

## CRS UNIFORM MINIMUM CREDIT COLORADO

### SUMMARY

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

The following table summarizes UMC credit available to all communities. It also includes possible additional credit available for selected areas or state activities, and creditable state model ordinance provisions. ISO/CRS Specialists and 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.

Activity	Element	Credit
<b>Uniform Minimum Credit</b>		
340	Other Disclosure Requirements (ODR)	15
430	State-Mandated Standards (SMS)	5.5
450	Erosion and Sediment Control (ESC)	30
450	Water Quality (WQ)	25
630	State Dam Safety (SDS)	70.8
	<b>Total</b>	<b>151.3 – 165.8</b>
<b>Possible Additional Credit</b>		
410	Floodway Standard (FWS)	25 – 100
430	Freeboard (FRB)	18.75 – 75
430	State-mandated Standards (SMS)	4.4 – 17.5
	<b>Total</b>	<b>48.2 – 192.5</b>

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 56 points. Five hundred points are needed for Class 9.

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### Activity 340. Flood Hazard Disclosure

**Other Disclosure Requirements (ODR)** – Fifteen points are awarded for the Colorado Real Estate Commission Form for sellers to disclose whether property has damage due to flood, has flooding problems, and whether it is in a floodplain or wetland. The Form became mandatory in January 2009.

**Disclosure of Other Hazards (DOH)** – The seller’s disclosure form asks about damage from hazards other than flooding, but no points are awarded because state does not qualify for Disclosure of Flood Hazard (DFH).

**Legal basis:** Colorado Real Estate Commission Rules at [http://www.dora.state.co.us/real-estate/contracts/2007Contracts/SPD19\\_8\\_07\\_Seller\\_Property\\_Disclosure.pdf](http://www.dora.state.co.us/real-estate/contracts/2007Contracts/SPD19_8_07_Seller_Property_Disclosure.pdf).

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

### Activity 430. Higher Regulatory Standards

**State-mandated Standards (SMS)** – Five and one-half 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 is limited to 25 points.

State-mandated Standards		
Activity	Element	Credit
450	Erosion and Sediment Control (ESC)	30
450	Water Quality (WQ)	25
	<b>Total</b>	<b>55</b>
	<b>x 0.1</b>	<b>5.5</b>

**Source:** Section 431.1 of the *CRS Coordinator’s Manual*.

### Activity 450. Stormwater Management

**Erosion & Sedimentation Control (ESC)** – Thirty points are awarded for the requirement to obtain a permit for erosion and sediment control for construction sites that disturb one or more acres, or is part of a larger common plan of development or sale that will disturb at least one acre.

**Legal basis:** Three authorities regulate water quality standards in Colorado. The Colorado Revised Statute 25-8-101 is at <http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp=>. Colorado Discharge Permit System Regulation 61 is at <http://www.cdphe.state.co.us/regulations/wqccregs/100261dischargepermitsystemnew.pdf>. The Colorado Discharge Permit System General Permit is at <http://www.cdphe.state.co.us/wq/permitsunit/MS4/2008MS4090000permit.pdf>.

**Verification:** ISO/CRS Specialists will verify credit by reviewing permits and erosion control plans, and conducting field verification.

**Annual UMC verification:** ISO/CRS Specialists will verify the regulations remain in effect.

**Water Quality (WQ)** – Twenty-five points are awarded for requiring new development of one acre or more to include in their stormwater management facilities “Best Management Practices” that will improve the quality of surface water.

**Legal basis:** Three authorities regulate water quality standards in Colorado. The Colorado Revised Statute 25-8-101 is at <http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp=>. Colorado Discharge Permit System Regulation 61 is at <http://www.cdphe.state.co.us/regulations/wqccregs/100261dischargepermitsystemnew.pdf>. The Colorado Discharge Permit System General Permit is at <http://www.cdphe.state.co.us/wq/permitsunit/MS4/2008MS4090000permit.pdf>.

**Verification:** ISO/CRS Specialists will verify credit by reviewing development plans and through field verification.

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

## Activity 630. Dam Safety

**State Dam Safety (SDS)** – State Dam Safety Program activities are awarded 70.8 points based on the Dam Safety Program Management Tool.

**Verification:** ISO/CRS Specialists will verify that communities are in compliance with the State Dam Safety Program.

**Annual UMC verification:** The Federal Emergency Management Agency’s Dam Safety Office annually verifies SDS credit.

## POSSIBLE ADDITIONAL CREDIT

The State of Colorado enacted new Rules and Regulations for regulatory floodplains, effective January 14, 2011. The rules contain provisions that will require many local ordinances to be updated to be consistent with the rules. A transition period of three years, beginning from the effective date, will be in effect until all communities can come into compliance with the rules. The following provisions may earn CRS credit.

### Activity 410. Additional Flood Data

**Floodway Standard (FWS)** – From 25 to 100 points are awarded for the more restrictive floodway standard of 0.50 feet, used to establish existing and future floodways when delineated as part of a Physical Map Revision (PMR). The Specialist should review every Flood Insurance Study's floodway data table to confirm credit.

**Legal basis:** Rules and Regulations for Regulatory Floodplains in Colorado, Rule 8 (A) at [http://cwcb.state.co.us/Documents/FloodplainRulesRegsUpdate/CWCB\\_Adptd\\_FP\\_Rules\\_BasisPurp\\_%2011172010.pdf](http://cwcb.state.co.us/Documents/FloodplainRulesRegsUpdate/CWCB_Adptd_FP_Rules_BasisPurp_%2011172010.pdf).

**Impact adjustment:** Standard impact adjustment per *CRS Coordinator's Manual*.

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

### Activity 430. Higher Regulatory Standards

**Freeboard (FRB)** – From 18.75 to 75 points are awarded for adoption of the 1 foot freeboard requirement in all areas of the Special Flood Hazard. State regulations require a 1 foot FRB level for residential and non-residential structures for new construction and substantial improvements to have the lowest floor, including basement, elevated 1 foot above the Base Flood Elevation. Because electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities are to be designed to prevent water from entering during conditions of flooding, the total maximum score of 100 points for FRB is reduced by 25 percent.

**Legal basis:** Rules and Regulations for Regulatory Floodplains in Colorado, Rule 11 (A) & (C): [http://cwcb.state.co.us/Documents/FloodplainRulesRegsUpdate/CWCB\\_Adptd\\_FP\\_Rules\\_BasisPurp\\_%2011172010.pdf](http://cwcb.state.co.us/Documents/FloodplainRulesRegsUpdate/CWCB_Adptd_FP_Rules_BasisPurp_%2011172010.pdf).

**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.

**State-mandated Standards (SMS)** – From 4.4 to 17.5 additional 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 is limited to 25 points.

State-mandated Standards		
Activity	Element	Credit
410	Floodway Standard (FWS)	18.75 – 75
430	Freeboard (FRB)	25 – 100
	<b>Total</b>	<b>43.75 – 175</b>
	<b>x 0.1</b>	<b>4.4 – 17.5</b>

**Source:** Section 431.1 of the *CRS Coordinator’s Manual*.

## MODEL ORDINANCE

There is currently a model ordinance established by the state. However, it does not contain higher standards than are reflected in this Report. The state plans to update the model ordinance to include mechanical and utility equipment in the freeboard elevation requirement.