



STATE OF WISCONSIN

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	5

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

Wisconsin has property disclosure requirements for the sale of residential real estate, as well as for vacant land. The residential real estate disclosure requires the seller to disclose if there are any flooding issues, or if the property is located in a floodplain, wetland, or shoreland zoning area. The vacant land disclosure requires the seller to disclose if the property is in a floodplain, wetland, or shoreland zoning area under local, state, or federal regulations; if there are flooding problems on the property; or if the seller is aware of material damage from fire, wind, flood, earthquake, expansive soil, erosion, or landslide.

Citation: Wisconsin Statute Chapter 709 - <https://docs.legis.wisconsin.gov/statutes/statutes/709.pdf>

709.02 Disclosure. (1) In regard to transfers described in s. 709.01, the owner of the property shall furnish, not later than 10 days after acceptance of a contract of sale or option contract, to the prospective buyer of the property a completed copy of the report under s. 709.03 or 709.033, whichever is applicable, subject to s. 709.035, except that the owner may substitute for any entry information supplied by a licensed engineer, professional land surveyor, as defined in s. 443.01 (7m), or structural pest control operator, by an individual who is a qualified 3rd party, or by a contractor about matters within the scope of the contractor's occupation, if the information is in writing and is furnished on time and if the entry to which it relates is identified, and except that the owner may substitute for any entry information supplied by a public agency

709.03 Residential real estate condition report form. The report required under s. 709.02 with respect to real property, as defined in s. 709.001 (5) (a), shall be in substantially the following form and shall include at least all of the following information:

B7. Other basement defects may include items such as flooding, defects in drain tiling or sump pumps, or movement, shifting, or deterioration in the foundation.

F4. Are you aware of the property or any portion of the property being located in a floodplain, wetland, or shoreland zoning area?

709.033 Vacant land disclosure report

E3. Are you aware that all or a portion of the property is in a floodplain, wetland, or shoreland zoning area under local, state, or federal regulations?

F2. Are you aware of flooding, standing water, drainage problems, or other water problems on or affecting the property?

F3. Are you aware of material damage from fire, wind, flood, earthquake, expansive soil, erosion, or landslide?

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)	SR–state review
430 (Higher Regulatory Standards)	BC1–building codes LDP3–local drainage protection NS–new study
450 (Stormwater Management)	ESC–erosion & sedimentation control WQ–water quality
630 (Dams)	SDS–state dam safety

Activity 410 (Floodplain Mapping) Element SR, State Review

According to the 2017 Manual, Wisconsin is a state with review procedures that are eligible for full credit under SR for all studies. Note that the existence of an approved review program does not mean the community will automatically receive this credit. Each study credited must have been reviewed and approved by the review program and must not be paid for by FEMA.

Activity 430 & Potential Higher Regulatory Standards in the State’s Model Ordinance

State Model Flood Damage Prevention Ordinance

The Wisconsin Department of Natural Resources is the State NFIP Coordinating Agency.

- No higher standards model text is provided or available on the website.

Website: [Floodplain Zoning and Management Resources | Wisconsin DNR](#)

Ordinance: [2022 Floodplain Model Ordinance.pdf \(wisconsin.gov\)](#)

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

The Uniform Building Code is Wisconsin’s building code which is based on the 2015 International Building Code. The state has also adopted the 2015 International Mechanical Code and 2015 International Fuel Gas Code. Wisconsin uses their own hybrid residential code (UDC) and plumbing code. Municipalities cannot enforce ordinances applied to dwellings unless it conforms to the state’s Uniform Dwelling Code. Where a municipality has not adopted one, the county ordinance shall apply.

- IBC Chapter 1 is and Appendix G is not adopted. <https://codes.iccsafe.org/codes/wisconsin>

Source: Department of Safety and Professional Services (SPS) Administrative Code 320.06 - https://docs.legis.wisconsin.gov/code/admin_code/sps/safety_and_buildings_and_environment/320_325/320.06.

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

The state has adopted 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's uniform building code, and can document enforcement of the positive drainage provisions, 10 points is available. Relevant IBC section: 1804.4.

Activity 410 (Floodplain Mapping) Element NS, New Study

Wisconsin requires detailed studies for subdivisions that exceed 5 acres or have cost that exceeds \$125,000. Where the proposed development is less in acres and cost, and flood profiles haven't been determined, the state shall make a BFE determination.

4. For all subdivision proposals, as defined in s. 236.02 (8), Stats., and for other land divisions or proposed developments which have a total area that exceeds 5 acres or which have an estimated cost that exceeds \$125,000, the applicant shall provide all of the computations which are required to show the effect of the proposal on flood heights, velocities and floodplain storage. The municipality may transmit this data to the department for review. For the purpose of this paragraph, the cost of the proposal shall be estimated to include all structural development and landscaping improvements such as access and road development, electrical and plumbing services development, and other similar items, which can be reasonably applied to the overall development costs, but may not include the cost of the land.

(b) For land divisions and proposed developments which do not exceed 5 acres in area and which have an estimated cost of \$125,000 or less, if the regional flood profile has not been determined and the conditions in par. (a) 4. are not present, the municipality may transmit the information required in par. (a) 1. to 3. to the department for a determination of flood protection elevations and for an evaluation of the effects of the proposal upon flood heights, velocities and floodplain storage. Additional information, such as valley cross sections or survey data, may be required by the department when needed to determine the effects of the proposal; this information shall then be obtained from the applicant by the municipality. The department shall advise the municipality of its findings within 30 days after receiving the data, or within 30 days after receiving all requested additional information. Failure of the department to respond within 30 days shall be construed to mean it has no comment.

Activity 450 – Stormwater Management

ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY

The DNR regulates the discharge of pollutants to waters of the state through the Wisconsin Pollutant Discharge Elimination System (WPDES) program. Construction projects requiring permit coverage

include activities that disturb one acre or more of land through clearing, grading, excavating, or stockpiling of fill material.

The acreage of the entire proposed project is counted in determining permit coverage, even if the project is phased with less than one acre disturbed at any given time. A construction site includes areas that are part of a common plan of development or sale where multiple separate and distinct land-disturbing construction activities may be taking place.

Website: [Construction site storm water permit overview | Wisconsin DNR](#)

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.

- Wisconsin DNR's Dam Safety Program [Dams | Wisconsin DNR](#)

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.