



## STATE OF WASHINGTON

**Date of Verification: Spring 2024**

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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
430 (Higher Regulatory Standards)	BC1—building codes	48
	LDP3—local drainage protection	10

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

WA has a residential property disclosure requirement for improved or unimproved residential real property. Sellers must disclose whether a property is in a special flood hazard area (form Section 7), and whether it has suffered from flood damages in the past (flooded basement, specifically – see Section 4).

Citation: Revised Code of WA [RCW 64.06.020](#) and [64.06.015](#)

RCW 64.06.015:

“(1) In a transaction for the sale of unimproved residential real property, the seller shall, unless the buyer has expressly waived the right to receive the disclosure statement under RCW 64.06.010, or unless the transfer is otherwise exempt under RCW 64.06.010, deliver to the buyer a completed seller disclosure statement...”

RCW 64.06.020:

“(1) In a transaction for the sale of improved residential real property, the seller shall, [*likewise*], deliver to the buyer a completed seller disclosure statement ...”

Washington Disclosure Statement ([RCW 64.06.020: Improved residential real property—Seller's duty—Format of disclosure statement—Minimum information. \(wa.gov\)](#))

Excerpts from Disclosure Information Required:

			<b>4. STRUCTURAL</b>
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	*A. Has the roof leaked within the last five years?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	*B. Has the basement flooded or leaked?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	*C. Have there been any conversions, additions, or remodeling?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	* (1) If yes, were all building permits obtained?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	* (2) If yes, were all final inspections obtained?
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			<b>7. ENVIRONMENTAL</b>
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	*A. Have there been any flooding, standing water, or drainage problems on the property that affect the property or access to the property?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	*B. Does any part of the property contain fill dirt, waste, or other fill material?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	*C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides?
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know	<b>D.</b> Are there any shorelines, wetlands, floodplains, or critical areas on the property?

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

*Effective March 15, 2024:* The 2021 WA State Building Code & Residential Code are based on the 2021 International Building Code & 2021 International Residential Code, respectively. The state has also adopted the 2021 International Plumbing Code and 2021 International Mechanical Code.

- IBC Appendix G is not adopted.

All local jurisdictions must enforce the State Building Code as adopted by the Washington State Building Code Council (per The State Building Code Act, 19.27 RCW)

<https://www.sbccc.wa.gov/state-codes-regulations-guidelines/state-building-code>  
<https://codes.iccsafe.org/codes/washington>

*Citations: [Chapter 51-50](#) to 50-56 WAC (pursuant to authority in Chapters 19.27 and 70.92 [RCW](#))*

### **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. *IBC section 1804.4.*

## **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:

<b>ACTIVITY</b>	<b>ELEMENT</b>
430 (Higher Regulatory Standards)	Other FRB–freeboard OHS–other higher standards
450 (Stormwater Management)	ESC–erosion and sedimentation control WQ–water quality WMP–watershed master plan
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 Washington Department of Ecology is the State NFIP Coordinating Agency.

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Guidance-for-floodplains-Critical-Areas-Ordinanc>

- **No model flood ordinance language is available on the state’s website [April 2023]**

State does have a model ordinance (a 2019 version was previously available online)

Contact: Amanda Richardson, State NFIP Coordinator [AMRI461@ECY.WA.GOV](mailto:AMRI461@ECY.WA.GOV)

Additionally, cities and counties in WA must periodically review and update their Critical Areas Ordinances (CAO).

## **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 430 (Higher Regulatory Standards) Element OHS, Other Higher Standards**

Applicable to communities with mapped floodways. In designated regulatory floodways in WA, new or substantially improved residential structures are prohibited, regardless of if the project meets no-rise requirements. Expansions in footprint are also not permitted, regardless of if the work is or is not Substantial improvement.

Exceptions are allowed for existing farmhouses in certain scenarios that the WA Department of Ecology must approve on a case-by-case basis.

<https://app.leg.wa.gov/WAC/default.aspx?cite=173-158-070>

WAC 173-158-070 Additional floodway requirements.

The following additional state requirements are established in accordance with RCW **86.16.041**.

(1) Special flood hazard areas with designated floodways. In addition to those NFIP requirements for designated floodways, communities with designated floodways shall restrict land uses within

such areas to include the prohibition of construction or reconstruction of residential structures except for: (a) Repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (b) repairs, reconstruction, or improvements to a structure the cost of which does not exceed fifty percent of the market value of the structure either (i) before the repair, reconstruction, or improvement is started, or (ii) if the structure has been damaged, and is being restored, before the damage occurred. ....

However, the floodway prohibition in this subsection does not apply to existing farmhouses in designated floodways that meet the provisions of WAC [173-158-075](#), or to residential dwellings other than farmhouses that meet the depth and velocity and erosion analysis provisions of WAC [173-158-076](#), or to structures identified as historical places.

## **Activity 450 (Stormwater Management)**

### **ESC–EROSION AND SEDIMENTATION CONTROL**

[WA Department of Ecology](#) developed erosion and sediment control regulations based on the State of Washington’s Clean Water Program. Current copies below; publication of the next version in anticipated in July of 2024.

Stormwater Management Manual for Western Washington (SMMWW), 2019 version  
<https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMWW/2019SWMMWW.htm>

Stormwater Management Manual for Eastern Washington (SMMEW), 2019 version  
<https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMEW/2019SWMMEW.htm>

### **WQ–WATER QUALITY**

Related to the National Pollutant Discharge Elimination System (NPDES) Phase II Program, Ecology issues NPDES individual permits for all municipalities discharging wastewater to surface water. Additionally, State Water Discharge permits (SWD permits) regulate discharges from municipalities or industries to groundwater.

Website: <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-permits>

## **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.

- WA Department of Ecology, Dams: <https://ecology.wa.gov/Water-Shorelines/Water-supply/Dams>

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.