



CRS UNIFORM MINIMUM CREDIT ALABAMA

SUMMARY

The Community Rating System (CRS) provides Uniform Minimum Credit (UMC) for certain state laws, regulations, and standards that support floodplain management within the state and have proven effective in reducing flood damage.

The following table summarizes UMC available to all communities. It also includes possible additional credit available for selected areas or State activities and creditable model ordinance provisions. ISO/CRS Specialists and the communities need to determine which possible additional credits apply to their area. These UMCs do not necessarily apply to Tribal Nations.

The range of credit available to communities within the state is shown below, followed by an explanation of each activity. The credit is based on the 2013 *CRS Coordinator's Manual*.

Activity	Element	Credit (non-coastal)	Credit (coastal)
Uniform Minimum Credit			
430	Other Higher Standards (OHS)	5	5
430	State-Mandated Standards (SMS)	0.5	0.5
450	Erosion and Sediment Control (ESC)	10	10
	Total	15.5	15.5
Possible Additional Credit			
410	Cooperating Technical Partner (CTP1)	10	10
420	Open Space Preservation (OSP)	0 – 1450	0 – 1450
410CE	Coastal Erosion Mapping (MCE)	0	0 – 25
420CE	Preserved Coastal Erosion Open Space (CEOS)	0	35
430CE	Dune and Beach Regulations (DBR)	0	20
430	State-Mandated Standards (SMS)	0 - 20	5.5 – 8.0
450	Water Quality Regulations (WQ)	20	20
	Total	30-1500	90.5-1568
Model Ordinance Provisions			
430	Freeboard (FRB)	7.5 – 100	7.5 – 100
430	Cumulative Substantial Improvement (CSI)	20	20
430	Other Higher Standards (OHS)	TBD	TBD
430	Enclosure Limits (ENL)	0	240
	Total	27.5 - 120	27.5 - 360

Credit for activities in the 400 series can increase based on the Community Growth Adjustment. The CRS requires participating communities to maintain elevation certificates, which provide an additional 38 points. Five hundred points are needed for Class 9.

UNIFORM MINIMUM CREDIT

Activity 430. Higher Regulatory Standards

Other Higher Standards (OHS) - 5 points are awarded for Alabama Code 420-3-1 which prohibits the installation of septic tanks in areas with wetlands, hydric soils, frequent flooding, or ponding.

Legal basis: Alabama Division of Community Environmental Protection Administrative Code Chapter 420-3-1 Onsite Sewage Disposal at <http://www.alabamaadministrativecode.state.al.us/docs/hlth/420-3-1.pdf>.

Verification: Technical reviewer will verify credit by reviewing the regulatory ordinance provision.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations remain in effect.

State-mandated Standards (SMS) - 1.5 points are awarded for state-mandated regulatory standards. Credit equals 0.10 times the sum of credit points for floodplain management regulatory standards. Total SMS credit is limited to 20 points.

State-Mandated Standards		
Activity	Element	Credit
430	Other Higher Standards (OHS)	5
	Total	5
	x 0.1	0.5

Source: Section 432.n of the *CRS Coordinator's Manual*.

Activity 450. Stormwater Management

Erosion & Sedimentation Control (ESC) - 10 points are awarded for the state's regulation of soil erosion and sediment control. Permits are required for construction sites of more than one acre. This follows the Nation Pollutant Discharge Elimination System (NPDES), Phase II Program, which requires all construction activities greater than one acre to obtain a permit from the Environmental Protection Agency, a delegated state, or community with a MS4 permit 1.

Legal basis: Alabama Administrative Code 335-6-12-.03(3) and 335-6-12-.02 identify the area to be regulated. It is at <http://www.alabamaadministrativecode.state.al.us/docs/adem/335-6-12.pdf>. Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas provides additional guidance at http://swcc.alabama.gov/pages/erosion_handbook.aspx.



Verification: ISO/CRS Specialists will verify credit by reviewing permits and erosion control plans.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations still exist at the state level.

POSSIBLE ADDITIONAL CREDIT (All Communities)

Some state standards are eligible for CRS credit, but may not be in effect in every community. These standards are addressed below. ISO/CRS Specialists and the communities need to determine whether they are creditable in their area.

Activity 410. Floodplain Mapping

Cooperating Technical Partner 1 (CTP1) – 10 points are awarded for the CTP agreement between the State and FEMA. This is verified independently by the CTP technical reviewer and the results distributed annually.

Activity 420. Open Space Preservation

The Alabama Administrative Code contains development regulations that preserve open space in certain areas of the state. Credit for some Alabama communities is possible if these regulations pertain to them.

Open Space Preservation (OSP) – Up to 1450 points are awarded for vacant land covered by restrictive development regulations in specified coastal areas and “Geographic Areas of Particular Concern”. Regulations state that, “No person shall construct any new structure or make any substantial improvement to an existing structure...if any portion of such parcel is intersected by the specified construction control line...” specified in the regulations.

Legal basis: Alabama Department of Environmental Management (ADEM), Coastal Area Management Program, Division 335-8, ADEM Administrative Code 335-8-2-.08(3)(a) limits construction (page 2-7). The Construction Control Line is defined in 335-8-1-.02(p) on page 1-3. Regulated coastal areas are specified in Section 335-8-1-.02, Definitions. Geographic Areas of Particular Concern are specified in Section 335-8-1-.04, Special Management Areas at <http://www.adem.state.al.us/alEnviroReglaws/files/Division8.pdf>

Verification: ISO/CRS Specialists will review impact adjustment maps and area calculations prepared by the community, review documentation showing the development restrictions for each parcel, and conduct a field verification visit. Recent aerial photos or recent images from Google Earth may be used to assist with the verification process.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 430. Higher Regulatory Standards

State-mandated Standards (SMS) – Up to 20 points are awarded for state-mandated regulatory standards. Credit equals 0.10 times the sum of credit points for floodplain management regulatory standards. Total SMS credit is limited to 20 points.

State-mandated Standards (all communities)		
Activity	Element	Credit
420	Open Space Preservation (OSP)	0 – 1450
	Total	0 – 1450
	x 0.1	0 – 20.0

Source: Section 432.n of the *CRS Coordinator’s Manual*.

Activity 450. Stormwater Management

Water Quality Regulations (WQ) – 20 points are awarded for Alabama Department of Environmental Management requirements for best management practices for water quality. This is possible credit since we are unable to find specific statutory language requiring all communities in the state to adopt the standard.

Legal basis: Alabama Department of Environmental Management (ADEM), Water Development, Water Quality Programs, Volume I, Division 335-6, ADEM Administrative Code R. 335-6-7. It is at

<http://www.alabamaadministrativecode.state.al.us/docs/adem/index.html>.

Additional guidance is contained in Alabama Erosion, Sediment Control and Stormwater Management on Construction Sites in Urban Areas, Volume I, Developing Plans and Best Management Practices at

http://swcc.alabama.gov/pages/erosion_handbook.aspx.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records to ensure best management practices for water quality are being implemented and enforced.

Annual UMC verification: ISO/CRS Specialists will verify with the State ADEM that best management practices for water quality are still required.

POSSIBLE ADDITIONAL CREDIT (Coastal Communities within Baldwin and Mobile Counties)

Activity 410CE. Floodplain Mapping for Coastal Erosion Areas

Mapping Credit for Coastal Erosion Hazards (MCE) – Up to 25 points are awarded for the state mapping and adopting a construction control line (CCL) 40 feet inland of the most inland point of the crestline.

Legal basis: Code of Alabama 1975, §§ 9-7-16, 22-22A-5, 22-22A-6, 22-22A-8.
Rule: 335-8-1-.02 (p) Alabama Administrative Code at
<http://www.adem.state.al.us/alEnviroReglaws/files/Division8.pdf>.

Verification: Documentation on the coastal erosion rates within the jurisdiction will be provided by the community and sent to the technical reviewer.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 420CE. Open Space Preservation

Preserved Coastal Erosion Open Space (CEOS) – 35 points are awarded for preserving dune and beach areas seaward of the frontal dune as open space. There is no 420CE credit for preserving open space landward of the frontal dune.

Legal basis: Code of Alabama 1975, §§ 9-7-16, 22-22A-5, 22-22A-6, 22-22A-8.
Rule: 335-8-1-.02 Alabama Administrative Code at
<http://www.adem.state.al.us/alEnviroReglaws/files/Division8.pdf>.

Verification: Communities will provide documentation that at least 5-acres of open space are preserved seaward of the frontal dune. ISO/CRS Specialists will send documentation to the technical reviewer for verification.

Annual UMC Verification: ISO/CRS Specialists will verify that the regulations are still in effect.

Activity 430CE. Higher Regulatory Standards

Dune and Beach Protection (DBR) – 20 points are awarded for prohibiting the removal of a primary dune or beach sands and/or vegetation or otherwise altering the primary dune system, construct any new structure, or making any substantial improvement to

any existing structure, on, beneath or above the surface of any land located between mean high tide and the construction control line.

Legal basis: Code of Alabama 1975, §§ 9-7-16, 22-22A-5, 22-22A-6, 22- 22A-8.
 Rule: 335-8-2-.08 Alabama Administrative Code at
<http://www.adem.state.al.us/alEnviroReglaws/files/Division8.pdf>.

Verification: The technical reviewer will review documentation to verify that no structures have been built seaward of the construction control line.

State-mandated Standards (SMS) - From 5.5 to 8.0 points are awarded for state-mandated regulatory standards. Credit equals 0.10 times the sum of credit points for floodplain management regulatory standards.

State-mandated Standards (coastal communities)		
Activity	Element	Credit
410CE	Mapping Coastal Erosion Hazards (MCE)	0 - 25
420CE	Preserved Coastal Erosion Open Space (CEOS)	35
430CE	Dune and Beach Regulations (DBR)	20
	Total	55 - 80
	x 0.1	5.5 - 8.0

Source: Section 432.n of the *CRS Coordinator's Manual*.

MODEL ORDINANCES

Alabama has two Model Ordinances, one for coastal and one for non-coastal/riverine communities. Adoption may provide additional credit points.

NON-COASTAL/RIVERINE MODEL ORDINANCE:

The *Flood Damage Prevention Ordinance for Non-Coastal/Riverine Communities* may be found at:

https://adecagis.alabama.gov/OWR/NFIP/Downloads/Flood_Damage_Prevention_Model_Ordinance_Riverine.doc. Creditable provisions are listed below.

Activity 430. Higher Regulatory Standards

Freeboard (FRB) – From 7.5 to 100 points are awarded for adoption of the 1' freeboard requirement in all areas of the Special Flood Hazard. The model ordinance requires a 1' FRB level for both residential and non-residential structures for new construction and substantial improvements to have the lowest floor, including basement, elevated no lower than one foot above the Base Flood Elevation. A 25 percent reduction in credit is applied if the freeboard requirement is not applied to all ductwork and other components servicing the building. The credit is further reduced if the community has Approximate A Zones in its floodplain and flood elevations are not required to be determined in those areas.

Legal basis: Article 4, Section B (1) & (2) of the model ordinance.

Verification: ISO/CRS Specialists will verify credit by reviewing elevation certificates, permits, site plans, and similar documents for new developments in the regulatory floodplain.

Annual UMC Verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Cumulative Substantial Improvement (CSI) – 20 points are awarded for adoption of the definition for “Substantial Damage”, which includes the language that qualifies properties for Increased Cost of Compliance insurance coverage for repetitive losses.

Legal basis: Article 6, Definitions – Substantial Damage.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records for building improvements or repairs in the regulatory floodplain, including permit tracking methods.

Annual UMC Verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Other Higher Standards (OHS) - Credit will be determined, at the time of request, in areas where no Base Flood Elevation exists, for requiring a manufactured home chassis and supporting equipment to be supported by reinforced piers or other foundation elements of at least equivalent strength and elevated to a maximum of 60 inches (five feet) above grade.

Legal basis: Article 4, Section B (3) (b) (ii).

Verification: ISO/CRS Specialists will verify credit by reviewing elevation certificates, permits, site plans, and similar documents for manufactured homes in Approximate A Zones. The ordinance must be sent to the Technical Reviewer to verify the credit.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

COASTAL COMMUNITIES MODEL ORDINANCE:

The *Flood Damage Prevention Ordinance for Coastal Communities* may be found at https://adecagis.alabama.gov/OWR/NFIP/Downloads/Flood_Damage_Prevention_Ordinance_Coastal_Communities.doc. It contains the same creditable provisions as the riverine ordinance cited above along with additional provisions listed below.

Activity 430. Higher Regulatory Standards

Freeboard (FRB) - From 7.5 to 100 points are awarded for adoption of the 1' freeboard requirement in all areas of the Special Flood Hazard, including the V-Zones. The model ordinance requires a 1' FRB level for both residential and non-residential structures for new construction and substantial improvements to have the lowest floor, including basement, elevated no lower than one foot above the Base Flood Elevation. A 25 percent reduction in credit is applied if the freeboard requirement is not applied to all ductwork and other components servicing the building. Additionally, the credit is prorated if the community has Approximate A Zones and flood elevations are not required to be determined.

Legal basis: Article 4, Section F (2) of the model ordinance.

Verification: ISO/CRS Specialists will verify credit by reviewing elevation certificates, permits, site plans, and similar documents for new developments in the regulatory floodplain.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Cumulative Substantial Improvement (CSI) - 20 points are awarded for adoption of the definition for “Substantial Damage”, which includes the language that qualifies properties for Increased Cost of Compliance insurance coverage for repetitive losses.

Legal basis: Article 6, Definitions - Substantial Damage.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records for building improvements or repairs in the regulatory floodplain, including permit tracking methods.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Enclosure Limits (ENL) - 240 points are awarded for the requirement that all space below the lowest horizontal member must remain free of obstruction. Only lattice-work and screening is allowed.

Legal basis: Article 4, Section F (6) of the model ordinance.

Verification: ISO/CRS Specialists will verify credit by reviewing the local ordinance and permit records for building improvements or repairs in the regulatory floodplain, including permit tracking methods.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.

Other Higher Standards (OHS) - Credit will be determined, at the time of request, in areas where no Base Flood Elevation exists, for requiring a manufactured home chassis and supporting equipment to be supported by reinforced piers or other foundation elements of at least equivalent strength and elevated to a maximum of 60 inches (five feet) above grade.

Legal basis: Article 4, Section B (3) (b) (ii).

Verification: ISO/CRS Specialists will review the ordinance provision, elevation certificates, permits, site plans, and similar documents for manufactured homes in Approximate A Zones. The technical reviewer will verify credit.

Annual UMC verification: ISO/CRS Specialists will verify that the model ordinance still contains this provision.