



## STATE OF TENNESSEE

**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	15

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

Tennessee has a residential property disclosure requirement that sellers disclose if the property has known flooding problems, is required to carry flood insurance, or has past damage from floods.

*Citation: Tennessee Code Title 66, Chapter 5 Part 2 – Residential Property Disclosures - <https://law.justia.com/codes/tennessee/2021/title-66/chapter-5/part-2/>, and Tennessee Residential Property Condition Disclosure - <https://eforms.com/images/2018/08/Tennessee-Residential-Property-Condition-Disclosure.pdf>*

RF 201 – Tennessee Residential Property Condition Disclosure

B. ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOLLOWING?  
(Yes/No/Unknown)

10. Flooding, drainage or grading problems?

11. Any requirement that flood insurance be maintained on the property?

14. Property or structural damage from fire, earthquake, floods, landslides, tremors, wind, storm or wood destroying organisms? If yes, please explain (use separate sheet if necessary).

## 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 BC1–building codes
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 Tennessee Emergency Management Agency is the State NFIP Coordinating Agency.

The Tennessee Association of Floodplain Management offers model language on their website for:

[County Flood Damage Prevention Ordinance](#)

[Municipal Flood Damage Prevention Ordinance](#)

[Municipal Floodplain Zoning Ordinance](#)

- No higher standards model text is provided or available on the website.

### **Activity 430 (Higher Regulatory Standards) Element BC1, Building Codes**

Tennessee's code is based on the 2012 International Building Code and 2018 International Residential Code. The state has also adopted the 2012 International Plumbing Code, 2012 International Mechanical Code, and 2012 International Fuel Gas Code.

[Tennessee State Fire Marshal's Office Currently Adopted Codes and History \(tn.gov\)](#)

<https://www.tn.gov/commerce/fire/codes-enforcement.html>

Municipal jurisdictions in Tennessee are either classified as exempt or non-exempt with regard to the adoption of local codes. An exempt jurisdiction can adopt any code as long as it is at least as strong as the state code and gets OSFM approval. Specialists will verify code adoptions individually with communities to determine if there is eligible BC1 credit.

### **Activity 450 (Stormwater Management)**

#### **ESC-EROSION AND SEDIMENTATION CONTROL WQ-WATER QUALITY**

The Tennessee Department of Environment and Conservation, Division of Water Resources implements the EPA Phase I and Phase II regulations in Tennessee. This requires all construction activities greater than 1 acre to obtain a permit.

[NPDES Stormwater Construction Permit \(tn.gov\)](#)

### **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.

- The Safe Dams Program within the Division Water Resources in the Tennessee Department of Environment and Conservation is responsible for carrying out the requirements of the Safe Dams Act of 1973 <https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/safe-dams-program.html>
- Tennessee Valley Authority (along the Tennessee River system) [TVA Dam Safety](#) operates river dams at 49 sites and over 140 structures (91 of which are listed on the National Inventory of Dams.)

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 SDS credit.