



CRS UNIFORM MINIMUM CREDIT DELAWARE

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 credit available to all communities. It also includes possible additional credit available for selected areas or state activities. 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
Uniform Minimum Credit		
340	Other Disclosure Requirements (ODR)	15
	Total	15
Possible Additional Credit		
420CEOS	Preserved Coastal Erosion Open Space (CEOS)	35
430	State-mandated Standards (SMS)	3.5
630	State Dam Safety (SDS)	0 - 26
	Total	38.5 - 64.5

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.

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Activity 340. Flood Hazard Disclosure

Other Disclosure Requirements (ODR) - 15 points are awarded for the requirement that sellers complete the Seller's Disclosure of Real Property Condition Report on which the seller discloses whether the property is in a flood zone or in a wetland, whether the property has suffered any flooding problems, and whether the seller has flood insurance.

Legal basis: Chapter 25, Title 6 of the Delaware Code. The form is at <http://dpr.delaware.gov/boards/realestate/documents/DREC%20Property%20Disclosure%20effective%20010111.pdf>.

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

POSSIBLE ADDITIONAL CREDIT

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 420. Open Space Preservation

Preserved Coastal Erosion Open Space (CEOS) - 35 points are awarded for *Delaware’s Beach Preservation Act of 1972* (amended in 1983) which prohibits construction of structures seaward of the “Building Line” as shown for all shoreline areas of the Delaware Bay and Atlantic Ocean. Credit is not available to “other than coastal communities.” The credit is awarded only if the local government has adopted coastal erosion or dune protection regulation worth at least 20 points.

Legal basis: *Beach Preservation Act of 1972*, as amended in 1983, Chapter 68 at <http://www.dnrec.state.de.us/bechregs.htm> and <http://www.dnrec.state.de.us/bechreg5.htm> and <http://www.swc.dnrec.delaware.gov/Shoreline/Pages/ShorelineConstruction.aspx>.

Verification: Copies of local coastal erosion or dune protection regulations, oceanfront permits, and variances are to be provided. These should document that at least 5-acres seaward of the frontal dune are protected as open space based on the setback regulations.

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

Activity 430. Higher Regulatory Standards

State-mandated Standards (SMS) - An additional 3.5 points are awarded for state-mandated regulatory standards for preserved open space in coastal areas. Credit equals 0.10 times the sum of credit points for floodplain management regulatory standards. Total SMS is limited to 20 points.

State-mandated Standards		
Activity	Element	Credit
420	Preserved Open Space (OS) in coastal areas	35
	Total	35
	x 0.1	3.5

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

Activity 630. Dams

State Dam Safety (SDS) - Up to 26 points of credit for State Dam Safety Program activities based on the Dam Safety Program Management Tool. 15 points awarded for Condition Assessment and 11 points for Risk Communication and Public Awareness.

Verification: ISO/CRS Specialists will verify that the community is in compliance with the State Dam Safety Program. SDS credit 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.

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