



## STATE OF LOUISIANA

### Date of Verification: Spring 2024

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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	25
430 (Higher Regulatory Standards)	BC1—building codes	48
	LDP3—local drainage protection	10

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

Louisiana has a residential property disclosure requirement that sellers disclose several flood risk related elements. A seller of residential real property must furnish buyers with a Property Disclosure Document. The state of Louisiana requires sellers to use the form promulgated by the Louisiana Real Estate Commission (or another form that contains substantially the same information.)

Flood risk disclosures required in the state's law and/or mandatory disclosure form:

- Location of the property in a flood hazard area and/or the property's flood zone
- A federal requirement to purchase flood insurance at the property
- The presence of an active flood insurance policy for the property
- The current cost of flood insurance premiums for the property
- Previous flood events and/or flood-related property damage
- Any past flood insurance claims
- Past flood insurance claim dates and amounts
- Any past disaster-related aid provided (federal, state, or local)
- Past disaster-related aid dates and amounts
- Other related disclosures (e.g., elevation certificates)

*Citations: Louisiana Revised Statute § 9:3196-3200,*  
<https://legis.la.gov/legis/law.aspx?d=181357>

§3196. Definitions

(2) "Property disclosure document" means a document in a form prescribed by the [Louisiana Real Estate Commission](#), or a form that contains at least the minimum language prescribed by the commission, which is presented by the seller to the purchaser in the manner set forth in R.S. 9:3198(B) and which discloses, at a minimum, known defects in the residential real property...

Louisiana Disclosure Form available from Louisiana Real Estate Commission  
<https://lrec.gov/consumers/forms/>  
<https://lrec.gov/wp-content/uploads/2021/11/01-01-2022-Residential-Property-Disclosure-FINAL.pdf>

Section 6 of the form (pages 5-6) covers: Flood, Flood Assistance, and Flood Insurance.

**Activity 430 (Higher Regulatory Standards) Element BC1, Building Code**

Louisiana has a **statewide adoption with mandatory enforcement** of the Louisiana State Uniform Construction Code (LSUCC), which is based on the 2021 International Building Code and 2021 International Residential Code. The state has also adopted the 2021 versions of the: International Plumbing Code, International Mechanical Code, and International Fuel Gas Code.

- IBC Chapter 1 and Appendix G are not adopted

*Promulgated by Louisiana State Uniform Construction Code Council (LSUCCC):*  
[http://lsuccc.dps.louisiana.gov/pdf/Uniform\\_Construction\\_Codes\\_and\\_Amendments\\_effective\\_1-1-2023.pdf](http://lsuccc.dps.louisiana.gov/pdf/Uniform_Construction_Codes_and_Amendments_effective_1-1-2023.pdf)

Chapter 1. Adoption of the Louisiana State Uniform Construction Code

§101. Louisiana State Uniform Construction Code (Formerly LAC 55:VI.301.A)

- §103. **2021** International Building Code (Formerly LAC 55:VI.301.A.1)
- §105. **2021** International Existing Building Code (Formerly LAC 55:VI.301.A.2)
- §107. **2021** International Residential Code (Formerly LAC 55:VI.301.A.3.a)
- §109. **2021** International Mechanical Code (Formerly LAC 55:VI.301.A.4)
- §111. **2021** The International Plumbing Code (Formerly LAC 55:VI.301.A.5)
- §113. **2021** International Fuel Gas Code (Formerly LAC 55:VI.301.A.6)
- §115. **2020** National Electric Code (Formerly LAC 55:VI.301.A.7)

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

The State’s Uniform Construction Code contains the International Building Code requirements for fill/grading to be compacted and to slope away from buildings & minimize erosion. Provided the community can document enforcement of the positive drainage provisions, 10 points is available. *Citation: Section §1804.4 of the Building Code.*

**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
430 (Higher Regulatory Standards)	FRB–freeboard
450 (Stormwater Management)	ESC–erosion & sedimentation control WQ–water quality
630 (Dams)	SDS–state dam safety

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

**State Model Flood Damage Prevention Ordinance**

The Louisiana Dept. of Transportation and Development (DOTD) is the State NFIP Coordinating Agency, and lists 6 model ordinances on their website, for various 60.3(x) level regulations. Version: the model ordinances appear updated as of 2021.

State Model Flood Hazard Ordinances at <http://floods.dotd.la.gov/lafloods/Ordinances.aspx>

- **No higher standard model language is provided on the website.**

### **Activity 430 (Higher Regulatory Standards) Element FRB, Freeboard**

*Effective August 1, 2023*—Louisiana Administrative Code Title 17 was updated to include freeboard statewide per ASCE-24. Non-residential freeboard requirements may vary, but residential is 1' and both include Mechanical & Equipment.

Amended: Section 1612.42, Design and Construction & Section R322.2.1, General “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. The local jurisdictions, utilizing flood plain manager, shall have the authority to adopt higher freeboard amounts as needed (CRS, etc.) but shall not have the authority to adopt freeboard amounts less than those required in ASCE-24.”

<https://www.doa.la.gov/dao/osr/louisiana-administrative-code/>

*Specialists will verify with each community 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 450 (Stormwater Management)**

#### **ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY**

[Louisiana Pollutant Discharge Elimination System \(LPDES\) | Louisiana Department of Environmental Quality](#)

Louisiana's water quality regulations require permits for point source discharge of pollutants into waters of the state. This surface water discharge permitting system is administered under the Louisiana Pollutant Discharge Elimination System (LPDES) program. General Permit #s, the discharge(s) they cover, and Expiration Dates are on the DEQ website:

<https://www.deq.louisiana.gov/page/lpdes> Examples include...

- Permit for Stormwater Construction Activities of 5 acres or more (exp. 9/2024) <https://www.deq.louisiana.gov/assets/docs/Permits/LAR100000.pdf>
- Permit for Stormwater Discharges from Small Construction Activities (equal to or > 1 acre but < 5 acres) (exp. 3/2023) <https://www.deq.louisiana.gov/assets/docs/Permits/LAR200000.pdf>

*Citation: LAC 33:Chapter IX*

<https://www.deq.louisiana.gov/resources/category/regulations-lac-title-33>

### **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.

- Louisiana Dams: <https://gohsep.la.gov/ABOUT/LOUISIANA-HAZARDS-THREATS/DAMS>

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.