



STATE OF MONTANA

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
410 (Floodplain Mapping)	FWS–floodway standard
430 (Higher Regulatory Standards)	BC1–building codes LDP3–local drainage protection FRB–freeboard Other
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 Montana Dept of Natural Resources and Conservation (DNRC) is the State NFIP Coordinating Agency.

<https://dnrc.mt.gov/Water-Resources/Floodplains/Permitting-and-Regulations>

A sample ordinance is available on the state’s website (as of Nov 2023) Use of the model is optional but recommended. Elements the state model denotes as higher standards include:

- Critical Facilities
- Prohibiting storage of materials in SFHA
- Safe access for emergency services
- Limitation on structural fill (must be > 0.5 foot above BFE)

Activity 410 (Floodplain Mapping) Element FWS, Floodway Standard

For those areas where floodways are delineated, Montana has a higher standard for floodway encroachment delineation – limiting the increase in flood heights to 0.5’ instead of 1.0’. In Montana, riverine studies in which floodways were delineated to the state standards are eligible for 60 points of CRS credit (2017 Manual page 410-23).

Citation: MCA 76-5-103

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

As of June 2022, the Montana building code is based on the 2021 International Building Code and 2021 International Residential Code. The state has also adopted 2021 International Mechanical Code and 2021 International Fuel Gas Code. Plumbing code is not mentioned on the website. Jurisdictions have the option to enforce local building, electrical, plumbing, and mechanical codes, all or in part.

- IBC Appendix G is not adopted. <https://codes.iccsafe.org/codes/montana>

Subchapter 24.3101: Administrative Rules of the State of Montana (mt.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 to provide positive drainage and minimize erosion. Provided the community has adopted the state building code and can document enforcement of the positive drainage provisions, 10 points is available. Citation: IBC § 1804.4.

Activity 430 (Higher Regulatory Standards) Element FRB, Freeboard

The state's building code includes the IBC Section 1612 requirement 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 at least 1 foot of freeboard. 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

Relates to the state's implementation of National Pollutant Discharge Elimination System (NPDES) Phase II Program, which requires all construction activities greater than 1 acre to obtain a permit from the Environmental Protection Agency (EPA), a delegated state, or a community with a MS4 permit.

- Stormwater Construction [SWC General Permit](#) (effective 1/1/2023) Authorization under the SWC is required for construction activities that disturb one or more acres of land.
- Industrial [MSGP](#) (effective 2/1/23)

- [Water Permitting and Operator Assistance | Montana DEQ \(mt.gov\)](#)

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.

- Montana's Dam Safety Program <https://dnrc.mt.gov/Water-Resources/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.