



COMMONWEALTH OF PUERTO RICO

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
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

Flood Hazard Ordinance for the Commonwealth of Puerto Rico

The Puerto Rico Planning Board (OGPe, in Spanish) is the territory’s NFIP Coordinating Agency, and holds the authority to adopt the regulation and maps for the control of buildings in flood-prone zones on the island. (*PR Public Law Number 3 of September 27, 1961 & Building Control in Flood-Prone Zones Act; Public Law No. 75 of June 24, 1975*)

[Reglamento de Planificación - \(pr.gov\)](#)

The municipalities on the island are legally divided in smaller geographical areas. The barrios represent the main legal division of each municipality. **Autonomous Municipios (Municipalities) include San Juan, Aguadilla, Bayamon, and Ponce:** these have had the Territorial Ordinance authority transferred to them from the board, per Public Law 107-2020 of the Puerto Rico Municipal Code.

The PRPB Planning Regulation No.13 governs development in the Special Flood Hazard Areas and is used by the municipalities. [Microsoft Word - Reglamento de inundaciones-Feb 2021 - English RM-JP Rev-3.29.21-Final RM.docx](#)

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

The 2018 Puerto Rico Building Code is the territory’s building code which is based on the 2018 International Building Code (IBC) and International Residential Code (IRC). The state has also adopted the 2018 International Plumbing Code, International Mechanical Code, International Fuel and Gas Code, and International Private Sewage Disposal Code. IBC Chapter 1 and

Appendix G are adopted; however, the provisions in Appendix G are not mandatory unless specifically referenced in the adopting ordinance. <https://codes.iccsafe.org/codes/puerto-rico>

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

Puerto Rico's building code follows the International Building Code requirement for fill/grading to be compacted and to slope away from buildings to provide positive drainage and minimize erosion. Provided the municipality can document enforcement of the positive drainage provisions, 10 points is available. *Citation: Section §1804.4*

Activity 430 (Higher Regulatory Standards) Element FRB, Freeboard

Puerto Rico's freeboard requirement includes protection of mechanical, plumbing, and electrical systems. *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

The Environmental Protection Agency (EPA) issues all National Pollutant Discharge Elimination System (NPDES) permits in the territory of Puerto Rico. The NPDES Phase II Program requires all construction activities greater than 1 acre to obtain a MS4 permit.

Source: [NPDES Permits for Phase 2 Stormwater Program in Puerto Rico | US EPA](#)

Activity 630 (Dams) Element SDS, State Dam Safety

There are 36 High Hazard Potential Dams (HHD) in Puerto Rico. All 36 HHDs have Condition Assessments (CA) and Emergency Action Plans (EAP). Credit available for activities of the state's dam safety program is based on the Dam Safety Program Management Tool. Credit 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 an inundation map.

- Puerto Rico Dam Safety Program website: [Puerto Rico Electric Power Authority Beginning \(aeepr.com\)](#). Contact: info@prepa.pr.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.