



STATE OF SOUTH DAKOTA

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	10

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

South Dakota has a requirement that sellers must disclose whether the property is in a flood hazard zone and if there is a federal requirement to purchase flood insurance, and previous flood event and/or flood-related property damage.

Citations: South Dakota CL § 43-4-44

[Codified Law 43-4-44 | South Dakota Legislature \(sdlegislature.gov\)](https://legis.sd.gov/CodifiedLaw/43-4-44)

Website: [sellers property condition disclosure statement.pdf \(sd.gov\)](https://www.southdakota.gov/sellers-property-condition-disclosure-statement.pdf)

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
430 (Higher Regulatory Standards)	Other
450 (Stormwater Management)	ESC–erosion & sedimentation control WQ–water quality
630 (Dams)	SDS-state dam safety

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

State Model Flood Damage Prevention Ordinance

The South Dakota Department of Public Safety is the State NFIP Coordinating Agency.

- No model ordinance language is available on the state’s website

Document: [National Flood Insurance Program | SD DPS](#)

Activity 450 (Stormwater Management)

ESC–EROSION AND SEDIMENTATION CONTROL WQ–WATER QUALITY

Construction activities disturbing one or more acres must have coverage under South Dakota’s General Permit Authorizing Stormwater Discharges Associated with Construction Activities (General Permit). This includes construction support activities and construction sites that are part of a larger common plan of development or projects being done in phases. If the total area of the plan is over one acre, a permit is required for the duration of the project.

Website: [Stormwater Construction \(sd.gov\)](#)

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.

- South Dakota’s Department of Agriculture and Natural Resources Dam Safety Program
[Go To South Dakota Dam Safety Program Homepage | Association of State Dam Safety](#)

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.