



STATE OF PENNSYLVANIA

Date of Verification: Spring 2024

The CRS provides credits 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 Community Rating System (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 where communities may receive CRS credit based on, or due to, state or regional programs that are within the community. The potential credits must be community 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

The seller's disclosure asks if the property or a part of it is located in a flood zone or wetlands area, and if the seller knows of any past or present drainage or flooding problems affecting the property.

Citation: Pennsylvania Code 35.284a and 35.335a –

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/049/chapter35/subchapEtoc.html&d=reduce>

Other Potential Credit

ISO/CRS Specialists and the communities need to determine which credits apply to their area. The following is a summary of activities that are potential credits:

ACTIVITY	ELEMENT
430 (Higher Regulatory Standards)	BC1–building codes LDP3–local drainage protection DL3–development limitations FRB–freeboard
450 (Stormwater Management)	SMR–stormwater management regulations ESC–erosion and 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 Pennsylvania Emergency Management Agency is the State NFIP Coordinating Agency. The State’s model ordinance can be found at <https://www.pema.pa.gov/Floodplain-Management/Documents/PA-Model-Ordinance-LevelD.pdf>.

The version provided online still references the 2009 I-Codes; so is perhaps out of date in other subsections. Language in the ordinance is suggested for municipalities, who are not mandated to adopt the model format. Higher standards provided in the ordinance are:

The following language are optional higher standards that are included in the ordinance:

- Setting the Regulatory Flood Elevation at 1.5 feet above BFE.
- Electrical panels are required to be at least three feet above the base flood elevation
- Adoption of community identified flood hazard areas.
- Prohibitions on new construction or substantial improvements (in floodplains or top of bank buffers).
- Accessory structures language, including prohibiting storage of hazardous materials in accessory structures.
- Fill prohibited.
- Manufactured homes prohibited (options for in SFHA, floodway, or 50 ft landward of top of bank)
- Recreational vehicles prohibited.
- No expansion or enlargement of an existing structure in the SFHA that causes an increase in BFE.
- Cumulative SD/SI requirements
- No variance in the SFHA that would increase the BFE.
- No variance in the SFHA for an accessory structure that exceeds a certain size.

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

The Uniform Construction Code is the Pennsylvania Building Code which is based on the 2018 International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code. The codes are adopted and enforced statewide, with the exception of the City of Philadelphia and Allegheny County, which adopt custom codes.

- Citation: <https://www.iccsafe.org/advocacy/adoption-map/pennsylvania/>, <https://www.dli.pa.gov/ucc/Pages/UCC-Codes.aspx>, effective 10/1/2018,
- https://www.dli.pa.gov/ucc/Documents/act_45/act_45_amended.pdf

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. Relevant IBC section: 1804.4.

Activity 430 (Higher Regulatory Standards) Element DL3, Development Limitations

The state has prohibited new construction or substantial improvements in the special flood hazard area unless the structure is elevated or floodproofed at least 1.5 feet above the BFE where the structure will be used for the production or storage of certain materials, will be used for the maintenance of a supply of more than 550 gallons of certain materials, or where the production, storage or use of an amount of radioactive substances. *All municipalities are required to adopt these regulations; specialists should verify local enforcement of these regulations.*

Citation: PA Code Title 12, Section 113.7

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/012/chapter113/chap113toc.html&d=>

Activity 430 (Higher Regulatory Standards) Element FRB, Freeboard

Pennsylvania adopts the 2018 International Residential Code which require lowest floor to be 1 foot above BFE, but not including mechanical and electrical equipment elevated to same. Additionally, Pennsylvania requires 1.5 ft of freeboard for issuing Special Permits (Jails, hospitals, nursing homes, mobile home parks and subdivisions) Citation: [Title 12, Section 113.6 \(h\)\(ii\)](#). *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 SEDIMENT CONTROL WQ–WATER QUALITY

The PA Bureau of Clean Water administers the statewide Erosion and Sediment Control Program. Erosion and sediment control requirements apply to activities that disturb 5,000 sq ft or more. A permit is only required for activities that disturb more than 1 acre.

Citation: PA Code, Title 25 Section 102.4 (a)&(b) and 102.5:

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/025/chapter102/chap102toc.html> and
<https://www.dep.pa.gov/Business/Water/CleanWater/StormwaterMgmt/Stormwater%20Construction/Pages/default.aspx>

Pennsylvania's NPDES permit requires that all permittees follow water quality standards set forth in PA Code Chapter 93. NPDES permits are required for all activities that disturb more than 1 acre.

Citations: Title 25, Chapters 92a and 93:

<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/025/chapter92a/chap92atoc.html&d=reduce> and
<https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/025/chapter93/chap93toc.html&d=reduce>

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.

- Pennsylvania's Department of Environmental Protection – Dam Safety Division regulates dams in the state. Citation:
<https://www.dep.pa.gov/Business/Water/Waterways/DamSafety/Pages/default.aspx>

The USACE National Inventory of Dams page <https://nid.sec.usace.army.mil/#/> documents the dams and flood inundation maps information.

[FEMA's Dam Safety](#) Office annually verifies SDS credit.