



STATE OF NEBRASKA

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	10

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

Nebraska has a requirement that sellers must disclose whether the property is in a flood hazard zone, if there is a federal requirement to purchase flood insurance, and previous flood event and/or flood-related property damage.

Citations: Nebraska RS § 76-2, 120(2) and (6):302: [Chapter-1.pdf \(nebraska.gov\)](#)

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)	Other BC1–building codes LDP3–local drainage protection 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 Nebraska Department of Natural Resources is the State NFIP Coordinating Agency. Three model ordinances are offered on the agency website and they vary based on the level of floodplain study in a community.

Website: [Model Ordinances | Department of Natural Resources \(nebraska.gov\)](https://www.dnr.nebraska.gov/model-ordinances)

Ordinance for 60.3(b): [NeDNR Model Ordinance B 2023\(1\).pdf \(nebraska.gov\)](#)

Ordinance for 60.3(c): [NeDNR Model Ordinance C 2023.pdf \(nebraska.gov\)](#)

Ordinance for 60.3(d): [NeDNR Model Ordinance D 2023.pdf \(nebraska.gov\)](#)

Optional higher standards are also offered on the agency website. A summary is offered below.

- Freeboard
- Substantial Improvement/Damage
- Enclosure Limitations and Nonconversion Agreements
- Critical Facilities
- Fill

Document: [Higher Regulatory Standards Nebraska.pdf](#)

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

The Nebraska building code is based on the 2018 International Building Code and 2018 International Residential Code. The state has also adopted 2018 International Plumbing Code. Adoption by each jurisdiction is required, but communities may also adopt or modify to higher standards.

Nebraska deletes IRC Sections P2602.2 (General Plumbing Requirements — Flood-Resistant Installation), P2705.1 (Plumbing Fixtures — General), P3001.3 (Sanitary Drainage — Flood-Resistant Installation), and P3101.5 (Vents — Flood Resistance). But Section R322.1.9 offsets the deletion of P2601.3 and P2705.1, and the other two sections are captured in NFIP-compliant local floodplain ordinances. Source: [Nebraska Legislature](#)

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 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

A NPDES permit for construction from the Department of Environment and Energy is needed for construction activity that causes land disturbance of equal to or greater than one acre and less than one acre if the construction activity is part of a common plan of development or sale.

The Notice of Intent must be received by the NDEE at least seven days in advance of starting land grading and clearing activities. Development of a Storm Water Pollution Prevention Plan that addresses erosion and sediment control is a primary condition of this permit. Website: [Nebraska DEE](#)

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.

- Nebraska's Department of Natural Resources Dam Safety Program
[About Dam Safety | Department of Natural Resources \(nebraska.gov\)](#)

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.