



STATE OF ALABAMA

Date of Verification: Spring 2024

The Community Rating System (CRS) provides credit to communities for certain state laws, regulations, and standards that support floodplain management within a state and have proven effective in reducing flood damage. This Verification Report is provided to explain the recommendations of Insurance Services Office, Inc. (ISO) to DHS/FEMA concerning state-based credits under the CRS within the above state.

There are two sections to this report: State-based credit, and Other potential credit.

State-based credit is awarded to communities for activities that are implemented and enforced by the state. The credit is provided to each community in the state and documentation is not needed from the community.

Other potential credit lists the CRS activities for which communities may receive CRS credit based on, or due to, state or regional programs or regulations that are implemented within the community. There is also information regarding use of a state-based model ordinance, if present in the state. The potential credits must be verified by the ISO/CRS Specialists within each community, since enforcement is done at the community (or regional) level.

The following is a summary of state-based credit and other potential credit based on the *2017 CRS Coordinator's Manual* and *2021 Addendum*:

State-Based Credit

ACTIVITY	ELEMENT	POINTS

No state-based credit has been verified at this time.

Other Potential Credit

ISO/CRS Specialists and the community need to determine which credits may apply to an individual community. The following is a summary of activities that are potential credits:

ACTIVITY	ELEMENT
340 (Hazard Disclosure)	ODR–other disclosure requirement
430 (Higher Regulatory Standards)	BC1–building codes LDP3–local drainage protection FRB–freeboard CER–coastal erosion hazard regulations OHS–other higher standards
450 (Stormwater Management)	ESC–erosion and sedimentation control WQ–water quality

Activity 340 (Hazard Disclosure) Element ODR, Other Disclosure Requirement

This credit only applies where there is a defined construction control line (CCL), defined by specific coordinates in [Ala. Admin. Code r. 335-8-1-.02](#) (p). Check with each community. Areas noted in this statute include portions of City of Gulf Shores, Dauphin Island, Mobile County, & Baldwin County.

Alabama requires a permit for construction for any parcel intersected by the “construction control line” – a permit is only issued if the department can verify that the structure is not on the land between mean high tide and the construction control line.

For more information: <https://www.adem.alabama.gov/programs/coastal/coastalPermitting.cnt>

Citations: Ala. Admin. Code r. 335-8-2-.08 - <https://www.adem.alabama.gov/alEnviroRegLaws/files/Division8.pdf>

3)(a) No person shall construct any new structure or make any substantial improvement to an existing structure, on, beneath or above the surface of any parcel of land owned by a person if any portion of such parcel is intersected by the construction control line without first having obtained a permit therefor from the Department except as may be provided for by 335-8-1-.05.

(b) A permit for construction of a new structure may be issued if the Department is satisfied that the proposed structure is not on, beneath or above the surface of any lands located between mean high tide and the construction control line.

Activity 430 & Potential Higher Regulatory Standards in the State's Model Ordinance

State Model Flood Damage Prevention Ordinance

The Alabama Department of Economic and Community Affairs Office of Water Resources is the State NFIP Coordinating Agency.

Riverine and Coastal model NFIP ordinances can be downloaded at:

<https://adeca.alabama.gov/floods/resources-forms-and-links/>.

Higher standards offered include:

- One foot freeboard
- Repetitive loss definition included in substantial damage (optional)

Activity 430 (Higher Regulatory Standards) Element BC1, Building Codes

Alabama's state building code is based on the 2021 International Building Code and International Residential Code. The state has also adopted the 2021 International Plumbing Code, International Mechanical Code, and International Fuel Gas Code (effective July 1, 2022)

- IBC Appendix G is not adopted by the state. https://dcm.alabama.gov/bldg_code.aspx

The State building code is limited to generally any and all work *on state-owned property and/or using state funds*, on all public and private kindergarten through twelfth grade (K-12) schools, on public postsecondary schools, on hotels/motels and on movie theaters.

Codes for non-state funded buildings are adopted at the local level; specialists will verify the community's adopted building code status.

Activity 430 (Higher Regulatory Standards) Element LDP3, Local Drainage Protection

The state has adopted the IBC requirement for fill/grading to be compacted and to slope away from buildings & minimize erosion. If the local community has adopted the state building code and can document enforcement of the positive drainage provisions, 10 points is available under LDP3.

Citation: Section §1804.4 of the IBC https://codes.iccsafe.org/content/IBC2021P2/chapter-18-soils-and-foundations#IBC2021P2_Ch18_Sec1804

Activity 430 (Higher Regulatory Standards) Element FRB, Freeboard

The state has adopted the IBC, which in Section 1612.2 states that the design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and coastal A zones, shall be in accordance with Chapter 5 of ASCE 7 and ASCE 24 which requires 1 foot of freeboard.

Specialists will verify with each community the building code adoption and whether machinery/utilities and ductwork are required to be elevated and/or protected, to determine credit (CRS Manual page 430-13).

- Note the CRS Class 8 prerequisite: The community must adopt and enforce at least a 1-foot freeboard requirement (including machinery or equipment) for all new and SI/SD residential buildings in areas where BFEs have been determined. This includes the replacement of manufactured homes in pre-FIRM manufactured home parks.

Activity 430 (Higher Standards) Element CER, Coastal Erosion Hazard Regulations

Alabama does not allow construction on dune or beach sands and/or vegetation that occurs on the land located between mean high tide and the construction control line.

Citation: Ala. Admin. Code r. 335-8-2-.08 - <https://casetext.com/regulation/alabama-administrative-code/title-335-alabama-department-of-environmental-management-land-division-solid-waste-program/coastal-area-management-program/chapter-335-8-2-provisions-related-to-coastal-activities/section-335-8-2-08-construction-and-other-activities-on-gulf-front-beaches-and-dunes>

No person shall remove primary dune or beach sands and/or vegetation or otherwise alter the primary dune system, construct any new structure, or make any substantial improvement to any existing structure, on, beneath or above the surface of any land located between mean high tide and the construction control line.

No person shall construct any new structure on, beneath or above the surface of any state owned lands located in the following areas:

(a) between mean high tide and a line originating at plane coordinate (x = 339,562.58 feet; y = 83,758.99 feet) and extending South 77° 59' 16" West in Baldwin County;

(b) between mean high tide and Alabama Highway 180 between plane abscissas (x = 339,562.58 feet) and (x = 343,833.777 feet);

(c) in Sections 2 and 3 of Township 4 South, Range 33 West (Tallahassee Meridian) in Baldwin County. No person shall construct any new structure on, beneath or above any lands located between the westernmost end of Dauphin Island and a north-south plane represented by the abscissa (x = 281,573.2 feet) in Mobile County.

Activity 430 (Higher Regulatory Standards) Element OHS, Other Higher Standards

Other Higher Standards credit will be verified individually by CRS specialists and technical reviewers.

With some exceptions, Alabama does not allow septic tanks to be installed in wetlands or in sites that are in a flood easement. The state also does not allow septic tanks to be installed beyond the construction control line in coastal areas.

Citation: Alabama Administrative Code 420-3-1-.38 and 335-8-2-.08

420-3-1-.38

6. Any site rated extreme because of wetlands, hydric soils, or ponding is considered unsuitable for an EDF except when the conditions of 420-3-1-.61 Control Filled Mound System, and 420-3-1-.51 Lot Modification- Planned and Unplanned, apply. Frequently flooded areas are considered unacceptable for an OSS.

7. Sites that are in a flood easement are considered extreme and are unsuitable for an OSS/EDS

335-8-2-.08

7. Septic tanks and other on-site sewage disposal systems shall not be permitted on a lot intersected by the construction control line, unless no wastewater disposal system is available for the site and the system has been approved by the Department of Public Health.

Activity 450 (Stormwater Management)

ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY

Alabama requires a National Pollutant Discharge Elimination System General Permit for all construction activity that will result in land disturbance equal or greater than one acre, or from construction activities involving less than one acre and which are part of a common plan of development or sale equal or greater than one acre. (effective April 2011)

Source: <https://www.adem.alabama.gov/programs/water/constructionstormwater.cnt>

Alabama National Pollutant Discharge Elimination System General Permit –
<https://adem.alabama.gov/programs/water/waterforms/alr16cgp.pdf>.

The permit also requires pollution prevention measures to minimize the discharge of pollutants.

Activity 630 (Dams) Element SDS, State Dam Safety

Alabama has an optional, opt-in dam safety program. Credit available for activities of the state's dam safety program is based on the Dam Safety Program Management Tool. Credit for element SDS 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.

- It is unknown at this time which department or division will coordinate Alabama's new Dam Safety Program. See: [SB284-int.pdf \(state.al.us\)](#)

The U.S. Army Corps of Engineers National Inventory of Dams webpage at <https://nid.sec.usace.army.mil/#/> documents the dams and flood inundation maps information. [FEMA's Dam Safety](#) Office annually verifies element SDS credit.