



STATE OF ILLINOIS

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
340 (Hazard Disclosure)	ODR—other disclosure requirements	15

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

Credit is provided for the state's requirement that all sellers disclose flooding problems, if the property is located in a floodplain, and if the property has flood insurance.

[765 ILCS 77/35 Residential Real Property Disclosure Act](#) - Requires sellers of residential real property to use the Residential Real Property Disclosure Report. This report requires the seller to disclose if they have flood insurance on property, are aware of flooding in crawlspace or basement, or are aware if the property is in the floodplain.

Credits for requiring final recorded subdivision plats to display the flood hazard area and requiring the flood hazard area be shown on individual lot surveys prepared for deed records, property transactions, or mortgages.

[55 ILCS 5/3-5029 Counties Code](#) - Maps, plats or subdivisions cannot be recorded by a county recorder without indicating the location of the Special Flood Hazard Area.

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
410 (Floodplain Mapping)	FWS–floodway standard SR–state review
430 (Higher Regulatory Standards)	BC1–building codes
450 (Stormwater Management)	ESC–erosion & sediment control WQ–water quality
630 (Dams)	SDS–state dam safety

Activity 410 (Floodplain Mapping), Element FWS, Floodway Standard

615 Illinois Compiled Statutes (ILCS) 5/18 f states that the Department of Natural Resources ([IDNR](#)) shall define the 100-year floodplains within the State of Illinois.

Applicable to communities with regulatory floodways. Due to floodway permitting differences, Illinois has two applicable sections in the administrative code that implement 615 ILCS 5/18 f. and provide the definition of the floodway in IL.

In Northeast Illinois, the “regulatory floodway” is defined in Illinois Administrative Code (IAC) Title 17, Part 3708, [Section 3708.20 \(ilga.gov\)](#) as “the channel and that portion of the floodplain adjacent to a stream or watercourse as designated by the Department pursuant to Section 18g of the Act, which is needed to store and convey the 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10% increase in velocities (Section 18g of the Act)”.

For the remainder of the state, the floodway, as defined in the IAC Title 17, Part 3700, [Section 3700.20 Definitions \(ilga.gov\)](#), is “The channel of a river, lake or stream and that

portion of the floodplain that is needed to store and convey the 1% annual chance of exceedance flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance and storage.”

Activity 410 (Flood Hazard Mapping) Element SR, State Review

Illinois is one of the states with review procedures eligible for SR credit as listed in the 2017 CRS Coordinators Manual (page 410-16) – “The northeast portion of the state receives full credit for river and partial for coastal, and the rest of the state receives partial credit”. IDNR reviews and approves all hydrologic modeling and associated floodplain mapping completed by FEMA and their mapping contractors. All LOMRs, as well as LOMAs that impact the floodway, are also reviewed by IDNR.

Citation: [615 ILCS 5/ Rivers, Lakes, and Streams Act. \(ilga.gov\)](https://www.ilga.gov/legislation/ilcs/ilcs5.htm).

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

State Model Flood Damage Prevention Ordinance

The Illinois Department of Natural Resources is the State NFIP Coordinating Agency. website: <https://dnr.illinois.gov/waterresources/nfip.html>

The 2022 model ordinances are on the website, and communities are encouraged (*but not required*) to adopt the most recent version. B and C level model ordinances are also available, but not posted to the website.

- “A Level” municipal ordinance ([no mapped floodplains](#))
- “D Level” ordinances for [municipalities](#) and for [Counties](#)

Higher Standards noted in the B, C and D model text:

- Freeboard: The model ordinance defines the Flood Protection Elevation as BFE + 1.
- More stringent floodway standard, per state floodway definition.
- No new primary structures in the floodway in Northeastern IL. (See 410)
- Optional text for cumulative Substantial Improvement and Substantial Damage.

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

The State of Illinois does not have statewide building codes. Instead, units of local government such as cities and counties can adopt building codes of their choice. All local jurisdictions must follow the most current versions of the Illinois Energy Conservation Code, Illinois Accessibility Code, and the Illinois Plumbing Code.

A directory of local building codes is posted online at:

<https://cdb.illinois.gov/business/codes/buildingcodesregulations.html>

[815 ILCS 670/15 - Illinois Residential Building Code Act](#) New homes in municipalities that have not adopted the residential code must be built to any agreed-upon residential building code that is in effect within any municipality within 100 miles.

Verification: Building codes are adopted at the local level; specialists will verify the community's adopted building code status.

Activity 450 (Stormwater Management)

ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY

Illinois requires erosion and sedimentation control measures for any construction activity that disturbs one or more acres under their NPDES stormwater permitting requirements.

[NPDES Permit For Construction Activities \(illinois.gov\)](#). 415 ILCS 5/5b gives authority to the Pollution Control Board to implement environmental control standards and adopt rules and regulations.

The [General Storm Water Permit for Small Municipal Separate Storm Sewer Systems](#) applies to most communities in Illinois. A list of the urbanized list of communities can be found at: [Urbanized-Area-List \(illinois.gov\)](#) The General permit outlines the requirements for construction site storm water runoff control on pages 7 and 8.

Activity 630 (Dams) Element SDS, State Dam Safety

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.

- Illinois' Dam Safety Program is administered by the [Office of Water Resources Division of Water Resources Management](#).

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.