSA Chapter 47

10 VSA Chapter 56

10 VSA Chapter 61

18 VSA 1218

18 VSA 1282

III. SITUATION AND ASSUMPTIONS

The Department of Environmental Conservation is the arm of State government concerned with protecting, regulating, and controlling the lands and waters of the State of Vermont to protect the public health and the environment. Headed by a Commissioner appointed by the Secretary of Natural Resources, the Department has seven Divisions, including six which have emergency response assignments: Water Supply; Water Quality; Wastewater Management; Waste Management; Facilities Engineering and Air Quality. The Directors of these divisions report to the Commissioner in emergencies.

Under emergency conditions, the responding Divisions will assist as follows:

A. Water Supply Division

The Water Supply Division protects the public health by assuring safe drinking water and by managing the water resources, which supply that water.

In an emergency or disaster situation, the Division will provide expertise in damage assessment; coordinate with local, state and federal units of government as required; and will assist with any necessary repair to public water systems. The Division will communicate with

municipal officials and advise them of appropriate actions.

The Division will coordinate with Vermont Health Department and Public Water Systems to sample affected water systems for potential contamination, monitor identified problems and make public notice regarding restrictions placed on the use and drinking of water.

B. Water Quality Division

The Water Quality Division is primarily involved with the quality of the water in rivers, streams, lakes and ponds; stream alterations; and conditions affecting the watersheds of Vermont.

Historically, the greatest natural disasters to occur within the State of Vermont have been the result of flooding. The Division has a primary response role of providing expertise and coordination with local, state and federal units of government in those matters involving the water resources of the State in emergency or disaster situations. The Division also assists in damage assessment.

The Division may be able to model time-of-travel for disaster-related water quality problems in order to advise public health and emergency response personnel of downstream threats.

C. Wastewater Management Division

The Wastewater Management Division is involved with the operation of municipal wastewater treatment facilities.

In an emergency or disaster situation, the Division will provide expertise in damage assessment; coordination with local, State and Federal units of government as required; and will assist with any necessary repairs to municipal waste-water treatment facilities. Wastewater Management advises the other departments of major Wastewater facility disruptions and coordinates with them when appropriate.

The Director will assign divisional personnel, as necessary, to provide requisite support during a Presidentially Declared Major Disaster.

D. Waste Management Division

The Waste Management Division is primarily involved in regulating, controlling, managing and cleaning up spills of oil and hazardous materials. The Division serves as a liaison with the Environmental Protection Agency in the delivery of Superfund monies and the Oil Spill Liability Trust Fund for use in Vermont. In an emergency, the Division advises and assists state and local officials on the handling and disposal of hazardous wastes.

E. Facilities Engineering Division

Agency Facilities is primarily involved with Agency owned facilities, including state parks and water control dams, fish culture facilities, and the safety of dams. Engineering personnel from the Division will respond and coordinate with the Department of Forests, Parks and Recreation and with the Department of Fish and Wildlife on damage assessment and reconstruction of Agency facilities as required.

The Division will serve as the primary source of Agency personnel involving Damage Survey Reports and Final Inspection Reports as a result of a Presidentially Declared Major Disaster under the provisions of Public Law 100 - 707.

F. Air Quality Division

The Air Quality Division is available for advice on management of toxic releases to the air. The Division may be able to supply modeling expertise on plume travel in the event of radiological or manmade releases.

IV. EMERGENCY CONTACTS in the Department of Environmental Conservation are contained in Appendix A.

V. IMPLEMENTATION

This Subsection will be activated with all assigned responsibilities upon the order of the Governor of Vermont. The Director of Vermont Emergency Management or State Coordinating Officer, as applicable, will notify the Secretary of Natural Resources, who will notify the Commissioners of the three departments, who will, in turn, be responsible for activating the departmental divisions as deemed appropriate. For routine spills of petroleum or hazardous waste, the Director of Emergency Management directly contacts the Hazardous Materials Response Team.

VI. ADMINISTRATION

The Commissioner of Environmental Conservation is responsible for the overall departmental emergency response. In an activation of the Emergency Operations Center the Commissioner would staff, and provide around the clock staff rotation if necessary, at the EOC.

Each Division Director will arrange for around the clock staffing in the event of activation of the Emergency Operations Center.

Delegation of authority is as follows:

A. The Director of Water Supply will provide assistance concerning public water supplies. The Director will provide personnel for damage surveys under PL 100-707.

B. The Director of Water Quality is responsible for flood plain management, flood insurance liaison, lakes and ponds, and general water quality. The Division's responsibilities for flood plain planning and management primarily occur before flood events. For post-damage

assessment, they occur after an event.

- C. The Director of Wastewater Management will provide assistance concerning waste water treatment facilities. The Director will provide personnel for damage surveys under PL 100-707.
- D. The Director of Waste Management will provide advice, assessment, and direction in oil and hazardous materials spills, acting as on-site coordinator.
- E. The Director of Facilities Engineering will provide safety inspections of dams and engineering support concerning damaged Agency facilities and engineering assistance upon request.
- F. The Director of Air Quality will provide advice on management of toxic releases to the air.

Outline of ANR Flood Response Activities

There are three stages of ANR interaction in floods and other natural disasters. The following is specific to floods, but generally applicable to other natural disasters as well.

1. **Pre-disaster** – Avoidance and mitigation activities such as public education, risk avoidance; i.e. river corridor lands protection and regulatory actions, land use planning, risk assessment and mapping, preparedness, and assessing and upgrading or retrofitting infrastructure to accommodate potential floods. The agency provides risk assessment and planning assistance to communities and regions to better identify development susceptibility to flood and fluvial erosion hazards. The agency also provides funding through the Clean & Clear Capital Appropriation to protect highly vulnerable areas of river corridors, accommodate natural river processes, and provide hydrologic, sediment, ice and debris attenuation and storage. Provide technical assistance in Act 250 and other regulatory areas to ensure development proposals are compatible with level of flood and fluvial erosion risk. Agency staff coordinate and collaborate with Department of Public Safety (DPS), VTrans and other state agencies in development and implementation of mitigation and disaster avoidance programs and funding.
2. **Disaster** – Involves emergency response activities during and immediately following the actual flood event. See discussion below on extent and limitations on ANR involvement in disaster response activities.
3. **Post-disaster** – Short and long term recovery activities include assessment of damages, restoration of services, infrastructure repair, and protection of public health and safety. A primary ANR objective in disaster recovery is to promote and facilitate a recovery regime that does not just “put the pre-disaster condition back in place” which is FEMA’s primary mode of recovery. In many cases, restoring the pre-flood condition simply guarantees that the same thing will happen repeatedly. ANR programs must always look to avoid the expenditure of public funds just to restore a hazardous condition; but rather, to turn disaster into an opportunity to eliminate conflicts between human land use investments and the predictable and recurrent dynamics of fluvial systems.. Disaster recovery should always seamlessly transition into the mitigation, avoidance and preparation phase which should continue until the next disaster event.

The bulk of ANR work is limited to post flood recovery and short and long term mitigation activities, and ANR staff are not generally authorized to take to the field during flood events. The exceptions are:

During Floods:

Fish and Wildlife Wardens. These personnel are alerted by Public Safety and respond to State Police Chain of Command. They act as law enforcement back up to the state police.

Forest and Parks. Depending on the emergency, regional park managers and park rangers may have to notify campers or evacuate

camps. The Department has a radio system on the Forestry side, managed by Scott Pfister at 241-3676. Parks regional managers now carry cell phones. They communicate with their director, Craig Whipple, 241-3663.

Hazardous Materials Division. Hazardous Materials has a rotating duty roster with someone on call 24 hours a day. In a flood event these people staff Emergency Management. These staff are contacted directly by Emergency Management; and they routinely work closely with EM and local fire departments on spills. In a flood they deal with questions about hazardous materials such as gas and oil leaks, pesticides, and other chemicals and hazardous substances. Rivers Program Stream Alteration Engineers are available to assist local governments and state and federal agencies by providing technical advice when requested by the DPS or local Emergency Services Director.

Most other agency employees do not have field duties during a disaster. They may staff a desk at Emergency Management or deal with issues by phone. In general, it is better not to enter a disaster zone unless it is part of your job description and you are trained and equipped to be there. If you do travel into a disaster area for work related issues you must notify your supervisor and check in periodically as you and your supervisor agree. Your supervisor must arrange to have the commissioner notified of your field activities and whereabouts.

After Floods:

Immediate stabilization. Immediately after floods, civil works, and infrastructure must be restored; and streams in some cases must be stabilized or restored. The emphasis is on working with town officials, VTrans, DPS, Agency of Administration, and FEMA (in a federal declaration) to ensure the next flood results in less damage, not more. This requires recognizing mitigation opportunities, conceptualizing alternative recovery strategies or plans, obtaining local, state and federal buy-in, and building consensus to accept and pursue recovery operations that have avoidance and mitigation of future damages built-in.

Technical assistance in the recovery phase with regard to stream work is principally the responsibility of the ANR Stream Alteration Engineers supported by the ANR River Scientists, and the Flood Plain Management Program staff. Front line support is primarily the responsibility of:

Fred Nicholson, 786-5906; mobile # 353-2288– southern
Patrick Ross, 476-2679; mobile #279-1143 – central and northeast
Chris Brunelle, 879-5631; mobile #777-5328 – northwest and north central

And supervised by:

Barry Cahoon, P.E. VT Rivers Program Manager, 241-4309; mobile #343-0217

Hazardous Materials Section continues to be involved. Disposal of oil, hazardous materials, etc., including pumping of basements with oil and water.

Public Facilities and Water Supply Divisions may be contacted, or may contact municipalities or private system operators on a case by case basis in cases of damage to public wastewater collection and treatment and water supply source, distribution and treatment systems.

Dam safety staff generally do not go into the field unless there is concern for an agency-owned dam.

These staff are:

Bob Finucane: 241-3454

Facilities Director Larry Fitch: 241-3742

Post Damage Assessment:

The Agency River Management Program interacts with the FEMA Disaster Field Office and VEM in the review and check-off of Project Worksheets and provides technical assistance to towns, state and federal agencies and private property owners in recovery operations.

The Departments of Forest and Parks, and Fish and Wildlife would assess damage to their properties through their commissioner's offices.

Forestry contacts:

Steve Sinclair; 241-3680

Scott Pfister; 241-3676

Park contact: Craig Whipple; 241-3663

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Emergency Response Plan**

Appendix A. Emergency Contacts