



STATE OF MASSACHUSETTS

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
430 (Higher Regulatory Standards)	BC1–building codes	43
	LDP3–local drainage protection	10

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

Massachusetts Building Code (9th edition) is based on the 2015 International Building Code and 2015 International Residential Code. The state has also adopted the 2015 International Mechanical Code.

In Massachusetts, the state code is written by the [State Board of Regulations](#) and standards but is administered locally by board-certified building inspectors. Every city and town must comply with the minimum requirements and state building code supersedes any local building code bylaws.

- IBC Chapter 1 is adopted. Appendix G is not adopted.

Higher standards include 1' of additional freeboard in FEMA A zones and 2' of additional freeboard in FEMA V zones. Citation: <https://www.mass.gov/orgs/board-of-building-regulations-and-standards>

Upcoming 2024: the next edition of the Massachusetts building code will be based on modified versions of the following 2021 International Codes. Public hearings scheduled for February 2024, See: <https://www.mass.gov/doc/bbrs-10th-edition-notice-of-hearings/download>

[Unofficial Tenth Edition Base Code Draft \(780 CMR\) | Mass.gov](#)

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

The state's building code includes the IBC requirement 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. Section 1804.4 of the IBC.

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)	DL—development limitations
450 (Stormwater Management)	SMR—stormwater management regulations ESC—erosion and sedimentation control WQ—water quality
630 (Dams)	SDS—state dam safety

Activity 430 (Higher Regulatory Standards) Element DL, Development Limitations

Massachusetts requires compensatory storage for all flood storage volume that will be lost as the result of a proposed project within bordering land subject to flooding, when the loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during the peak flows. This is a state requirement but is enforced at local level; specialists will verify individually with communities because this is impact adjusted.

Citation: State Massachusetts Wetlands Protection Act, Massachusetts General Law 310 CMR 10.00: 10.57 (4) (page 219): <https://www.mass.gov/doc/310-cmr-1000-the-wetlands-protection-act/download>

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

State Model Flood Damage Prevention Ordinance

The Department of Conservation and Recreation Flood Hazard Management Program is the State NFIP Coordinating Agency.

The Massachusetts Model Floodplain Bylaw can be downloaded here:

<https://www.mass.gov/guides/floodplain-management>.

No higher standards model text is provided or available on the website.

Activity 450 (Stormwater Management) Element SMR, Stormwater Management Regulations

In Massachusetts, regulations govern how to manage stormwater pollution. Stormwater management in Massachusetts is governed by sections of the Wetlands Regulations, 310 CMR 10.00, and the Water Quality Regulations, 314 CMR 9.00. The Massachusetts Stormwater Handbook describes how to follow the regulations. Stormwater runoff from industrial, commercial, institutional, office, residential and transportation projects, and point source stormwater discharges from said projects shall be managed according to the Stormwater Management Standards.

The Stormwater Management Standards “shall not apply to:

- (1) A single-family house;
- (2) Housing development and redevelopment projects comprised of detached single-family dwellings on four or fewer lots provided that there are no stormwater discharges that may potentially affect a critical area;
- (3) Multi-family housing development and redevelopment projects with four or fewer units, including condominiums, cooperatives, apartment buildings and townhouses, provided that there are no stormwater discharges that may potentially affect a critical area; and
- (4) Emergency repairs to roads or their drainage systems.”

Citation: Massachusetts Stormwater Handbook - <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>.

Verification: SMR regulations and impact area will be individually verified by a community by CRS specialists to determine credit.

Activity 450 (Stormwater Management)

ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY

The EPA administers the state’s NPDES permits for general construction. These are required for all land disturbing activities greater than 1 acre, and require an erosion and sedimentation plan to be submitted.

Citation: Title 40 of the Code of Federal Regulations [CFR] 122.26(a), 122.26(b)(14)(x) and 122.26(b)(15) - <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-D/part-122#122.26> ;and https://www.epa.gov/sites/default/files/2015-10/documents/sw_swppp_guide.pdf

The EPA administers the state's NPDES permits for general construction. These are required for all land disturbing activities greater than 1 acre. The state's water quality requirements can be found at - <https://www.mass.gov/doc/314-cmr-4-massachusetts-surface-water-quality-standards/download>.

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.

- The Massachusetts Office of Dam Safety administers the state's dam safety program - <https://www.mass.gov/office-of-dam-safety>.

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.