



# City of Wilmington

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City Council Member At-Large

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## **Public Safety Committee**

Loretta Walsh, Chair  
Christofer C. Johnson, Vice Chair  
Ciro Adams  
Charles M. "Bud" Freel  
Michelle Harlee  
Yolanda McCoy  
Dr. Hanifa Shabazz, Ex-Officio Member

## **NOTICE**

### **VIRTUAL Public Safety Committee Meeting**

**November 9, 2020 @ 5:00 p.m.**

## **Agenda**

- **Ord. 20-034** Amend Chapter 35 of the City Code to Create a Citizen Complaint Review Board
- Discuss a Resolution from Wilmington City Council to the Delaware General Assembly requesting exemption from Title 11 of the Delaware Code in order for the largest City in Delaware, Wilmington, to develop a gun registration program within the City of Wilmington to assist in the reduction of gun violence aiding both law enforcement and City constituents.
- Discuss a Resolution Adopting the New Castle County Multi-Jurisdictional All Hazard Mitigation Plan 2020 Update as Approved by FEMA
- Presentation on Group Violence Intervention by Director Bobby Cummings

The public can access the meeting by clicking the following link:

<https://zoom.us/j/93769931421>

**Webinar ID: 937 6993 1421**

Or by Telephone by dialing: (929) 205-6099 or (301) 715-8592

You will be asked for the Webinar ID. Please enter **937 6993 1421** and then #. You can press # again when prompted to immediately enter the meeting.

**(11/02/2020)**

*If public comment is permitted during this committee meeting, any member of the public who wishes to speak during the committee meeting will be limited to three minutes per agenda item. If the public's permission to comment is abused, the Chair may exercise greater discretion in limiting public comment*

**AN ORDINANCE TO AMEND CHAPTER 35 OF THE CITY CODE TO  
CREATE A CITIZEN COMPLAINT REVIEWBOARD**

**#4833**

**Sponsor:**

**Council  
Member  
Johnson**

**Co-Sponsor:**

**Council  
President  
Shabazz**

**WHEREAS**, the Administration and City Council concur that a Citizen Complaint Review Board is necessary for the City of Wilmington; and

**WHEREAS**, pursuant to the powers granted in City Charter §§ 1-103 and 1-104.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON  
HEREBY ORDAINS:**

**SECTION 1.** Chapter 2 of the City Code is hereby amended by adding a new Division 18, §§ 150.80 through 150.86, by adding the underlined language to read as follows:

**DIVISION 18. – THE CITIZEN COMPLAINT REVIEW BOARD**

**Sec. 2-150.80. – Establishment, composition, qualifications.**

(a) **Establishment.** Pursuant to Charter Section 8-403, there is established as an independent board in the Office of the Mayor a Citizen Complaint Review Board (the “CCRB”) to address and participate in the resolution of complaints filed by citizens against the Wilmington Police Department and/or its officers and members. Public complaints against members of the Wilmington Police Department (the “WPD”) shall be investigated by a Civilian Complaint Review Board. The legislature intends that the board address the resolution of these complaints to the greatest extent permitted by Title 11, Chapter 92 of the Delaware Code, as it exists or may from time to time be amended, by the collective bargaining agreement then in place, and by the rules and regulations of the WPD.

(b) **Composition.** The CCRB shall be comprised of nine (9) members appointed by the Mayor with advice and consent of Wilmington City Council: One (1) shall be a member of the Mayor’s Office; three (3) shall be members of the Wilmington City Council nominated by the Mayor upon the recommendation of the President of City Council; five (5) shall be nominated by the Mayor upon the recommendation of the following organizations, one member (1) from each: the Delaware Chapter of the American Civil Liberties Union (“ACLU”); the Delaware Chapter of the National Association for the Advancement of Colored People (“NAACP”); the Wilmington HOPE

Commission; the Latin American Community Center ("LACC"); and the Clergy of the City of Wilmington.

(c) **Qualifications.** In the nomination and confirmation of members to serve upon the CCRB, consideration should be given to a candidate's professional experience in the fields of the law, civil rights and law enforcement. In making a recommendation, the President of Council or the organization shall provide to the Mayor and City Council the resumes and all other submissions that establish the candidate's qualifications. If, for any reason, an organization declines to recommend a member, or if any of the organizations cease to exist, the Mayor may designate another organization to recommend a candidate to the CCRB. The Mayor shall have the authority to remove an organization and its representative for good cause and, thereafter, may designate another organization to recommend the nomination of a member. Any member of the clergy appointed to the Board shall represent the public interest and may not render decisions based on any personal religious belief.

(d) **Chairperson.** Each year during or before the month of December, the Mayor shall select the Chairperson of the CCRB from the members who are not from the Office of the Mayor. The Chairperson shall serve one (1) year from January 1 until December 31.

(e) **Terms of the Members.** The terms of the members who are not City Councilpersons shall be three (3) years. The Wilmington City Council members shall serve until the end of the current session of Council. In order to achieve staggered terms, during the initial creation of the first CCRB, three (3) of the five (5) members recommended by the organizations as determined by the Mayor shall serve a one-year term.

(f) **Duties of the Mayor's Office Member.** Except the member from the Office of the Mayor, no member of the Board shall have been employed by the WPD. The Mayor's Office member shall serve as the chief administrator of the Board, supervise its civilian employees, supervise intake and communications on behalf of the Board with complainants and victims, and serve as a voting member. The Mayor's Office member shall assist the Board by receiving complaints, performing investigations, and hiring and assigning civilian staff. They shall ensure the training of Board members and staff. They shall review completed investigations, sit in on pending cases and may ask questions and may make policy recommendations to the Board as a whole.

(g) **Vacancy.** In the event of a vacancy on the Board during the term of office of a member for any reason, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term.

(h) **Budget.** Each year, the Board shall be allocated an operating budget which shall be proposed by the Mayor in the City's Annual Budget and adopted by Wilmington City Council. During the first quarter of the year, the Board shall submit a proposed annual operating budget to the Mayor and annual financial statements for consideration at a budget hearing to be conducted by Wilmington

City Council. The appropriation for the CCRB shall be a line item in operating budget of the Wilmington Police Department. Within forty-five (45) days of the first full sitting Board, the Board shall submit to the Mayor a proposed budget to cover initial costs and expenses related to the hiring, and training of employees and Board members, secure necessary infrastructure and equipment, conduct a public awareness campaign, and otherwise implement the requirements of this Ordinance.

**Sec. 2-150.81. – Duties and Powers of the Board.**

(a) **Duty to Receive Complaints.** The Board shall have the duty to receive and investigate complaints from members of the public about uniformed and sworn personnel of the WPD that allege misconduct involving inappropriate behavior or actions, including but not limited to excessive use of force, abuse of authority, unlawful arrest, unlawful stop, unlawful searches, theft, discourtesy or the use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, age, sexual orientation, gender identity or expression, and disability, theft, and any other categories protected under law. The term “member of the public” is intended to have the broadest possible meaning and interpretation and includes complaints made by other police officers or personnel.

(b) **Power to Investigate and Report.** In performing its duty, the CCRB may conduct investigations, hold hearings, make findings and issue reports, all or any of which may be either public, private, or confidential as the CCRB determines in its discretion based upon the circumstances of the case and the requirements of the law. A semi-annual report of its investigations shall be submitted to the Mayor, Chief of Police and Wilmington City Council. The Board may use all the powers set forth here as well as those set forth in the Charter and City Code to carry out its investigations. The Board may in its discretion make recommendations to the Chief of Police, Mayor, Wilmington City Council, and to the public regarding policies and procedures of WPD. The Board may also investigate and make recommendations regarding undesirable general practices and patterns of behavior involving the interaction of the Police Department with the public at large, public safety concerns, failures of communication with the public, or any other area regarding police practices and policy or police and community relations. The findings and recommendations of the Board, and the basis therefore, including those that may relate to suggested general policies and procedures not specific to any particular investigation or complaint, may be submitted to the Chief of Police. The findings, recommendations, their bases, and any report or communication of the CCRB containing them may only be used in a manner consistent with Title 11, Chapter 92 of the Delaware Code, as it exists now or may from time to time be amended.

(c) **Rules.** Pursuant to Charter Sections 4-406 and 4-407, the CCRB shall promulgate rules and regulations in the prescribed manner.

(d) **Subpoena authority.** Pursuant to Charter Section 4-409, the Board may issue subpoenas ad testificandum and duces tecum.

(e) **Mediation.** The Board may establish a mediation program where a complainant may voluntarily choose to resolve a complaint by means of informal conciliation.

(f) **Public Education.** The Board shall inform the public about the Board and its duties and shall develop and administer an ongoing program for the education of the public. The Board shall hold public meetings and shall regularly report to the public on its activities and other policing information it determines to be in the public interest.

#### **Sec. 2-150.82. – Cooperation of the Police Department.**

(a) The Wilmington Police Department shall provide such assistance as the Board may reasonably request, cooperate with investigations by the Board, and provide to the Board records and other materials necessary for its investigations, except such records or materials that may not lawfully be provided to the public. To the extent permitted by the Title 11, Chapter 92 of the Delaware Code, as amended, by the collective bargaining agreement in place at the time of an investigation, and by the disciplinary rules and regulations of the WPD, the Chief of Police shall ensure that officers and employees of the WPD appear before and respond to inquiries of the Board and its investigators.

(b) The provisions of this Ordinance shall not be construed to limit or impair the authority of the Chief of Police to discipline members of the WPD nor obviate the responsibility of the WPD to investigate citizen complaints or incidents to which WPD is made known, involving uniformed and sworn members of the WPD, and to promptly inform the CCRB of all such complaints or incidents. Nor shall the provisions of this section be construed to limit the rights of members of the WPD with respect to disciplinary action, including, but not limited to, the right to notice and a hearing, which may be established by any provision of law or otherwise.

(c) The CCRB in its discretion may decide to proceed with the investigation and review of civilian complaints regardless of any pending or parallel disciplinary proceeding or criminal investigation, but in no case may any information, reports, findings, testimony or other evidence obtained by the CCRB be used in any disciplinary proceeding unless such is permitted by Title 11, Chapter 92 of the Delaware Code, as amended, by the collective bargaining agreement in place at the time and by the rules and regulations of the WPD.

(d) The Chief of Police shall ensure that any adverse action by a member of the WPD towards an individual which is due to an action taken to exercise his or her rights to file a misconduct complaint, or which likely would deter an

individual from exercising their rights or making or supporting a complaint, is prohibited.

(e) All City officials and departments shall fully cooperate with the implementation of this Ordinance.

#### **Sec. 2-150.83. – Complainant Confidentiality**

During the investigatory process, neither the identity of, nor personally identifiable information about, complainants or witnesses shall be released beyond the CCRB staff, Board members, and WPD staff engaged in the specific investigation of the complainant's allegation. If the complaint is substantiated and is referred to a CCRB hearing, the complainant's identity may be released in the course of any public hearing about the alleged misconduct.

#### **Sec. 2-150.84. – Meetings of the Board.**

(a) The full Board shall meet at least nine times per year, at which meeting it shall consider cases referred to it and conduct any other business, no less than once every other month.

(b) The Board shall have the authority to conduct public hearings related to issues of public concern with WPD policies, patterns, or practices. The Board may choose to summon the Police Chief or other employees of the WPD to testify at such hearing.

(c) At each monthly public meeting, the Board shall include a public comment period during which members of the public may address the Board on issues germane to the Board's jurisdiction. Public comments will be limited to five minutes per speaker.

#### **Sec. 2-150.85. – Public Reporting.**

(a) The Board shall publish on its public website on a quarterly basis the number of complaints it receives; the race, ethnicity, gender, and age of the complainant; the basic facts of the complaints (with personally identifiable information redacted); the disposition of each complaint (to degree permitted by law); and any other information the Board shall determine is relevant to carry out the Board's duties and responsibilities.

(b) The number of use of force incidents by the WPD, including data disaggregated by the race, gender, ethnicity, and age of the civilian; the type/brief description of force used; the reason for use of force; the civilian injuries that took during incident involving use of force, if any; the officer injuries that took place during incident involving use of force, if any.

(c) Any reporting request of and to be provided by WPD's Office of Professional Standards shall be in accordance with Delaware Attorney General

Guidelines and in conformance with all applicable governing laws, rules and regulations.

(d) The amount of money the City of Wilmington expended in settlements or judgments to resolve tort, civil rights, or other legal claims filed against the WPD, as well as the basic facts associated with those claims to the extent permitted by law or not otherwise restricted from disclosure.

(e) The Board shall publish an annual report, available on its public website, compiling the statistics for each calendar year and identify any significant trends, patterns, areas of concern, or areas of excellence, within the WPD's practices.

**Sec. 2-150.86. – Communication Regarding Status of Complaints.**

(a) Within seven business days of the receipt of a complaint, the Board shall notify a complainant by telephone or letter that the Board has received his/her complaint and shall identify the case number.

(b) The Board shall, within seven business days of sending to the Chief of Police its findings and recommendations in a case, write to the Complainant with such findings and recommendations.

**Sec. 2-150.87. – Training.**

The Board and its employees shall obtain the training necessary to carry out its duties. Such training shall be predominately obtained from such independent, third-party sources that have experience regarding internal affairs and civilian review investigations and audits. A policy as to training shall be adopted by the Board at the outset of its operation and updated annually. The cost of such training shall be set forth in the Board's budget proposal as required by Section II.

**SECTION 2:** Any prior ordinances or parts thereof inconsistent herewith shall be amended and supplemented to conform to the provisions contained herein.

**SECTION 3:** If any part of this ordinance is declared unconstitutional or illegal, the remaining provisions shall not be affected and shall continue in full force and effect.

**SECTION 4:** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of Delaware.

First Reading..... July 9, 2020  
Second Reading..... July 9, 2020  
Third Reading.....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

**SYNOPSIS & FISCAL IMPACT:** This Ordinance amends the City Code by creating a Citizens Complaint Review Board authorized to investigate citizen complaints against law enforcement officers employed by the Wilmington Police Department, make reports of those investigations and recommend practice changes to the extent consistent with the current law as it exists now or may be amended in the future. The ordinance will have fiscal impact and the Board will require a budget to carry out its duties, but the amount or nature of the budgetary needs of the Board is not unknown.



Wilmington, Delaware  
November 19, 2020

#

**Sponsors:**

**Council  
Members  
Oliver  
Johnson**

**WHEREAS**, Delaware Code Annotated Title 22, Section 111(a) creates the following limitation on municipal firearm regulations: “The municipal governments shall enact no law, ordinance or regulation prohibiting, restricting or licensing the ownership, transfer, possession or transportation of firearms or components of firearms or ammunition except that the discharge of a firearm may be regulated; provided any law, ordinance or regulation incorporates the justification defenses as found in Title 11 [of the Delaware Code]. Nothing contained herein shall be construed to invalidate municipal ordinances existing before July 4, 1985, and any ordinance enacted after July 4, 1985, is hereby repealed. Notwithstanding the provisions of this section to the contrary, the City of Wilmington may, in addition to the nature and extent of regulation permitted by this section, enact any law or ordinance governing the possession or concealment of a paintball gun within its corporate limits as it deems necessary to protect the public safety”; and

**WHEREAS**, Delaware Code Annotated Title 22, Section 835(a)(6) specifically prohibits amending a municipal charter to “[p]rohibit, restrict or license ownership, transfer, possession or transportation of firearms or components of firearms or ammunition, except that the discharge of a firearm may be regulated; provided that any regulation or ordinance incorporates the justification defenses as found in Title 11 [of the Delaware Code] . . . .”; and

**WHEREAS**, there has been over 1,132 reports of gun incidences in Wilmington since 2011. In 2017, Wilmington ranked first in the entire nation for teen shootings. In 2017, there were 3.4 people injured aged 12-17 in the City per 1,000 people, which is nearly 9 times the national average as reported in 2015 by the U.S. Centers for Disease Control and Prevention.

Between 2009 and 2014, 15% of the people arrested in Wilmington for gun-related crimes were under the age of 18; and

**WHEREAS**, the year-to-date total (January 1 - October 1, 2020) of incidences of gun violence in the City of Wilmington is 111 shooting incidents, 20 homicide incidents, 141 shooting victims, and 23 killed by shooting, with “homicide incidents” defined by a specific incident/location rather than number of victims that resulted from the incident and “killed” refers to the number of people killed during a specific incident; and

**WHEREAS**, within the City of Wilmington from January 1, 2020 to October 1, 2020 in the age categories of 10 and younger, 11 - 15, 16 - 24, and 25+, the number of individuals killed or wounded by gun violence were 0, 1, 25, and 17, respectively; and

**WHEREAS**, these incidents of gun violence causing deaths and serious injuries of youth from the ages of 10 to adults aged 25 and over causes trauma to the families of both the victims and perpetrators, as well as anxiety for residents and businesses regarding public safety in a number of neighborhoods throughout the City; and

**WHEREAS**, research collected by the Gifford’s Law Center demonstrates that licensing has been proven to reduce gun violence and trafficking, and remains a necessary component to crafting comprehensive, lifesaving gun laws; and

**WHEREAS**, a 2018 study of gun licensing laws across 80 large urban counties found that these laws are associated with an 11% decrease in firearm homicides; and

**WHEREAS**, the City of Wilmington is the largest City in Delaware by population, has the highest number of large corporations employing tens of thousands of people, and provides the greatest percentage of corporate tax revenue to the State of Delaware; and

**WHEREAS**, given the impact of gun violence being experienced for more than a decade throughout the City of Wilmington, the ability of the City of Wilmington to enact legislation requiring the registration of guns is necessary and appropriate to further the City's efforts to provide additional public safety protocols to support law enforcement and to address the public's right to expect safety in their neighborhoods, businesses and commercial areas; and

**WHEREAS**, the City of Wilmington's proposed gun registration legislation would require every City of Wilmington resident or organization who possesses or controls a firearm or a destructive device to register such firearm or device with the Wilmington Police Department, with the exception of current or retired law enforcement officers, members of the United States Armed Forces, or other persons authorized to possess a firearm or device while on duty in the performance of official authorized functions; and

**WHEREAS**, machines guns, assault weapons, sawed-off shotguns, short-barreled rifles, and .50 BMG rifles would not be permitted to be registered firearms or devices under the City of Wilmington's proposed gun registration legislation; and

**WHEREAS**, the City of Wilmington's proposed gun registration legislation would require a person or organization to apply in person to register any other type of firearm or device with the Wilmington Police Department prior to completing a firearms training and safety class provided free of charge by the Wilmington Police Department, or submitting evidence that the registrant had received comparable training in a military or law enforcement capacity in another U.S. jurisdiction where such firearms training is required; and

**WHEREAS**, the Delaware Code preempts the enactment of gun control laws on a city-to-city basis; however, the Delaware Code has exceptions for local governments and other

such bodies to install ordinances to regulate firearms in police stations and county buildings if they have signs restricting the weapons in the designated zones; and

**WHEREAS**, due to the ongoing incidents of gun violence being experienced for more than a decade in various neighborhoods in the City of Wilmington by residents, families and businesses that have taken lives, caused serious injuries, traumatized residents and eroded public safety, Wilmington City Council requests for the Delaware General Assembly to enact legislation exempting the City of Wilmington from the Delaware Code's preemption that prohibits the City of Wilmington from enacting its proposed gun registration legislation, which would provide the City with an additional tool to reduce gun violence, deaths and injuries and increase the public safety to the over 70,000 residents, businesses, workers and visitors in the City of Wilmington.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City Council requests for the Delaware General Assembly to enact legislation exempting the City of Wilmington from the Delaware Code's preemption that prohibits the City from enacting proposed gun registration legislation for and within the City of Wilmington.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution requests the Delaware General Assembly to enact legislation exempting the City of Wilmington from the Delaware Code's preemption that prohibits the City from enacting proposed gun registration legislation.

Wilmington, Delaware  
November 19, 2020

#

**Sponsor:**

**Council  
Member  
Walsh**

**WHEREAS**, the City of Wilmington, like all other jurisdictions in the Mid-Atlantic Region, is vulnerable to hurricanes, tornadoes, flooding, and other natural and technological disasters including pandemics, terrorism and weapons of mass destruction that in the past have, or could have, caused extensive loss of life and property, and severe disruption to essential human services; and

**WHEREAS**, billions of dollars' worth of residential, commercial, and coastal property in Delaware is at risk from hurricanes and weather-related damages; and

**WHEREAS**, the Stafford Act was amended by the Disaster Mitigation Act of 2000 Section 322 (P.L. 106-39), which provides approaches to mitigation planning and emphasizes the need for state, local and tribal entities to closely coordinate mitigation planning and implementation efforts as outlined in 44 CFR Part 201; and

**WHEREAS**, City Code Section 7-63(c)(1) states that the City's Office of Emergency Management shall "prepare and maintain a comprehensive plan and program for the emergency management of the city," which shall "be integrated into and coordinated with the emergency management plans of the state and federal government to the fullest possible extent"; and

**WHEREAS**, led by the New Castle County Office of Emergency Management, the NCC Hazard Mitigation Steering Committee, which was comprised of County, Local Municipal, State, and Private sector participants, completed a review and revision of the 2020 Plan (the "2020 Update") for submission to the Federal Emergency Management Agency

("FEMA") for approval (a copy of which is attached hereto and incorporated herein by reference as Exhibit "A"); and

**WHEREAS**, the 2020 Update involved multiple levels of review and input, including integration of Comprehensive Land Use Plans, Climate Adaptation Plans, and Vulnerability Assessments, meeting with each municipality individually, briefing the County Council Executive Committee, and presenting at the NCC Planning Board Public Hearing; and

**WHEREAS**, the City's Office of Emergency Management, Fire Department, Department of Public Works, and the Department of Licenses & Inspections provided valuable contributions to the creation of the 2020 Update; and

**WHEREAS**, compliance with the mitigation plan requirements, as determined by the Delaware Emergency Management Agency and FEMA Region 3 review and approval, will position New Castle County and its municipalities to receive pre- and post-disaster mitigation funding and disaster assistance funding.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that City Council hereby adopts the 2020 update of the New Castle County Multi-Jurisdictional All Hazard Mitigation Plan.

Passed by City Council,

ATTEST: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** This Resolution adopts the 2020 update to the New Castle County Multi-Jurisdictional All Hazard Mitigation Plan, as approved by the Federal Emergency Management Agency.

# **EXHIBIT A**

# 6.2 LOCALLY-SPECIFIC MITIGATION ACTIONS

## 6.2.1 Review of Current and Completed Hazard Mitigation Actions

**Requirement §201.6(c)(3)(ii):** [The mitigation strategy **shall** include a] section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.

**Requirement: §201.6(c)(3)(ii):** [The mitigation strategy] must also address the jurisdiction's participation in the National Flood Insurance Program (NFIP), and continued compliance with NFIP requirements, as appropriate.

### The Cost-Benefit Review

The Cost Benefit Review comprises an analysis that compares the project cost to both tangible and non-tangible benefits. Tangible benefits are those benefits that could be considered in a comprehensive Benefit-Cost Analysis (BCA). Non-tangible benefits include public support, political will, and life safety.

### The Benefit-Cost Analysis (BCA)

All mitigation projects that are considered for FEMA's Hazard Mitigation Assistance (HMA) program funding will have a comprehensive BCA completed using FEMA approved BCA software. Both the State Hazard Mitigation Officer (SHMO) and the Flood Mitigation Assistance program coordinator can aid with the BCA. This analysis will be the basis by which the County, municipality, or University either pursues a FEMA grant or seeks funding elsewhere. Only cost-effective eligible projects will be submitted for funding under the HMA program.

The mitigation actions from the 2015 Plan were reviewed at the Face-Face Meetings with Municipals and again at the Stakeholder Workshop held on March 2, 2020 and edited as necessary. In addition to the meetings, the County emailed and phoned the municipals to provide updates and held an internal conference call to get updates to the Unincorporated Actions. Tables 6.2.1 provides a listing of all mitigation actions, their adoption status, and timeline for completion, priority, and their current status. New Actions that were identified have been added and indicated as such for each jurisdiction. The information on priority and funding is all kept within the Supporting Information Appendix or available upon request.

## 6.2.2 Review of Current and Completed Hazard Mitigation Actions

**Requirement §201.6(c)(3)(ii):** [The mitigation strategy **shall** include a] section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.

**Requirement §201.6(c)(3)(iv):** For multi-jurisdictional plans, there **must** be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.

One major challenge realized during the Plan Update was that there are many small projects and mitigation measures that are handled by Community Transportation Funds or other State funding through the State Legislators for communities. Some of these projects are highlighted with our Steering Committee member, New Castle Conservation District, however, most are not recorded as a mitigation measure or shared since they typically do not acquire federal funding.



# LOCALLY-SPECIFIC MITIGATION ACTIONS

## 2020 NEW CASTLE COUNTY HAZARD MITIGATION PLAN UPDATE

Table 6.2.1 – Ongoing and New Mitigation Actions

Action	Description/Lead Agency	Priority	Status
	If Agency is not listed-action defaults to Jurisdiction in heading		Or it was a cancelled action per Status
<b>Arden</b>			
2015-1	Work closely with the County and continue to improve public outreach within the community to include distributing informative pamphlets and other outreach materials and workshops to educate citizens about hazard awareness./ Arden / NCC OEM & Council	Medium	Ongoing – Continuous Action – Pamphlets from NCC OEM Distributed to residents through County Councilperson
2015-2	Establish emergency notification procedures for rail and Interstate HAZMAT incidents and chemical facilities. Cancel	NA	Cancel – In place through DENS Notices through NCC OEM, DNREC, DSP or DEMA
2015-3	Retrofit Guild Hall so that it can be used as a temporary shelter/ Arden/NCC OEM and DHSS	Medium	Ongoing – Evaluate in connection with Action 2020-3, with DHSS, ARC, and OEM
2020-1	Create a Storm Water Management Plan / Arden & DNREC / \$ 50,000	High	New Action – Within 1 year Implement a Storm Water Management Plan for flooding issues
2020-2	Implement a Water Management Plan / Arden / \$ 500,000+	High	New Action – Implement a contract or service to improve water service to the Village (5 years)
2020-3	Upgrade Buzzware Village Center for emergency shelter use / Arden and NCC OEM / \$ TBD up to \$ 100,000	Low	New Action – In connection with 2015-3, evaluate any required improvements and determine viable use as an emergency shelter. (5 years)
2020-4	Village Wide Tree Risk Assessment / Arden / \$ TBD up to 50,000	Low	Evaluate risk from tree damages; Increased storm severity risks significant damage and safety.
<b>Ardencroft</b>			
2015-1	Investigate appropriate mitigation measures to protect 16 lease holders adjacent to the creek. Assess Perkins Run flooding potential. / Ardencroft	Low	Ongoing, needs some evaluation work to be done through NCCD or Engineering firm, Action 2015-7 will be combined, description updated.
2015-2	Develop and implement an information awareness system to include notification, mail outs, recorded messages, and email during and after an event. / Ardencroft	Low	Ongoing, Village is looking into a system
2015-3	Ensure adequate training and resources for emergency organizations and personnel.	NA	Cancel – NCC OEM conducts CERT Training
2015-4	Conduct Community Emergency Response Team (CERT) classes for emergency response personnel	NA	Cancel – per above
2015-5	Increase the number of trained citizen emergency responders.	NA	Cancel – same as 2015-3
2015-6	Conduct a vegetative vulnerability assessment to determine what plant types pose a wind, water, or snow hazard to private and public property. / Ardencroft	Low	Ongoing- Village is still conducting a determination of appropriate resources to conduct this survey.

# LOCALLY-SPECIFIC MITIGATION ACTIONS

## 2020 NEW CASTLE COUNTY HAZARD MITIGATION PLAN UPDATE

2015-7	Conduct an assessment to determine the vulnerability if Perkins Run overtops its banks (Due to increased population growth, development, and encroachment).	NA	Combine with Action 2015-1
<b>Ardentown</b>			
2015-1	Prepare Candlelight Theater as needed for use as a shelter or search for another location in cooperation with the State Shelter Strategy / Ardentown, NCC OEM, DHSS / \$ 1,000	Low	2020-Change in Action Description and Priority to Low
2015-2	Develop a call out database to notify residents in the event of a disaster.	Medium	Cancelled
2015-3	Marsh Road Property Acquisition Project / Ardentown and NCCD	Low	Completed Oct. 2016
2020-1	Survey Storm Water Issues / Ardentown and NCC / \$ 10,000+	Medium	New Action 2020- Ongoing Implementation
2020-2	Scan Town Data to preserve information to prevent loss of Town Data and History / Ardentown and State Archives / \$ 1,000-\$ 5,000	Medium	New Action 2020 – Implementation within 1 year
2020-3	Village Wide Tree Risk Assessment / Ardentown / \$ Unknown	Low	New Action 2020- Ongoing
<b>Bellefonte</b>			
2015-1	Work closely with and obtain assistance from the County to implement an information awareness system to include notification, mail outs, recorded messages, and email during and after an event. Continue to send out hazard notifications via the State/County Police Alert System and through the Brandywine Hundred Fire Company.	Medium	Ongoing-Facebook and Next Door groups have been implemented.
<b>Delaware City</b>			
2015-1	Create displays for use at public events (health fair, public awareness day, county fair, etc.). DC Main Street, DCFC, Town.	Medium	Ongoing-Delaware City has multiple public events which Town and Fire Company have displays and outreach.
2015-2	Construct flood barrier, drainage improvements, and wetlands enhancements for Dragon Run. Town	High	Delaware City was awarded a \$920,000 FEMA Grant to address the Washington Street flooding issues. City also received \$500,000 funding from DNREC, funds in the state FY15 budget, which provides \$1,475,000 to address flooding issues on Washington Street and Monroe and Madison Streets. Project completed. New Castle Conservation District worked to complete a restoration of the tide gate for Dragon Run @ DE River, supported by State funding in 2016.

# LOCALLY-SPECIFIC MITIGATION ACTIONS

## 2020 NEW CASTLE COUNTY HAZARD MITIGATION PLAN UPDATE

2015-3	Evaluate solutions for flooding of Route 9 at Dragon Run which is a major evacuation route out of Delaware City. DELDOT/Town	High	Ongoing. DELDOT Working with Town to repair and reset gates.
2015-4	Provide training for Delaware City Town Council on the CRS program and encourage residents to participate. Town Admin.	Medium	Completed-Ongoing Action
2015-5	Construct flood barrier and drainage improvements along C&D Canal and evaluate wetlands enhancements. ACE	Medium	Fort DuPont bulkhead project ongoing with the Army Corps of Engineers.
2015-6	Develop a Phragmites elimination program. ACE, Town Admin.	Medium	Ongoing. Town is currently working on this project with State Forestry and Army Corps of Engineers..
2015-7	Replace or eliminate tidal flushing pipe and valve at Old Locks.	Medium	Town is unfamiliar with this action. Will need to evaluate further.
2015-8	Washington Street Flood Mitigation Project	Medium	Combined with Action 2015-2; Completed Fall 2019.
<b>Elsmere</b>			
2015-1	Implement stormwater study recommendations. / Elsmere	Medium	Completed-Adopted Stormwater Code Part II Chapter 190 in 2017. This action will remain for further information and study the formation of a Utility as recommended by DELDOT.
2015-2	Increase the storage capacity of the Little Mill, Chestnut Run, Silverbrook, Derrickson Run and other creeks throughout the Town.	Medium	No progress, funding required. This Action can be connected to 2015-1
2015-3	Evaluate storm water management infrastructure.	Medium	Not started. Further evaluation required to determine number of additional drains, culverts, and to remove clogs in pipes
2015-4	Study and recommend solutions to alleviate the periodic flooding threat on Chestnut Run at Kirkwood Hwy (SR-2) , added in 2020 - Chestnut Run at VA Hospital, and Little Mill by Fuel station. / DELDOT and Elsmere	Medium	Army Corps has completed some work at the VA Hospital which has helped. Rest of Action slight progress on assessment.
2020-1	Water Supply to the CSX Wilmere Rail Yard for Fire Protection	High	Lack of available fire suppression water supply at Rail Yard. Challenges with communication with CSX and coordinating a solution for providing Hydrants.
<b>Middletown</b>			
2015-1	Conduct a vulnerability assessment of the Town's water distribution system, to identify measures designed to reduce the potential impacts of natural hazards./ Middletown DPW	Medium	<p>Ongoing. Installed Chlorine scrubber and scrubber alarms to neutralize any release and notify the Town of release/activation of the scrubber.</p> <p>All businesses within the Town limits must provide a date for when they will have backflow prevention devices on their water service connection lines. This will prevent cross contamination of the Town's water distribution system.</p> <p>The Town and Artesian Water restrict fire hydrant connections throughout the</p>

# LOCALLY-SPECIFIC MITIGATION ACTIONS

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			community. If a business needs water for their projects, they can only connect at Public Works.
2015-2	Develop a water restriction policy that can be implemented during drought conditions. / Middletown DPW	Medium	Ongoing. Notification System has been updated with a new system and data is updated annually.
2015-3	Develop an Emergency Operations Plan with an integrated evacuation procedure for the Town in cooperation with DELDOT's NCC Evacuation Plan. / Town Manager, Town Planner, NCC OEM, DELDOT	High	Ongoing. Updated Description of Action 2015-3, EOP is under development.
2015-4	Develop a website to notify residents of important information before, during and after emergencies, storms, etc. (include links to other major sources of information: DEMA, FEMA, DELDOT and the weather channel).	Medium	Completed 2017. Website is up and running and updated. Social Media Account created.
2015-5	Perform Sharondale outfall rehabilitation to eliminate erosive velocities of stormwater runoff in the outfall.	Low	Completed August 2017.
2020-1	Develop and Establish a Drainage Code. / Middletown Administration / \$ 1,000-1,500	Medium	In progress, implementation within six to twelve months. Town General Funds being utilized.
2020-2	Consider participation in the NFIP's Community Rating System (CRS) / Town Administration / \$ Unknown	Low	Consider voluntary participation into the CRS Program. Assessment of program required as first step. Unknown Implementation schedule.
2020-3	Coordinate with Emergency Services to identify available resources and increase preparedness awareness. / Town and other agencies as needed / \$ Unknown	High	New Action for 2020. Begin as soon as practical
2020-4	Identify an Alternate location for Middletown Town Hall to provide continuity of operations in the event of a disaster or the building is compromised. / Town Administration and other agencies / \$ Unknown	Medium	Town is providing a generator at the existing Town Hall Site, however, an alternate government location should be established.
<b>New Castle</b>			
2015-1	Introduce railroad crossings at main highway intersections with gate and better signals (three major roadways cross the railroad near schools, businesses and residential areas). / Town / DELDOT Railroad program / Norfolk Southern RR / \$ Unknown	High	Washington St. Crossing has been completed. Ferry Cut Off Crossing originally scheduled for Summer 2020, now postponed to Summer 2021.
2015-2	Develop a detailed flood vulnerability study for the entire City along the Delaware River and Bay to focus on coastal/riverine flooding from severe storm events and sea level rise. / Town Admin / DNREC Coastal Programs	High	Ongoing-Vulnerability Assessment completed Feb. 2018. Dike Alternatives Plan completed Nov.2019. Working on Next Action Steps, and bulkhead repairs. Pier reconstruction completed. Phase 2 is in design/development for Ferry/River Cruise capability.
2015-3	Work with railroad lines to notify citizens of hazardous shipments that run through the City of New Castle. / Town / NCC OEM & DEMA	High	Railroad feels it is a security risk to announce hazmat shipment schedules but has demonstrated a unified communication/cooperation for training and response with DEMA.

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2015-4	Enhance building code. / Town Admin / Town Building	High	Ongoing- Currently with Solicitor's office for legislative preparation.
<b>Newark</b>			
2015-1	Assess damages sustained to city property following a disaster. EM	High	2020 Update-Ongoing, training identified.
2015-2	Retrofit storm sewer system. / DPW	Low	2020 Update-Ongoing for drainage improvements. Per Stormwater Plan of 2017.
2015-3	Preserve riparian buffer along White Clay Creek. / DPW	Medium	2020 Update- Ongoing per the Conservation Advisory.
2015-4	Inspect stormwater outfalls and maintain stormwater management facilities annually. / DPW	Medium	2020 Update-Now an operational component of DPW per Stormwater Plan.
2015-5	Conduct six inspections of creek annually. /DPW	Medium	2020 Update-Now an operational component of DPW per Stormwater Plan.
2015-6	Continue storm drain spill response. / DPW	High	2020 Update – Action updated to "Continue", ongoing DPW operational component.
2015-7	Continue tree maintenance program. / DPW	High	2020 Update- Action updated to "Continue" as this is an ongoing operation now.
2015-8	Own generation back up power at varied voltages and place at critical loads and substations. / DPW	High	2020 Update- Ongoing, backup power installed at booster station with FEMA Grant.
2015-9	Manage storage area at designated parkland for debris composting. / DPW	Medium	2020 Update-Action updated to "Manage", as storage site was established and now managed by City DPW.
2015-10	Keep Christina Creek clear of obstruction, including 11 bridge culverts. / DPW	High	2020 Update- Per DNREC Decree and Stormwater Plan, operational component integrated into DPW. Completed.
2015-11	Clean catch basins and grates three times a year. / DPW	High	2020 Update- Per Stormwater Plan, now an operational component of DPW.
2015-12	Routinely inspect all construction E & S measures. / DPW	Medium	2020 Update-Per State Regs, this is schedule for DPW. Ongoing action.
2015-13	Study and recommend solutions to alleviate the periodic flooding threat on the Christina River at Nottingham Road (SR-273), Barksdale Road, near the Christina River at the Newark CSX rail line and Casho Mill Road, on the Christina River at W Chestnut Hill Road/Rittenhouse Park, on the Christina River at Welsh Track Road, and on White Clay Creek at Paper Mill Road, ADDED and on Julie Lane near Casho Mill Road. / Multiple Depts.	Medium	2020 Update-DELDOT projects still in funding and planning phase. Newark projects in planning phase.
2015-14	Support cost effective property acquisitions through Federal grants. / EM	Low	2020 Update-Still investigating potential properties viable for acquisition.
2010-7	Install a Backup Generator to NW Booster Station / Newark DPW	High	Ongoing-PDM Grant awarded FY 2017 in progress, continued from PDM FY2010
2020-1	Construct Stormwater Management facility at previous site of UD Rodney Dorm acquired by City, into a park. / DPW / \$ 9 million	High	New Action for 2020, work already started per Capital Referendum
2020-2	Investigate use of previously abandoned sanitary sewer force main at Silverbrook pump station for emergency bypass. / Newark DPW	Medium	New Action for 2020- Funding amt. Unknown at this time.
<b>Newport</b>			
2015-1	Initiate wetlands protective measures along the Christina River.	High	Cancel this Action, DNREC responsible

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2015-2	Work with the County to conduct a detailed flood vulnerability study for the entire Town. / Town / NCC DLU / \$ 20,000	High	New Flood Maps effective 1/22/20 assisted. Town would participate in a Countywide flood study as cost is prohibitive.
2015-3	Study and recommend solutions to alleviate the periodic flooding threat on the Christina River at Interstate 95/US 141/202.	Low	DELDOT Action-Progress due to changes in Rt. 141 ramps.
2020-1	Install catch basins throughout Town. / Town Admin / \$ TBD	Medium	2020 New action. Needed for stormwater and drainage improvements to reduce road flooding.
2020-2	Install two (2) new sewer pump stations in the Industrial Park / Town / \$ TBD	Medium	2020 New Action. Needed to improve sewer flows out of the low lying area.
<b>Odessa</b>			
2015-1	Establish a comprehensive all- hazards warning system. / Odessa	Medium	Action handled by the State System DENS through NCC OEM.
2015-2	Educate residents on hazards that can impact the community.	High	Ongoing-In partnership with Odessa Fire and NCC OEM
2015-3	Develop an evacuation policy for the Town.	Low	Completed. Plan is encompassed within the DELDOT Transportation Evacuation Plans with NCC OEM.
2015-4	Update the local Flood Damage Prevention Ordinance.	Medium	Completed. Ordinance Adopted on Dec. 1, 2014 and amended on March 2, 2015
2015-5	Encourage citizens to purchase flood insurance. Town Admin	Low	Ongoing-Ordinance April 2012 to join NFIP and annual notice posted each year to residents.
2015-6	Identify and evaluate shelters.	High	Cancel-Emergency Shelters are identified by NCC OEM in cooperation with DHSS, DEMA, and Red Cross. Opening is determined by OEM Coordinator at Town Request.
2015-7	Study and recommend solutions to alleviate the periodic flooding threat on Appoquinimink River at Main Street (SR-299) DELDOT	High	DELDOT Project. Not started. Lack of funding at proximity projects. Will revisit at annual updates.
2010-5	Develop and Improve Public Water Distribution system. Town Admin	High	Reinstituted Action. The water system is being evaluated for contractual operations and improvements.
<b>Townsend</b>			
2015-1	Develop an educational and outreach program for residents, business owners and government employees to include specific actions that can be taken to reduce the impact of natural hazards. Town Admin	Medium	Ongoing- Town Website through State server started in 2015 with News and Resident Information. Continued information distribution being considered.
2020-1	Research and Consider adoption into the NFIP. / Townsend / DNREC & NCC OEM, NCC DLU / \$ Unknown	High	New Action 2020. Consider reviewing benefits and feasibility of CAV and ordinance to enter the NFIP.
2020-2	Evacuation Flow Study for Town due to limited outlets / Townsend / DELDOT & NCC OEM	Medium	New Action 2020. Review the evacuation routes and population to determine traffic flow operations.

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Wilmington			
2015-1	Educate and encourage citizens to purchase and install backflow preventers in flood-prone homes. / Wilm. DPW	Medium	Ongoing-Plumbing Code updated in 2018.
2015-2	Continue to increase public education—people should be ready to survive for three days without power. / Wilm. OEM	High	Ongoing-Wilm. OEM conducts outreach and annual Blue Rocks Event.
2015-3	Continue to increase public education for all hazards.	High	Ongoing. This action is being combined with Action 2015-2 for future.
2015-4	Evaluate the adequacy of existing code to address potential wind-related damages / Wilm. L & I	Low	Addressed in the update to Building Code adoption of IBC 2018 Standard.
2015-5	Reduce the likelihood of sewer overflow during flood events through real-time control (RTC). / Wilm. DPW	Medium	2020 Update- Ongoing Operational component in DPW.
2015-6	Develop building construction code requiring shatter-proof glass for new city buildings. / Wilm L&I	Medium	Completed in late 2018 with Adoption of IBC Standard 2018 into Code
2015-7	Establish a citywide disaster recovery/business continuity plan. / Wilm. OEM and all departments	High	2020 Update- In progress, final draft plan in review, update done with NCC OEM/VPC, LLC through DHS Funding.
2015-8	Coordinate with the Department of Public Works to apply traffic flow study to evacuation procedures. / Wilm. OEM and DPW	High	2020 Update-this action has been delayed/interrupted by current major road projects through DELDOT.
2015-9	Evaluate Comprehensive Plan to check for hazard mitigation elements.	High	This Action will be cancelled. Handled by the AHMP process and State.
2015-10	Ensure NIMS training for all appropriate City personnel and engage in tabletop exercises. Wilm. OEM	Medium	Ongoing-conducted NIMS training and city personnel have engaged in tabletop and functional exercises.
2015-11	On South Wilmington Wetland Park - Reestablish wetland to process stormwater from South Wilmington Area east of Walnut Street, south of A street; Partial separation of stormwater in Southbridge and from Garaches Lane./ Wilm. DPW / \$ 25 million	Medium	Ongoing Action-2020 Update-Phase 1 Construction began Nov. 2019 to begin dewatering and excavation, building wetland channels and landscaping. Summer 2021 expected completion.
2015-12	Reestablish drainage along RR property between New Castle Avenue and Christiana Avenue to relieve street flooding on New Castle Avenue and to create a drainage path for the redevelopment of the Southbridge Extension area. / Wilm. DPW	Low	Completed. Date not available from Wilmington. Vulnerability study also in progress through NOAA Planning Grant.
2015-13	Develop an Emergency Management GIS training program (including hardware and software). / Wilm. OEM and DPW	Medium	Ongoing-2020 Update, 3 DPW GIS Techs added to staff, trained and integrated with WOEM.
2015-14	Study and recommend solutions to alleviate the periodic flooding threat on Brandywine Creek at E 12 <sup>th</sup> Street/Wilmington Industrial Park and on Shellpot Creek at Governor Printz Blvd (US 13). DPW	Low	2020 update-DELDOT Action in cooperation with Wilm. DPW. Not started.
2010-4	Implement a Tree Maintenance Program. Wilm. DPW	Medium	2020 Update-This was a 2010 completed action that has been renewed by Wilm. DPW, and funded in the 5-year Capital Program as an ongoing maintenance item.



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2010-8	Stormwater Retention Ponds near 2 <sup>nd</sup> and Webb Streets. / Wilm. DPW	Medium	2020 Update-Action from 2010 Completed list has been renewed by City for ongoing work in this area.
<b>Unincorporated Areas of the County</b>			
2015-1	Continue public education and outreach program to educate residents and business owners (who possess hazardous chemicals and compounds) about the protective actions that can be taken to eliminate or reduce property loss and injury. / NCC OEM	Medium	2020 Update-Ongoing-NCC OEM conducts outreach along with NCC LEPC.
2015-2	Conduct annual training exercises based on the actions recommended in the revised New Castle County Comprehensive Emergency Management Plan (CEMP) to comply with FEMA CPG 101 version 2, and HSEEP guidelines / NCC OEM	High	2020 Update-Completed update of CEMP in 2016; Exercises ongoing annually, including Dam Failures, Flood Response, Radiological, HazMat, and Cyber.
2015-3	Implement phase II of channel improvements to reduce the identified flooding problems in Little Mill Creek. / NCC DPW, NCCD, ACE / \$ 43.2 million	Low	2020 Update-Phase II Completed September 2015. Reduced flood levels.
2015-4	Develop a Countywide uniform GIS database and use County data as a baseline. Share GIS data among the levels of government and update with all agency GIS Technicians. Data should include Dam Hazards and Inundation areas. ADD 2020 – create a GIS database of stormwater and drainage facilities. / NCC GIS	Medium	2020 Update-Ongoing. NCC GIS has established multiple new layers (IE, Dam inundation and locations) within the database for EM and has worked on the Statewide GIS User Group. This action also encompasses the challenges of HAZUS and NCC GIS and UD partnership to overcome these challenges.
2015-5	Conduct a study to determine the vulnerability of the CRFM sewage along the Christiana River that stretches 10 miles from I-95 to Wilmington. NCC DPW	Medium	2020 Update-Ongoing. Location markers installed; Repairs of \$10m underway; Planning and Design for a redundant line underway.
2015-6	Update the critical facilities database every three years. Identify critical infrastructure that would pose issues to evacuation and communications. / NCC OEM, NCC GIS	High	2020 Update-This effort is being combined with 2015-4 to work with GIS Team for a layer of critical facilities that is updated automatically based upon parcel data.
2015-7	Revise the New Castle Emergency Operations Plan to comply with FEMA's CPG 101 v.2, and coordinate risk-based planning from holistic to project level with involvement from all stakeholders.	High	Completed. NCC CEMP Major Revision made during 2013 to 2016 with Promulgation in Dec. 2016.
2015-8	Implement culvert improvements in coordination with DelDOT culvert and bridge improvements to reduce flooding in the Forest Hills Park area.	Low	2020 Update-This action was unknown by NCC internally. Best information is that this was completed through DELDOT Blue Ball Barn and Rt. 202/Rt. 141 Improvements.
2015-9	Reduce pollution discharges via storm water systems throughout New Castle County. NCC DPW	Medium	2020 Update- Ongoing effort by DPW through the NPDES Permit Implementation.
2015-10	Elevate homes within the Bayview Beach community as funding allows. NCC OEM	High	2020 Update-DR-4090 PA Grant awarded 2014, for 9 homes; Design/Engineering complete, not able to complete construction due to bids. FY 18 PDM Grant applied/awarded for 4 of those homes. FY 19 PDM Grant applied for other 4, 1 home withdrew. Ongoing.



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2015-11	Identify critical locations for additional environmental monitoring to aid in mitigation and response. / NCC OEM, NCC DPW, DGS/DEOS / \$ 5-10k	Medium	2020 Update-Carousel Pond had a water level monitor station installed in 2013 and operational in 2014. Additional stations are being evaluated for weather monitoring.
2015-12	Integrate Functional and Access Needs into Emergency Plans and Identify mitigation measures consistent with this population. / NCC OEM and State Agencies	High	2015 New Action. 2020 Update – DHSS/DPH has created a Access & Functional Needs Working Group that NCC OEM is a member. Ongoing progress.
2015-13	Evaluate the following potential projects for various mitigation measures: Rockland Mills Community Flooding (Flood proofing, Channel improvements, etc.); DuRoss Heights properties for acquisition/elevation; Town of Christiana properties for acquisition/elevation; Port Penn Dike and properties for elevation. NCC OEM and DPW Env. Section	Medium	2020 Update-Rockland Mills Warning coordination completed in 2015, progressing on a flood mitigation solution, study by NCCD; DuRoss Heights properties submitted for FEMA Grant, both owners withdrew. Port Penn study completed through NOAA Grant. Ongoing.
2015-14	Study and recommend solutions to alleviate the periodic flooding threat at the following locations: • Near Shellpot Creek at Governor Printz Blvd (US 13) & Merchants Square Shopping Center. • Christina River at Interstate 95/US 202 near Coppers Island. • White Clay Creek at Stanton Christiana Road (SR-4, SR-7), near the Delaware Park Racetrack. • Nonesuch Creek at Airport Road. • Christina River at Churchmans Road (SR-58). • Christina River at Churchmans Road (SR-58). • Christina River at the intersection of S Old Baltimore Pike and W Main St (SR-7). • Muddy Run at Salem Church Road. • Red Lion Creek at River Road (SR-9). • Back Creek at the intersection of Churchtown Road and Clayton Manor Drive. • Delaware City Port Penn Road just north of the village of Port Penn. • Augustine Creek at Saint Augustine Road. • Silver Run at Silver Run Road. • Appoquinimink River at Silver Run Road. • Drawyer Creek at Marl Pit Road. • A tributary of the Appoquinimink River at Old Corbitt Road. / DELDOT	Medium	2020 Update-Drainage improvements completed at Shellpot/Gov Printz; White Clay Creek @ DE Park drain basins increased; Nonesuch Creek @ Airport Road ongoing challenges, work in progress; Silver Run at Silver Run Road, bridge replacement to begin 2021; Old Corbitt Road bridge being abandoned, no funding available. All others not started.
2015-15	Study and recommend solutions to alleviate the stormwater flooding threat on Fox Run Shopping Center on Pulaski Highway near Glasgow. / NCCD	Medium	2020 – No update available for this project.
2015-16	Support cost effective acquisition, elevation, and wet/dry floodproofing projects for all municipalities and unincorporated areas in the County. / NCC OEM and NCCD	Medium	2020 - Application submitted to FMA for 2204 Valley Ave. Naamans Manor
2015-17	Evaluate solutions for flooding of Route 72 between the refinery and Route 13 which is major evacuation route out of Delaware City. / DELDOT	High	2020 Update – Not started. No funding identified for survey.
2015-18	Implement the 25 specific recommendations by the Delaware Sea Level Rise Advisory Committee per the 2014 Report, for all municipalities. Various lead agencies per Report	High	2020 Update- DE Hurricane study and OEM is considering sea level rise for evacuation zones and routes. Other regulatory items are being developed. SLR was considered in the Coastal Zone Act Conversion Permit Regulations. Ongoing.

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2015-19	Encourage all municipalities to use the LIMWA (Limited Wave Action) to adjust mitigation projects to a higher elevation level in A zones, for sea level rise and better protection. Ordinance 14-126 requires structures built within the LimWA be constructed to Coastal High Hazard or V zone standards per 40.10.320 E NCC DLU	High	2020 Update- Bayview Beach and Port Penn Elevation projects took LIMWA into account for height. Ongoing.
2015-20	Evaluate and develop actions to mitigate the following areas that are vulnerable to flooding: Delmarva Power, Christina Crescent, Dupont on Powder Mill Road, Delaware Steeplechase Racetrack Property, Port of Wilmington, 350 Anchor Mill Road, 115 Christina Landing, 1237 Sussex Avenue, and 1301 E Twelfth Street. Various	High	2020 Update – all of these properties were ID'd during 2015 Vulnerability Assessment and are privately owned but the owners have not expressed interest in mitigation efforts at this time. Ongoing evaluation.
2015-21	Develop outreach programs to promote awareness of thunderstorm dangers. Include driver safety strategies for severe weather events that can be addressed by driver safety/education classes and by the media. Emphasize the importance of designing public and private buildings with structural bracing, shutters, laminated glass in window panes, and hail-resistant roof shingles or flashing to minimize damage.	Low	2020 Update- Action Cancelled. This is addressed in an Action 2015-24 and through DELDOT/Office of Highway Safety.
2015-22	Identify areas where power lines can be buried underground in order to offer the security of uninterrupted power during and after storms. However, consideration needs to be made for maintenance and repair, particularly in cold climates where soil freezes. / NCC DLU and DPW	Medium	2020 Update-Completed. Per DLU this effort is encouraged to the private developers of land but resides as a Benefit-Cost measure solely dependent on them. For NCC DPW, County facilities recently built have had this effort completed and have backup generators.
2015-23	Develop outreach programs to promote the importance of strengthening public and private structures against severe wind damage by encouraging wind engineering measures and construction techniques - structural bracing, straps and clips, anchor bolts, laminated or impact-resistant glass, reinforced pedestrian and garage doors, window shutters, waterproof adhesive sealing strips, or interlocking roof shingles. / NCC DLU	High	2020 Update-Action outside of NCC Wind Region code requirements. NCC Building Code updated in 2018 to IBC/ICC 2018 Standard. DLU is not pursuing further requirements. No outreach program exists.
2015-24	Develop outreach efforts to promote such items as noncombustible roof covering, fire safe construction, and the importance of clearing brush and grass away from buildings. Emphasize how the damage potential can be reduced by ensuring that structures are surrounded by defensible space or buffer zones (generally 30 to 100 feet and cleared of combustible materials). / NCC DLU and DSFMO	Low	2020 Update-No outreach program exists currently. This Action would have to be handled by the State Fire Marshal's Office under the State HMP.
2015-25	Encourage the adoption of building codes to require residential sprinkler systems installed in new construction. DE Fire Sprinkler Coalition	Medium	2020 Update-Delaware Fire Sprinkler Coalition is advocating residential sprinklers, and the FMO has established an FAQ Sheet for homeowners. There is no current pending legislation through NCC to pursue this currently. Ongoing Action.
2015-26	Identify areas where power lines can be buried underground in order to offer the security of uninterrupted power during and after winter storms. However, consideration needs to be made for maintenance and repair, particularly in cold climates where soil	Low	Duplicate Action of 2015-22

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	freezes.		
2015-27	Ensure regular training in and compliance with all safety procedures and systems related to the manufacture, storage, transport, use, and disposal of hazardous materials. / NCC OEM and NCC DPW	Medium	2020 Update-DPW has an SPCC Prevention Plan and Environmental Compliance maintains logs of any items of storage, etc. and has conducted training. Ongoing.
2020-1	Develop higher regulatory standards for construction and substantial improvements of critical facilities in high hazard areas. / NCC DLU/ \$ Staff Time	Medium	New Action for 2020.

### University of Delaware Mitigation Actions (will be updated once UD internal planning process is complete)

University of Delaware - Wilmington and Newark Campuses			
1	Develop a strategy to abate asbestos campus wide.	Medium	Not started
2	Alleviate the water infiltration/flooding taking place within four University buildings on the Newark campus: New Castle Hall, Kent Hall, Sussex Hall, and Robinson Hall.	Medium	Not started
3	Utilize university administrative and academic resources for emergency management related projects.	Medium	Not started
4	Add utility meters at the building level for water, steam, chilled water, gas, and electricity on all buildings on the Newark campus	Low	Ongoing
5	Increase the occurrence of joint trainings and exercises between the State of Delaware, New Castle County, the City of Newark and the University of Delaware to strengthen the response partnership between these agencies.	Medium	Ongoing
6	Increase the overall preparedness level of the University Community through outreach and training of both the student and the employee population.	Medium	Ongoing
7	Develop an informational website which would be linked to the main site for Emergency Management. This site could be combined with the University and departmental social media tools (i.e. Facebook, Twitter, etc.).	Medium	Not started
8	Update individual departments' disaster preparedness plans and emergency action plans. Focus on educating departments on the importance of keeping these plans current and rethink unit planning – scale and process and consider combining plans.	Low	Ongoing
9	Improve access to required annual safety trainings for faculty, staff and students as well as tracking laboratory activities such as lab inspections, chemical inventory, etc.	Low	Ongoing

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10	Consider integrating effective mitigation practices and concepts into other relevant University plans (Examples include: the University Strategic Planning Initiative, Facilities Design Guidelines, Critical Incident Management Plan, etc. )	Medium	Not started
11	Continue to work closely with the State of Delaware, New Castle County and the City of Newark to ensure that the mitigation actions are coordinated effectively and are in harmony with that of the State, County and City. Collaborate with the local governments to improve the University's and the community's disaster resistance by conducting regular meetings with them to identify mitigation funds.	Medium	Ongoing
12	Develop procedures and documentation for the Information Technology recovery staff to ensure seamless operation of the Disaster Recover site thereby facilitating uninterrupted computer operations university-wide.	Medium	Not started
13	Procure advanced emergency notification systems to include an exterior Public Address System; an in-classroom emergency notification system in academic buildings and a dedicated non-University redundant website for emergency notifications in the event the www.udel.edu site becomes overwhelmed during a disaster situation.	High	Not started
14	Update the University Continuity of Operations Plan.	Medium	Not started

### 6.2.3 Prioritization and Action Plan

Once the mitigation actions are finalized, the Steering Committee developed a set of criteria: Social Considerations, Administrative Considerations, and Economic Considerations. The following questions were asked to evaluate criteria for project prioritization. Each jurisdiction then determines the priority of their actions and manages these priorities with updates to them within the comments during the annual review. The criteria are provided below as a guide for the jurisdictions and for information to those reviewing the actions.

#### Social Considerations – Life/Safety Impact

- Will the project have minimal/direct/or significant impact on the safety of businesses, residents, and properties?
- Will the proposed action adversely affect one segment of the population?
- Will the project be a proactive measure to reducing flood risk?

#### Administrative Considerations – Administrative/Technical Assistance

- Is there sufficient staff currently to implement the project?
- Is training required for the staff to implement this project?

#### Economic Considerations – Project Cost

- What is the approximate cost of the project?

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For each criterion, the level of importance (high, medium, or low) was determined based on the total number of points.

### Prioritization Categories

- High priority – Total score of 14+
- Medium priority – Total score between 10 and 13
- Low priority – Total score >10

Prioritization Criteria							ed in
Criteria	Points (High Score)	High Score (H)	Points (Medium Score)	Medium Score (M)	Points (Low Score)	Low Score (L)	
<b>Life/ Safety Impact</b>	10	Significant impact on public safety for businesses, residents, properties	6	Direct impact on businesses, residents, properties	2	Minimal/negligible impact on businesses, residents, properties	
<b>Administrative/ Tech Assistance</b>	5	No additional staff or technical support needed to implement action	3	and technical support needed to implement action	1	Significant administrative and technical support needed to implement action	
<b>Project Cost</b>	5	(<\$25,000)	3	implement (\$25,000-	1	implement (>\$100,000)	

Detailed information for each NEW mitigation action are included in the Supporting Information Appendix. Each action identifies:

- Community Name:** Jurisdiction
- Action Item:** Specific actions that, if accomplished, will reduce vulnerability and risk in the impact area. Actions are linked to the mitigation goals and objectives.
- Hazard(s):** The hazard(s) the action attempts to mitigate.
- Lead Agency/ Department Responsible:** The local agency, department or organization that is best suited to accomplish this action.
- Estimated Cost:** The approximate cost to accomplish the mitigation action.
- Funding Method:** How the cost to complete the action will be funded. For example, funds may be provided from existing operating budgets (General Revenue), a previously established contingency fund (Contingency/Bonds), or a federal or state grant (External Sources).
- Implementation Schedule:** When the action will begin, and when the action is expected to be completed.
- Priority:** 1) High priority—short-term immediate—reducing overall risk to life and property; 2) Moderate priority—an action that should be implemented in the near future due to political or community support or ease of implementation; 3) Low priority—an action that should be implemented over the long term that may depend on the availability of funds.

# LOCALLY-SPECIFIC MITIGATION ACTIONS

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2020 NEW CASTLE COUNTY HAZARD MITIGATION PLAN UPDATE

This information is contained within the Appendix, however, also summarized within Table 6.2-1.