

CRS UNIFORM MINIMUM CREDIT WEST VIRGINIA

SUMMARY

The Community Rating System (CRS) provides Uniform Minimum Credit (UMC) for certain state laws, regulations, and standards that support floodplain management and have proven effective in reducing flood damage.

The following table summarizes UMC credit available to all communities. ISO/CRS Specialists and the communities need to determine which possible credits apply to their area. These UMCs do not necessarily apply to Tribal Nations.

The range of credit available to communities within the state is shown below, followed by an explanation of each activity. The credit is based on the 2013 *CRS Coordinator's Manual*.

Activity	Element	Credit
Uniform Minimum Credit		
450	Erosion & Sedimentation Control (ESC)	10
	Total	10
Possible Additional Credit		
450	Water Quality (WQ)	20
630	State Dam Safety (SDS)	0 - 30
	Total	20 - 50
Model Ordinance		
420	Natural Shoreline Protection (NSP)	0 - 120
420	Open Space Incentives (OSI)	65
430	Freeboard (FRB)	22.5 - 280
430	Cumulative Substantial Improvements (CSI)	60
430	Lower Substantial Improvements (LSI)	20
430	Enclosure Limitations (ENL)	30
430	Other Higher Standards (OHS)	10
	Total	207.5 - 585

Credit for activities in the 400 series can increase based on the Community Growth Adjustment. The CRS requires participating communities to maintain elevation certificates, which provide an additional 38 points. Five hundred points are needed for Class 9.

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Activity 450. Stormwater Management

Erosion & Sedimentation Control (ESC) - 10 points are given for the National Pollutant Discharge Elimination System (NPDES), Phase II Program, which requires all construction activities greater than one acre to obtain a permit from the Environmental Protection Agency, a delegated state, or a community with a MS4 permit.

Legal basis: The Environmental Protection Agency requirements for stormwater management are at <http://cfpub.epa.gov/npdes/stormwater/authorizationstatus.cfm> and the state's website for stormwater management is at <http://www.dep.wv.gov/WWE/Programs/stormwater/csw/Pages/home.aspx>.

Verification: ISO/CRS Specialists will verify credit by reviewing permits and erosion control plans.

Annual UMC verification: ISO/CRS Specialists will verify that the requirements are still in effect.

POSSIBLE ADDITIONAL CREDIT

Some state standards are eligible for CRS credit, but may not be in effect in every community. These standards are addressed below. ISO/CRS Specialists and the communities need to determine whether they are creditable in their area.

Activity 450. Stormwater Management

Water Quality Regulations (WQ) – 20 points may be awarded if new developments' stormwater management facilities are required to improve the quality of stormwater management runoff.

Legal basis: This is part of the National Pollutant Discharge Elimination System (NPDES), Phase II Program requirements.

Verification: ISO/CRS Specialists will review a copy of the local ordinance language that requires best management practices for water quality and copies of development plans showing implementation of the law.

Annual UMC verification: ISO/CRS Specialists will verify that best management practices for water quality are required.

Activity 630. Dams

State Dam Safety (SDS) – Up to 30 points of credit for State Dam Safety Program activities based on the Dam Safety Program Management Tool. 15 points awarded for Risk Communication and Public Awareness and 15 points for Emergency Action Planning.

Verification: ISO/CRS Specialists will verify that the community is in compliance with the State Dam Safety Program. SDS credit is limited to communities that would be affected by a flood from the failure of a high-hazard-potential dam. This must be documented with a description and a map.

Annual UMC verification: The Federal Emergency Management Agency's Dam Safety Office annually verifies SDS credit.

MODEL ORDINANCE

West Virginia has a model ordinance that includes higher standards, and if adopted, may provide additional credit points. It can be found at: https://www.rampp-team.com/documents/region3/WV_2011_Model_Floodplain_Ordinance.pdf

Activity 420. Open Space Preservation

Natural Shoreline Protection (NSP) – Up to 120 points may be awarded for adoption of buffer zone regulations to protect the shoreline of watercourses. The flood protection setback defined in the ordinance is twice the width of the watercourse channel or 50 feet, whichever is less. It is recommended that vegetation be planted in areas with reduced vegetation to help improve the natural environment and stabilize the banks. Credit is provided in developed areas, undeveloped areas, and areas credited as preserved open space (OSP).

Legal basis: Article VI, Section 6.1(H) of the model ordinance.

Verification: ISO/CRS Technical Reviewer will verify credit by reviewing a copy of the regulations or policy, a description of the restoration program or projects, and an impact adjustment map. The ISO/CRS Specialist may visit a sample of shoreline sites to verify that credit is eligible.

Annual UMC Verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Open Space Incentives (OSI) – 65 points are awarded for requiring each lot in a new subdivision to provide a buildable lot area outside of the special flood hazard area.

Legal basis: Appendix 5.5 Subdivision restrictions alternative language

Verification: ISO/CRS Specialists will review impact adjustment maps and area calculations prepared by the community, ordinance language, site plans and final plats for developments and conduct field verification.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Activity 430. Higher Regulatory Standards

Freeboard (FRB) – 22.5 - 280 points may be awarded for adoption of the 2' freeboard requirement, depending on the type of structure. The freeboard requirement also applies to protection of utilities servicing the building. Additional credit is awarded if there is a requirement to prohibiting fill. The credit is further reduced if the community has

Approximate A Zones in its floodplain and flood elevations are not required to be determined in those areas.

Legal basis: Article V, Section 5.3 of the model ordinance. Appendix 6.1(E) alternate Fill language

Verification: ISO/CRS Specialists will verify credit by reviewing elevation certificates, permits, site plans, and similar documents for new developments in the regulatory floodplain.

Annual UMC Verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Cumulative Substantial Improvement (CSI) - Up to 60 points may be awarded. 40 points are awarded for an ordinance requiring substantially damaged buildings to be figured cumulatively and 20 points for having the proper ICC language in the ordinance.

Legal basis: Section 2.2 Definitions - Substantial Damage.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records for building improvements or repairs in the regulatory floodplain, including permit tracking methods.

Annual UMC Verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Lower Substantial Improvements (LSI) - 20 points are awarded for setting a lower substantial damage threshold of twenty-five percent.

Legal basis: Section 2.2 Definitions - Substantial Damage.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records for building improvements or repairs in the regulatory floodplain, including permit tracking methods.

Annual UMC verification: The ISO/CRS Specialists will review the model ordinance annually to verify the requirements still exist.

Enclosure Limits (ENL) - 30 points are awarded for regulations requiring the owners of buildings, with enclosed areas below the Base Flood Elevation, to sign a non-conversion agreement. The agreement must be filed with the deed and other property records.

Legal basis: Section 5.3(7) Elevation and Flood Proofing Information

Verification: ISO/CRS Specialists will verify credit by reviewing permits, site plans, and similar documents and through field verification.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Other Higher Standards (OHS) - 10 points are awarded for requiring streets to have surfaces no lower than 1 foot below the elevation of the special flood hazard area.

Legal basis: Appendix 5.5 Subdivision restrictions alternative language

Verification: ISO/CRS Specialists will verify credit by reviewing site plans and similar documents for new developments in the regulatory floodplain. The ordinance must be sent to the Technical Reviewer to verify the credit.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.