

THE COMMUNITY RATING SYSTEM

Open Space Preservation



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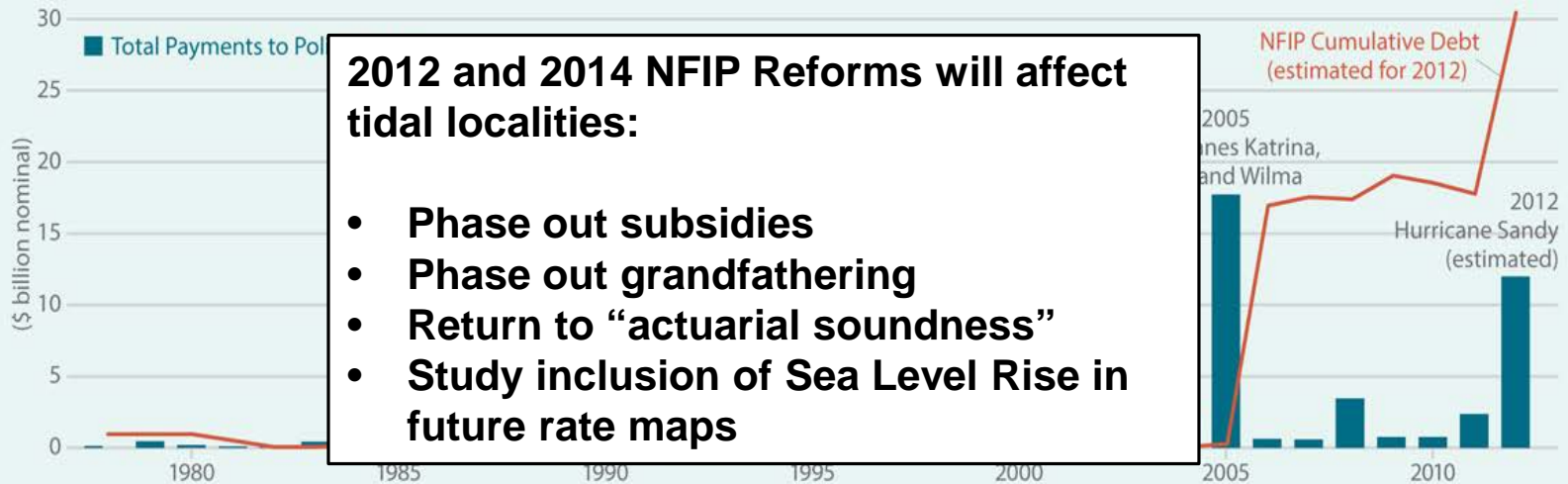
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Mary-Carson S. Stiff, Wetlands Watch
Skip Stiles, Wetlands Watch



FLOOD INSURANCE CHANGES WILL CHANGE DEVELOPMENT PATTERNS

National Flood Insurance Program Debt Grows



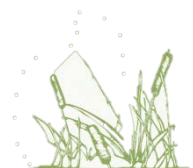
Sources: FEMA 2013a; estimate for 2012 NFIP payments for Hurricane Sandy from King 2013; estimate for 2012 NFIP debt based on its borrowing limit of \$30.4 billion set by the Hurricane Sandy Relief Act.

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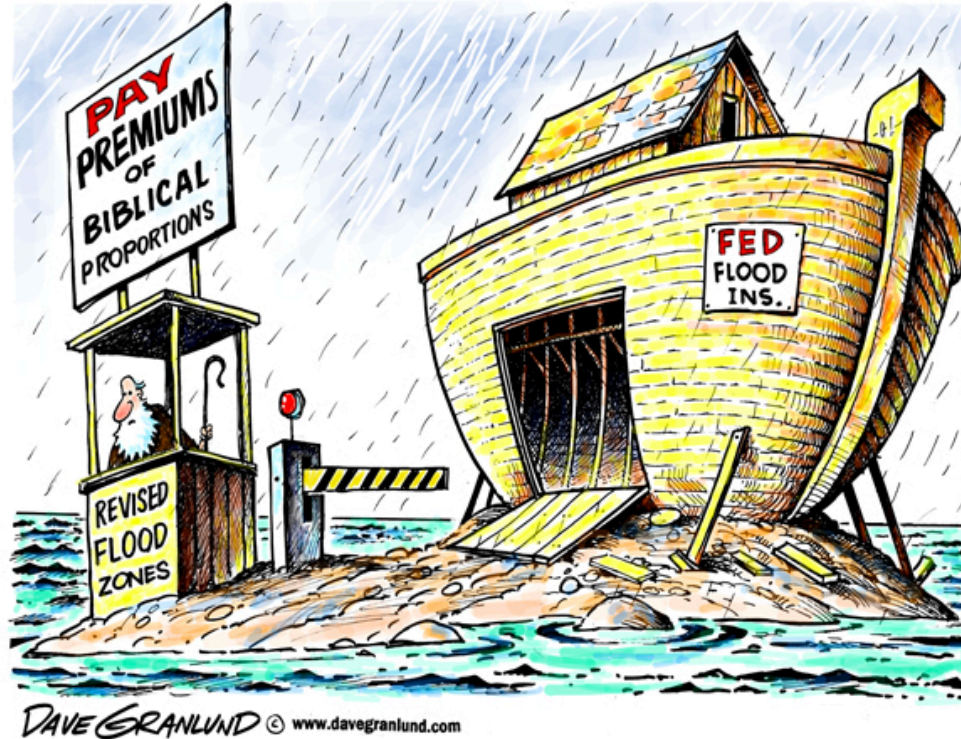


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NFIP: FLOOD INSURANCE REFORMS



Average Rate Increase = 20%

Maximum Rate Increase = 37%

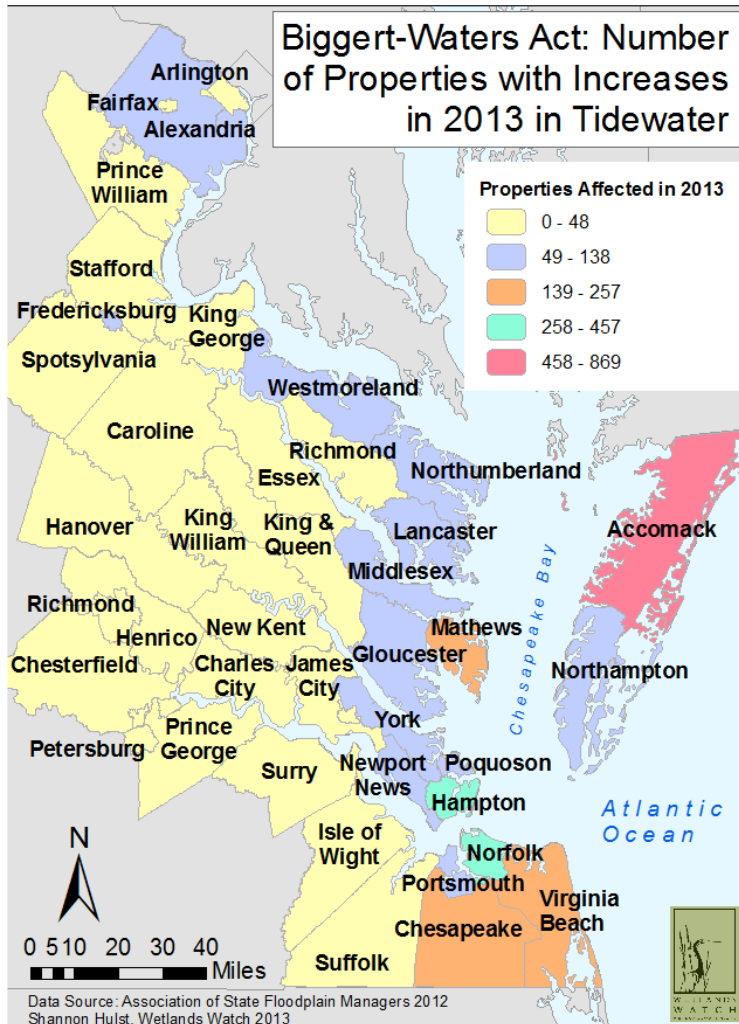


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IMPACTS OF FLOOD INSURANCE CHANGES ON VA



NFIP Reforms will affect tidal localities:

- Phase out subsidies
- Phase out grandfathering
- Return to “actuarial soundness”
- Study inclusion of Sea Level Rise in future rate maps

Attempts to “fix” Biggert-Waters were enacted, but reforms will move ahead, although at a slower pace for residential. Commercial and second homes will see more rapid increases.

With each annual renewal, costs will increase – premium increases, annual fees, etc.



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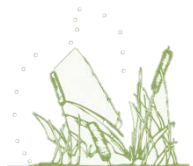
Saving Money and Shorelines

- Voluntary NFIP program offers discounts on flood insurance to reward good floodplain management within a community
- Various activities to improve floodplain management/earn credit
- Administered by “community” = government division with land use authority (locality)



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GOALS OF THE CRS

- Reduce flood damage to insurable property
- Strengthen and support the insurance aspects of the NFIP
- Encourage a comprehensive approach to floodplain management



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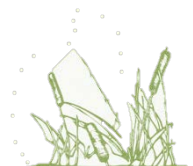
CRS RATING TABLE

Class	Points	Premium Reduction
1	4500+	45%
2	4000-4499	40%
3	3500-3999	35%
4	3000-3499	30%
5	2500-2999	25%
6	2000-2499	20%
7	1500-1999	15%
8	1000-1499	10%
9	500-999	5%
10	0-499	0%



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CRS ACTIVITY EXAMPLES & CO-BENEFITS

Get credit for existing local government actions

- **Public Information**
 - Outreach, hazard disclosure
- **Mapping and Regulations**
 - Open space preservation, stormwater management regulations, GIS
- **Flood Damage Reduction**
 - Acquisition/relocation, mitigation, floodplain management planning
- **Warning and Response**
 - Flood emergency management, dams, levees



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VIRGINIA AND THE CRS

Legend

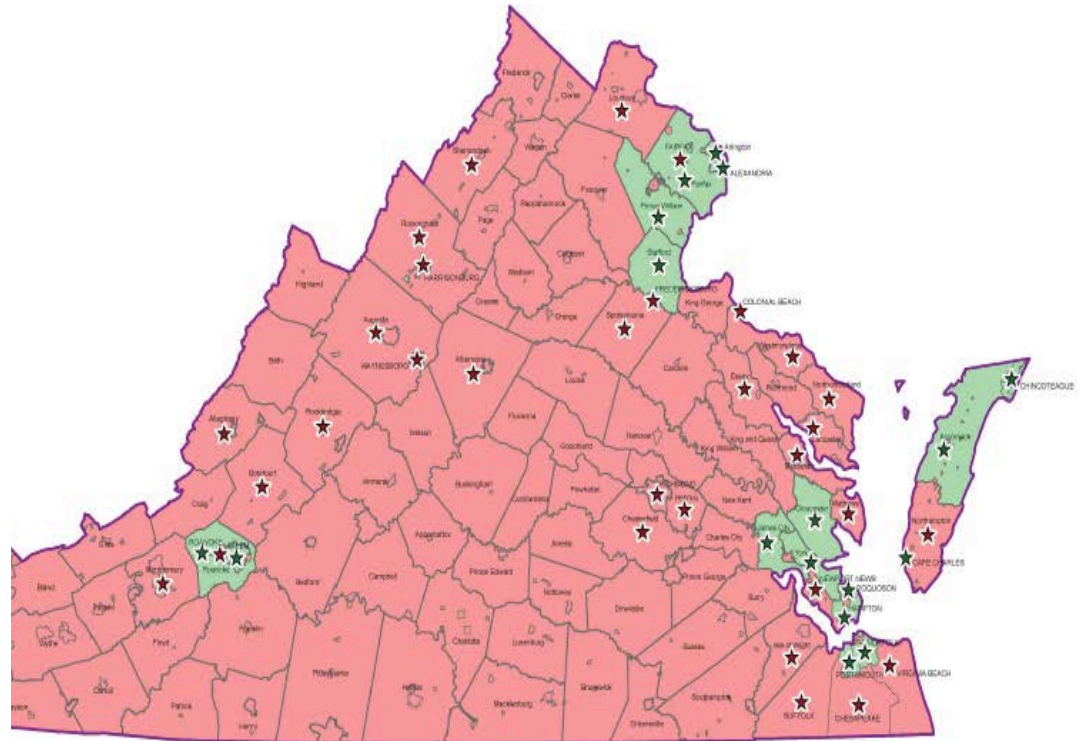
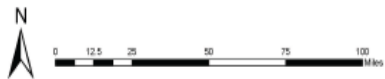
Participating Communities

- ★ Top 50 Communities based on policy count
- Participate in CRS

Non-Participating Communities

- ★ Top 50 Communities based on policy count
- Do NOT participate in CRS

Data Source: FEMA, May 2012



Source: Federal Emergency Management Agency

POLICIES IN FORCE	PREMIUM	CRS SAVINGS
55,076	\$38,259,246	\$2,844,066



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VALUE OF THE CRS PROGRAM REALIZED

The CRS Makes it Into the Virginia Code

Code of Virginia § 15.2-2223.3 - 2015 session

*Beginning July 1, 2015, any locality included in the Hampton Roads Planning District Commission shall incorporate into the next scheduled and all subsequent reviews of its comprehensive plan strategies to combat projected relative sea-level rise and recurrent flooding. Such review shall be coordinated with the other localities in the Hampton Roads Planning District Commission. The Department of Conservation and Recreation, the Department of Emergency Management, the Marine Resources Commission, Old Dominion University, and the Virginia Institute of Marine Science shall provide technical assistance to any such locality upon request. Where federal regulations as effective July 1, 2015 require a local hazard mitigation plan for participation in the Federal Emergency Management Agency (FEMA) National Flood Insurance Program, such a plan may also be incorporated into the comprehensive plan. **For a locality not participating in the FEMA Community Rating System, the comprehensive plan may include an action plan and time frame for such participation.***



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NEWEST INCLUSION OF CRS IN CODE

VA General Assembly 2017 Short Session Passes New CRS Language

Code of Virginia § 2.2-220.4 (Bill passed Feb. 2017)

*The Secretary **shall report participation by affected localities in the Community Rating System (CRS)** of the National Flood Insurance Program (42 U.S.C. § 4001 et seq.) to the Governor and the General Assembly no later than November 1, 2018. **The report shall list any affected locality that does not participate in the CRS, determine the costs and benefits to localities of participation in the CRS, and recommend any legislation necessary to encourage participation.***



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WHY DOES WETLANDS WATCH CARE ABOUT THE CRS?

- INCENTIVIZING LOCAL GOVERNMENT PLANNING FOR RESILIENCE

Highest CRS Credit Earning Activities: Promote Resilience and Adaptation to Increased Flooding



Open Space Preservation



Acquisition &
Relocation



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Source: Port of Seattle
(www.portseattle.org)



OPEN SPACE PRESERVATION, ACTIVITY 420

- **Preserving open land in the floodplain**
 - **Activity 420, Open Space Preservation**
Maximum Credit = 2,020 Points
 - **BASE CREDIT**
 - Open space preservation (BASE CREDIT)
 - **EXTRA CREDIT**
 - Deed restrictions (conservation easements)
 - Natural functions open space (preserved or restored to natural state)
 - Special flood related hazards open space
 - Open space incentives (local programs incentivizing incorporation of open space in new development)
 - Low density zoning (lot sizes of 5 acres or larger)
 - Natural shoreline protection (local govt programs that protect shorelines & channels)



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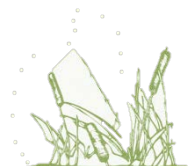
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OPEN SPACE PRESERVATION, CREDIT CALCULATION

Number of acres of protected open space

Number of acres of locality floodplain

- Delete federally owned lands
- Option to include state owned lands
- Delete large bodies of water
- Structures that advance use of land (playgrounds or welcome centers) are permitted on parcels > 10 acres



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BASE CREDIT, OPEN SPACE PRESERVATION (OSP)

CRS CREDIT OPPORTUNITIES: Protection of Open Space in the Floodplain

CRS ACTIVITIES

Probable Credit, Activity 422a, Open Space Preservation (OSP)
Up to 1,450 points, *CRS Manual*, 420-3

Creditable Activity

- Protecting undeveloped land in the floodplain

Requirements

- Land must be part of the regulatory floodplain as defined by a locality's floodplain ordinance
- If land is owned by the state or local government (not federal) or non-profit organizations, development, filling, and materials storage must be prohibited by adopted policy, real estate instrument, or agreed to in writing by property owner
- If land is owned by an individual, development, filling, and materials storage must be prohibited by a permanent real estate instrument that runs with the land

Additional Information

- Federally-owned lands are not eligible for credit
- Active farmland may not be creditable
- Credit is determined by the ratio of the area of open space to the area of the regulatory floodplain
- Existing buildings necessary for the prescribed use of the land are acceptable on parcels greater than 10 acres
- Impervious surfaces must be subtracted from the credited acreage (except for trails/sidewalks)
- Additional credit is available if the land is preserved in or restored to its natural state (Activity 422c), or if it is subject to additional flood hazards (Activity 422d)



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EXTRA CREDIT, DEED RESTRICTIONS (DR)

Potential Credit, Activity 422b, Deed Restriction (DR)
Up to 50 extra credit points, *CRS Manual, 420-11*

Creditable Activities

- Extra credit for open space protected by deed restriction

Requirements

- Land must qualify for open space credit (Activity 422a)
- Deed must include language that prohibits new buildings
- The restriction must run with the land and cannot be changed by a future owner

Examples of deed restrictions:

- Conservation Easements (held by nonprofits)
- Open Space Easements (held by government entity)



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EXTRA CREDIT, NATURAL FUNCTIONS OPEN SPACE (NFOS)

Probable Credit, Activity 422c, Natural Functions Open Space (NFOS)
Up to 350 extra credit points, *CRS Manual*, 420-13

Creditable Activity

- Extra credit for open space parcels preserved in or restored to their natural state

Requirements

- Land must qualify for open space credit (Activity 422a)
- Land must be managed to retain its natural state
- Land must be in an undeveloped/natural state or restored to a natural state (areas designated as worthy of preservation by a federal or state public program or nationally-recognized private program typically qualify)

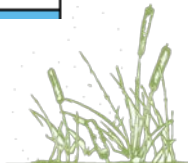
Additional Information

- Additional credit is available for land designated in a Natural Floodplain Functions Plan (Activity 512c), if land is designated as critical habitat, if land is part of a planned open space corridor, and if educational materials are provided
- Credit is determined by the ratio of the area of open space to the area of the regulatory floodplain



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EXTRA CREDIT, OPEN SPACE INCENTIVES (OSI)

CRS CREDIT OPPORTUNITIES: Land Use Policies, Zoning, and Subdivision Ordinances to Protect the Floodplain as Open Space

CRS ACTIVITIES

Probable Credit, Activity 422e, Open Space Incentives (OSI)
Up to 250 points, *CRS Manual*, 420-20

Creditable Activities

- Requirements or incentives to reserve floodplain portions of new developments as open space

Requirements

- Maximum credit is provided if regulations require the regulatory floodplain is left open either as open space or free from obstruction (such as a back yard)
- Reduced credit available for requiring buildings to be sited on high ground, transfer of development rights/density bonuses out of the floodplain, cluster development, tax incentives, and land use plans recommending floodplains remain open or sparsely developed

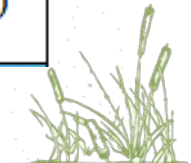
Additional Information

- Credit determined based on the amount of the regulatory floodplain subject to open space incentives (excluding developed areas or parcels already credited as open space)



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EXTRA CREDIT, OPEN SPACE INCENTIVES (OSI)

Potential Credit, Activity 422e, Open Space Incentives (OSI)
Up to 10 points, CRS Manual, 420-20

Creditable Activities

- Land use or comprehensive plans recommending open space use or low-density development of flood-prone areas

Additional Information

- Credit determined based on amount of regulatory floodplain covered by plan's recommendations (credit cannot apply to developed areas or parcels already credited as open space in CRS)
- Up to 250 points available in this Activity for requirements or incentives to keep flood-prone lands open (discussed under [Open Space Planning Tools](#))

CRS CREDIT OPPORTUNITIES: Using Cluster Development to Protect Floodplains as Open Space

CRS ACTIVITIES

Probable Credit, Activity 422e, Open Space Incentives (OSI)
Up to 25 points, CRS Manual, 420-20

Creditable Activities

- Regulations allowing cluster development

Requirements

- Up to 25 points are available for regulations that allow cluster development through a planned unit development or otherwise

Additional Information

- Credit is determined based on the amount of the regulatory floodplain covered by open space incentives (excluding developed areas or parcels already credited as open space)



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EXTRA CREDIT, OPEN SPACE INCENTIVES (OSI)

Probable Credit, Activity 422e, Open Space Incentives (OSI)
Up to 250 points, CRS Manual, 420-20

Creditable Activities

- Tax incentive programs to keep land undeveloped

Requirements

- 25 points are awarded for an open space tax incentive program

Additional Information

- Credit is determined based on the area of the regulatory floodplain where tax incentives apply (excluding developed areas or parcels already credited as open space)

CRS CREDIT OPPORTUNITIES: Removal of Development Rights for Open Space Protection

CRS ACTIVITIES

Probable Credit, Activity 422e, Open Space Incentives (OSI)
Up to 70 points, CRS Manual, 420-20

Creditable Activities

- Regulations providing for transfers of development rights or density bonuses away from the floodplain

Requirements

- 70 points for regulations providing transfers of development rights or density bonuses out of the regulatory floodplain
- 50 points for regulations that allow density transfers within the same development
- Though not explicitly mentioned, PDR programs may earn credit as an open space incentive – submit to ISO specialist for review

Additional Information

- Credit is determined based on the amount of the regulatory floodplain covered by open space incentives (excluding developed areas or parcels already credited as open space)



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EXTRA CREDIT, LOW DENSITY ZONING (LZ)

CRS CREDIT OPPORTUNITIES: Using Low Density Zoning to Protect Open Space

CRS ACTIVITIES

Probable Credit, Activity 422f, Low-Density Zoning (LZ)
Up to 600 points, *CRS Manual*, 420-26

Creditable Activity

- Use low-density zoning to protect open space

Requirements

- Lot sizes must be between 5 and 10 acres
- There must be a zoning ordinance that identifies development criteria and densities for different areas

Additional Information

- Credit is based on the area of the regulatory floodplain covered by the low density zoning regulations



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EXTRA CREDIT, NATURAL SHORELINE PROTECTION (NSP)

Potential Credit, Activity 422g, Natural Shoreline Protection (NSP)
Up to 120 points, *CRS Manual*, 420-28

Creditable Activity

- A locality must have adopted regulations that prohibit armoring, channel alterations, dredging, filling, grubbing, removal of vegetation, or any beach alteration on private and/or public lands
- Chesapeake Bay Preservation Areas can earn credit with a policy to issue no permits in these areas for the activities prohibited by the CRS in this activity

Requirements

- Development, fill, armoring, beach nourishment, dune alteration, etc. must be prohibited

Additional Information

- Human alterations of natural shorelines are only permitted when the action improves natural floodplain functions
- Shoreline protection regulations subject to a portion of a locality's shoreline can earn some credit
- Credit is based on the length of protected shoreline compared to the locality's entire shoreline length
- These programs can also earn 25 points under Activity 452b, Watershed Master Plan (WMP7)



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CHESAPEAKE BAY PRESERVATION ACT LAND IS.....IN!

- Working with Hampton to get their CBPA area included in Activity 420 (using exact GIS info taking developed parcels out)
- Stafford County was just reviewed and its CBPA area was included in Activity 420 using a development algorithm – we are seeking formal approval of this with FEMA/ISO.



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CBPA SAVES \$\$ FOR POLICYHOLDERS

Community: STAFFORD COUNTY * State: VIRGINIA
 County: STAFFORD COUNTY ▼ CID: 510154

Current CRS Class = 8

[\[Printable Version\]](#)

	TOTAL	SFHA *	X-STD/AR/A99 **	PRP ***
PIF	613	150	27	436
PREMIUM	\$399,079	\$219,303	\$23,114	\$156,662
AVERAGE PREMIUM	\$651	\$1,462	\$856	\$359

CRS Class

09	Per Policy	\$22	\$81	\$45	\$0
	Per Community	\$13,400	\$12,183	\$1,217	\$0
08	Per Policy	\$42	\$162	\$45	\$0
	Per Community	\$25,584	\$24,367	\$1,217	\$0
07	Per Policy	\$62	\$244	\$45	\$0
	Per Community	\$37,767	\$36,550	\$1,217	\$0
06	Per Policy	\$83	\$325	\$90	\$0
	Per Community	\$51,167	\$48,734	\$2,433	\$0
05	Per Policy	\$103	\$406	\$90	\$0
	Per Community	\$63,351	\$60,918	\$2,433	\$0
04	Per Policy	\$123	\$487	\$90	\$0
	Per Community	\$75,534	\$73,101	\$2,433	\$0
03	Per Policy	\$143	\$569	\$90	\$0
	Per Community	\$87,718	\$85,284	\$2,433	\$0
02	Per Policy	\$163	\$650	\$90	\$0
	Per Community	\$99,901	\$97,468	\$2,433	\$0
01	Per Policy	\$183	\$731	\$90	\$0
	Per Community	\$112,085	\$109,652	\$2,433	\$0



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CONCLUSION – HABITAT CONSERVATION = \$\$\$!!!

- As NFIP reforms increase premiums in the flood plain, pressure on localities for relief increases
- CRS lowers premiums. CRS gives greatest points for open space and habitat restoration in the flood plain.
- Wetlands/adjacent land features are concentrated in flood plains
- Conservation/restoration of wetlands and adjacent land features creates value in the present via CRS!



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THANK YOU - QUESTIONS?



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