

# Virginia Dam Safety, Flood Prevention & Protection Assistance Fund

## Grant Manual

**Spring 2011 (April 1-May 10, 2011) Funding Round**  
**DEADLINE May 10, 2011**

**Developed by the Department of Conservation and  
Recreation in Cooperation with the Virginia Resources  
Authority**



**4-1-2011**

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## **Part A Background and Introduction**

### **Introduction**

The purpose of this manual is to provide guidance regarding the policies, criteria, conditions, and procedures for determining project eligibility and awarding grants from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund (the “Fund”) to local governments and private entities for specified dam safety and floodplain management issues pursuant to §10.1-603.16 et seq. of the Code of Virginia. For the purposes of this manual and the Fund, “local government” means any county, city, town, municipal corporation, authority, district, commission, or political subdivision created by the General Assembly or pursuant to the Constitution or laws of the Commonwealth, or any combination of two or more of these entities. “Private entities” means dam owners, whether individuals, partnerships, corporations, or other nongovernmental entities.

### **Virginia Dam Safety, Flood Prevention and Protection Assistance Fund**

The Virginia Dam Safety, Flood Prevention and Protection Assistance Fund was established to:

1. Make matching grants to local governments and to private entities owning existing dams to improve dam safety. State-owned and federally-owned dams, or dams not regulated pursuant to the Dam Safety Act (§10.1-604 et seq. of the Code of Virginia) are ineligible.
2. Make matching grants to any local government for the purpose of assisting the local government with improvements to flood prevention and protection.

The Fund consists of moneys appropriated by the General Assembly, assessments made on flood insurance premium income pursuant to §38.2-401.1 of the Code of Virginia, funds returned in the form of interest and loan principal by recipients of funding, income from the investment of monies contained in the Fund, and other public and private funds eligible for deposit.

The Fund is permanent and non-reverting and is administered and managed by the Virginia Resources Authority (VRA) in cooperation with the Department of Conservation and Recreation (DCR). The Director of DCR will determine the type and amounts of funding available prior to each funding period, and will specify the categories that will be considered for loan and/or grant assistance. The Director is authorized to make expenditures in accordance with § 10.1-603.16 et seq. and the terms of this guidance document following approval of applications from the Virginia Soil and Water Conservation Board (Board).

### **Virginia’s Dam Safety Program**

Provisions of the Virginia Dam Safety Act, (§ 10.1-604 et seq.) and its attendant regulations (4 VAC 50-20-10 et seq.) promulgated by the Virginia Soil and Water Conservation Board promote the proper and safe design, construction, operation and maintenance of dams in the Commonwealth. The Act applies to dams that are twenty-five feet or higher and that create a maximum impoundment capacity of fifteen acre-feet or greater, and dams that are six feet or higher and create a maximum impoundment capacity of fifty acre-feet or greater. Exceptions are dams operated primarily for agricultural purposes which are less than 25 feet in height or which

create a maximum impoundment capacity smaller than 100 acre feet, dams owned or licensed by the United States government, dams licensed by the State Corporation Commission that are subject to a safety inspection program, water or silt retaining dams approved pursuant to Code of Virginia § 45.1-222 or 225.1 (mining or quarry dams permitted by Department of Mines, Minerals, and Energy), and obstructions in a canal used to raise or lower water. The Dam Safety Program's goal is to enhance public safety by administering an effective program that assists dam owners in protecting their dams.

### **Virginia's Floodplain Management Program**

The Virginia Flood Damage Reduction Act of 1989 is administered by DCR through the Floodplain Management Program in DCR's Division of Dam Safety and Floodplain Management. The Program's objectives are to prevent loss of life, reduce property damage caused by flooding, and conserve the natural and beneficial riverine and coastal floodplains of the Commonwealth. The Program pursues these objectives by assisting localities in identifying flood risks, in communicating those risks to residents, and in managing development in identified flood hazard areas.

### **Part B DCR Grant Eligibility Criteria and Application Procedures**

#### **DCR Conditions and Limitations for Making Grants**

- Grant assistance will be awarded by category on a competitive scoring basis for eligible projects that meet the general conditions of this section and the specific criteria set out in the project category descriptions. Scoring criteria to be utilized for each project category is contained in Appendix C.
- Grants from the Fund require a minimum 50% match.
  - In any fiscal year in which grant funding is available, state law requires that the amount of grants issued shall not exceed 50% of the total amount collected in interest or income derived from the investment of monies in the Fund during the previous fiscal year as determined at the beginning of the fiscal year. **Based on this limitation, this year a total of \$855,000 is available for grants. Maximum grant amount per project will be determined based on scoring, amounts requested from eligible projects, and available funds.**
- DCR, VRA, and the Board, in their discretion, reserve the right to provide funding at a level lesser than requested by the applicant, or to refuse to fund an applicant's request. Reasons for such determinations include, but are not limited to, attainability of the proposal, credit worthiness of the applicant, total funding determined to be necessary to complete the project, and total available funding.
- **The Spring 2011 Funding Round will accept applications from April 1 through May 10, 2011.**

- In order for a grant to be authorized, an eligible project shall satisfy the following general conditions:
  - An application meeting the requirements set forth in this manual has been submitted to DCR within the specified application period.
  - The applicant has provided satisfactory assurances of match funding, property ownership, and adequate project maintenance and management (where applicable).
  - Where applicable, the applicant (if a locality or entity (for example, a corporation or homeowner’s association)) has formally adopted a resolution requesting assistance from the Fund or a statement indicating that a resolution will be proposed and once approved, forwarded to and acceptable to DCR prior to dispersal of funds.
  - If a grant is sought for a study, project or activity that will be carried out in concert with a federal agency, the applicant must have entered into, or have adopted a resolution to enter into, any necessary written agreement with the federal agency endorsing the study, project or activity, including any provisions for cost sharing.
  
- In order for a grant to be authorized for a flood prevention or protection project or study, the following additional conditions must be satisfied:
  - A local government that applies for funding for flood prevention or protection projects or studies must be participating in the National Flood Insurance Program (NFIP), and must not have probationary status or be under suspension.

## **Project Categories**

### **1. Dam Safety**

The purpose of this category is to assist dam owners to bring them into compliance with the Dam Safety Act (§ 10.1-604 et seq. of the Code of Virginia) and the Virginia Impounding Structure Regulations (4VAC5-20-10 et seq.).

- Eligible applicants include local governments and private entities.
  
- Eligible projects include:
  - **Dam Break Inundation Zone Analysis, Mapping and Digitization**
  - **Emergency Action Plan Development**
  - **Incremental Damage Analysis**
  - **Engineering for Dam Repairs**

### **2. Flood Prevention and Protection**

The purpose of this category is to assist local governments with projects:

- **Locality Flood Warning and Response Systems such as Reverse 911 and IFLOWS**
- **Improvements to Locality Floodplain Program and Acceptance in Community Rating System**
- **Locality Floodplain Information and Educational Programs**
  
- Eligible applicants are limited to local governments.

## **Application and Selection Process**

### **General Information and Deadline**

**Three copies of each application (including one originally-signed copy)**, together with all attachments and supporting documentation, should be sent to the Department of Conservation and Recreation at the address below. Applications will be accepted beginning on April 1, 2011. All applications must be postmarked by May 10, 2011.

*Address:*

Department of Conservation and Recreation  
Attention: Dam Safety, Flood Prevention & Protection Assistance Fund  
Division of Dam Safety and Floodplain Management  
203 Governor Street, Suite 206  
Richmond, Virginia 23219

It is important that applications be printed on one-sided pages. All pages must be 8.5 x 11 inches. Photographs are acceptable. All photos and images and their captions must be mounted on 8.5 x 11 inch paper and be of quality suitable for reproduction by photocopier. It is not necessary to submit 3 sets of original images, but all reproduced images must be clear and discernable. Images and photos will not be returned.

*General Application Inquiries:* contact the Department of Conservation and Recreation Division of Dam Safety and Floodplain Management at (804) 371-6095.

### **Project Application Contents (See Appendix A for the Application Form)**

#### ***Section I – Organizational Data***

Section I of the Application Form contains general organizational information, including the title, category, and location of the project, the amount of grant funds requested, and contact information for the applicant or the applicant's designated contact person.

#### ***Section II - Scope of Work Narrative***

The requirements for the project's Scope of Work narrative are outlined in Section II of the Application Form. The Scope of Work narrative should describe how the project meets the relevant scoring criteria contained in Appendix C, as well as how it accomplishes specific goals, objectives, strategies, or tasks. The roles and responsibilities of sponsors and cooperators should be identified. The specific activities, anticipated completion dates, reports, publications, maps, or other tangible accomplishments of the project that can be measured should be described.

##### *Checklist for Scope of Work*

- The proposal clearly describes all relevant aspects of the scoring criteria contained in Appendix C.
- The proposal clearly and specifically describes how the project will be implemented.
- The proposal describes how the project is part of a complete approach to addressing dam deficiencies, such as required in the Conditional Operations and Maintenance Certificate, or flood impacts.
- The proposal clearly describes the project location (i.e., locality, watershed, region, etc.).

- The proposal clearly describes the flooding or dam safety issues of concern and how the project will address these issue(s).
- The proposal clearly describes the work products (deliverables) to be developed as well as projected completion dates (i.e. final reports, workshops, GIS layers or data sets, etc).
- The proposal includes adequate information regarding the affected or involved parties and their respective roles, responsibilities, and commitments, if applicable.
- The proposal describes if and how the project is part of a cooperative program, partnership, or plan to prevent flood damage or a dam safety hazard.
- All necessary attachments must be included.

### ***Section III - Funding***

Section III of the Application Form establishes the proposed budget for the project. It should include evidence of the source of the required match funds.

### **Application Review and Approval**

Qualifying projects in each category are selected for funding on a competitive scoring basis. DCR will use the following procedure in determining the qualification of an application.

#### ***Department of Conservation and Recreation (DCR) Review***

Applications will be received and reviewed by the DCR's Division of Dam Safety and Floodplain Management for completeness in accordance with the eligible grant categories. Division staff will additionally review each complete application to determine its merits in accordance with the criteria set out in this manual. In the event of a scoring tie between eligible projects of equal priority pursuant to the scoring criteria contained in Appendix C, funding will be divided proportionately (in accordance with total amounts requested) among the projects.

The Division of Dam Safety and Floodplain Management staff will forward complete applications and recommendations to the Director of the DCR and will meet with the Director as needed to discuss and prioritize each application in accordance with the criteria set out in this manual.

#### ***Virginia Soil and Water Conservation Board Review***

The Director of the DCR will recommend qualified projects for funding to the Board. The Board will consider the Director's recommendations and approve projects for funding in accordance with the criteria set out in this manual.

#### ***Virginia Resources Authority (VRA) Review***

Following the Board's approval and pending further necessary submittals, the application will be forwarded to VRA for qualification according to its underwriting criteria, the execution of a grant agreement, and funding. **All applications must qualify pursuant to VRA's criteria in order to be eligible for funding.**

### **Project Commencement and Schedule for Completion**

Since the readiness of projects to proceed is a critical factor in maintaining the integrity of the program, projects will be required to commence and to be carried out in accordance with a schedule that will be developed following the approval of the project by the Virginia Soil and

Water Conservation Board and VRA. If a project does not commence in a timely fashion, or fails to proceed in accordance with schedule, funding may be withdrawn from the project and the applicant may be required to reapply during the next funding round. Such funds may be redistributed to other qualifying projects at the discretion of the Board

### **Reporting and Close-Out Guidelines for Grant Recipients**

Following execution of a grant agreement, successful applicants must submit quarterly reports to DCR by January 15, April 15, July 15, and October 15 for the previous quarter, unless an alternative reporting schedule is agreed to in writing by DCR. Appendix B contains the quarterly reporting form that is required to be submitted.

Where applicable, DCR will conduct project inspections as necessary to ensure conformance to grant terms. Final project deliverables defined in the approved Scope of Work are due to DCR within 30 days following the project end date, unless another date is agreed upon.

All materials shall be provided digitally (if not also in print) to DCR as a requirement for receipt of this grant. Reports must be provided in either PDF and/or a Microsoft Word compatible format, including any embedded maps or other figures/illustrations. Any engineering files and assumptions necessary to replicate various analyses or other calculations need to be provided in a format compatible with the software used to perform those calculations; likewise all output files are also required. All tabular information not included in the engineering files above, whether or not contained within any report or appendix, which was used as the basis for any calculation, shall be provided in a Microsoft Excel compatible format or Microsoft Access compatible format. Dam break inundation maps, i.e. the cartographic product, should be provided via PDF format if not already included embedded within the report(s). Though, these inundation PDF map deliverables shall not substitute for the underlying data in a well formed, georeferenced, and properly projected GIS format; if derived from CAD or another non-GIS workflow, at minimum the inundation areas, building footprints and elevation data will need to be converted into a GIS compatible format. The coordinates of flood warning and response systems shall also be provided. See the Division of Dam Safety and Floodplain Management Digital Deliverables Specifications document for specific requirements and direction.

### **Part C Guidelines Regarding Grant Procurement via the Virginia Resources Authority**

#### **Virginia Resources Authority (VRA) Specific Conditions and Limitations for Grants**

##### **Disbursement of Grant Funds**

Grant funds will be disbursed to the recipient in accordance with a disbursement schedule developed by VRA and the recipient, in consultation with DCR. Any grants shall be disbursed on a reimbursement basis only. All requests for disbursement shall be delivered to DCR for approval. DCR shall forward the approved request to VRA for payment. Where applicable, DCR will conduct site visits and inspections to monitor project compliance with disbursement schedules.

# Appendix A: Application Form

**COMMONWEALTH OF VIRGINIA**  
**Department of Conservation and Recreation**  
**Dam Safety, Flood Prevention & Protection Assistance Fund**

## Application Form

**Submit three (3) copies of each completed application to:**  
Department of Conservation and Recreation  
Attention: Dam Safety, Flood Prevention & Protection Assistance Fund  
Division of Dam Safety and Floodplain Management  
203 Governor Street, Suite 206  
Richmond, Virginia 23219

### *Section I – Organizational Data*

Title of Project: \_\_\_\_\_

Project Category (check all that apply):  
 Dam Safety  
 Flood Prevention & Protection

Name of Applicant: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Type of Applicant (check one):  
 Public (local government)  
 Private (entities and individuals)

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Person (if different): \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Contact Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Project Location (attach a map): \_\_\_\_\_  
\_\_\_\_\_

Hazard Class and DCR Inventory Number of Dam (if applicable): \_\_\_\_\_  
\_\_\_\_\_

Amount of Grant Funds Requested: \_\_\_\_\_  
\_\_\_\_\_

## *Section II – Scope of Work Narrative*

Please attach the scope of work for the project, including supporting documentation as necessary. Localities and entities seeking funding should additionally attach a resolution or other documentation requesting funding. **All applications must include a discussion and documentation of how the project meets the applicable scoring criteria contained in Appendix C.** Applicants are encouraged to utilize the score sheets included in Appendix C to indicate the potential score of their application. **In addition, the description should include the following:**

### **1. Category 1, Dam Safety:**

- *Objectives and Need for Assistance:* Identify and describe any relevant issues or problems that will be addressed by the project.
- *Results or Benefits Expected:* Briefly discuss the expected results and benefits of the project. Include a discussion and evidence that any structure or project receiving funding will be maintained following project completion.
- *Approach:* Briefly outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished. Identify other potential project partners and any agreements with those partners.
- *Alternatives:* Briefly describe any alternatives to the proposed activity that have been considered and the reason the project was selected.

### **2. Category 2, Flood Protection & Prevention:**

- *Objectives and Need for Assistance:* Identify and describe any relevant issues or problems that will be addressed by the project.
  - Include a detailed map of the area that is the subject of the application, evidence of participation in the National Flood Insurance Program, and a copy of land-use regulations that are compatible with the requirements of the NFIP.
- *Results or Benefits Expected:* Briefly discuss the expected results and benefits of the project. Where applicable, include a discussion and evidence that any structure or project receiving funding will be maintained following project completion.
- *Approach:* Briefly outline a plan of action pertaining to the scope and detail of how the proposed work will be accomplished. Identify other potential project partners.
  - If assistance is sought for a project that will be carried out in concert with a federal agency, provide evidence of an agreement with the federal agency endorsing the project.
- *Relationship to Other Projects:* Where applicable, briefly describe the relationship between this project and other past, current, or future projects. If the applicant has received or applied for any other grants or loans of this nature (i.e. Hazard Mitigation

Grant Program, Pre-Disaster Mitigation Grants, Repetitive Loss Reduction Grant, etc.) in the last five years, please identify these projects and describe any problems with meeting the obligations of the grant.

- *Alternatives:* Briefly describe any alternatives to the proposed activity that have been considered and the reason the project was selected.

### *Section III – Funding*

**1. Budget Narrative:** Please attach a Budget Narrative detailing all proposed expenditures. The following items must be included:

- *Estimated total project cost:* this amount must reflect the total cost of bringing the project to completion. Estimates for all work to be completed by third parties (engineers, contractors, etc.) should be included.
- *Amount of funds requested from the Fund:* this is the total amount of any grant assistance sought from the Fund. Include a detailed breakdown on how this funding is proposed to be allocated.
- *Amount of match funds and other funding available:* this amount, when combined with the amount of funding requested from the Fund, must reflect the total estimated project cost in order to demonstrate that all necessary funding has been secured to complete the project. Include a description of the source of these funds and evidence of the applicant's ability to obtain these funds in order to complete the project (in-kind services may not be utilized as match funds). Also include a detailed breakdown on how this funding is proposed to be allocated.

## Appendix B: Quarterly Reporting Form

### Instructions

- The information presented on this quarterly report, when combined, should be sufficient to indicate the status of the complete project for which funding is being received.
- For each category/column, provide a brief description.
  - For the “Brief Description of Activity” column, describe the portion of the project that will be discussed in the entries that follow. The portion of an overall project that is sufficient to constitute a separate activity will vary for each project; it is suggested that the funding recipient separate activities into categories that may be easily discussed within the context of the larger project.
  - For the “Progress Achieved During this Quarter” column, summarize any actions taken during the quarter toward completing the activity, and the results of those actions.
  - For the “Progress Anticipated During Next Quarter” column, summarize what actions are expected to occur during the upcoming quarter that will further move the activity toward completion.
  - For the “Anticipated Completion Date for this Activity and Remaining Steps” column, note the approximate date by which the activity is expected to be complete, as well as a summary of what actions remain to be completed to bring this activity to completion.
- Attach additional sheets as necessary to complete any discussion. Additional copies of the reporting form may be attached if necessary due to number of activities undertaken.
- Submit the completed quarterly reporting form to:

Department of Conservation and Recreation  
Division of Dam Safety and Floodplain Management  
203 Governor Street, Suite 206  
Richmond, Virginia 23219

## QUARTERLY REPORTING FORM

### DAM SAFETY, FLOOD PREVENTION AND PROTECTION ASSISTANCE FUND

<b>Brief Description of Activity</b>	<b>Progress Achieved During this Quarter</b>	<b>Progress Anticipated During Next Quarter</b>	<b>Anticipated Completion Date for this Activity and Remaining Steps</b>

## Appendix C: Application Scoring Criteria

### CATEGORY 1: DAM SAFETY

<i>Criterion</i>	<i>Description or Value</i>	<i>Check One</i>
<b><u>Current Information:</u></b>		
<b>1. Is the applicant a local government (including counties, cities, towns, municipal corporations, authorities, districts, commissions, or political subdivisions created by the General Assembly or pursuant to the Constitution or laws of the Commonwealth, or any combination of these) or a private entity (including dam owners, whether individuals, partnerships, corporations, or other nongovernmental entities)?</b>		
Local Government	Eligible for consideration under this category	
Private Entity	Eligible for consideration under this category	
Not a Local Government or Private Entity	Not eligible for consideration under this category	
<b>2. Has the applicant provided evidence of an ability to provide the required match funds?</b>		
Yes	Eligible for consideration under this category	
No	Not eligible for consideration under this category	
<b>3. What is the hazard potential classification of the dam?</b>		
High	Given priority (all eligible High Hazard Potential dams considered before Significant Hazard Potential dams will be considered)	
Significant	Considered for funding only after no eligible High Hazard Potential projects remain	
Low	Considered for funding only after no eligible Significant Hazard Potential projects remain	
<b>4. How many residential units have been identified within the dam break inundation zone of the dam?</b>		
101 or more	9 points	
21-100	7 points	
11-20	5 points	
1-10	3 point	
0 (or undetermined)	0 points	
<b>5. Are public roadways, public utilities, and/or commercial structures contained within the dam's dam break inundation zone?</b>		
Public roadways, public utilities, and commercial structures	5 points	
Any two of the above	4 points	

<i>Criterion</i>	<i>Description or Value</i>	<i>Check One</i>
One of the above	3 points	
None of the above	0 points	
<b>6. What is the zoning of the property located within the dam's dam break inundation zone?</b>		
Residential/Commercial/Industrial or equivalent	5 points	
Agricultural or equivalent (or undetermined)	3 points	
<b>7. What is the public use of the impoundment created by the dam?</b>		
Public water supply and public recreational access	5 points	
Public water supply only	3 points	
Public recreational access only	2 points	
No public access or use	0 points	
<b>8. Has the dam owner complied with all annual inspection and reporting requirements during the last 5 years?</b>		
Yes	3 points	
No, or the dam has not been under certificate for a period of at least 5 years	0 points	

## CATEGORY 2: FLOOD PREVENTION & PROTECTION

<i>Criterion</i>	<i>Description or Value</i>	<i>Check One</i>
<b><u>Current Information:</u></b>		
<b>1. Is the applicant a local government (including counties, cities, towns, municipal corporations, authorities, districts, commissions, or political subdivisions created by the General Assembly or pursuant to the Constitution or laws of the Commonwealth, or any combination of these)?</b>		
Yes	Eligible for consideration under this category	
No	Not eligible for consideration under this category	
<b>2. Has the applicant provided evidence of an ability to provide the required match funds?</b>		
Yes	Eligible for consideration under this category	
No	Not eligible for consideration under this category	
<b>3. Is the applicant a participant in the National Flood Insurance Program (NFIP), and not currently under suspension or probation?</b>		
Yes	Eligible for consideration under this category	
No	Not eligible for consideration under this category	
<b>4. Does the local jurisdiction in which the project area is located have a local floodplain ordinance and a history of enforcement?</b>		
Yes	Eligible for consideration under this category	
No	Not eligible for consideration under this category	
<b>5. Does the applicant have a hazard mitigation plan?</b>		
Yes	Given priority	
No	Eligible for consideration only if no applications from applicants with hazard mitigation plans remain	
<b>6. Are residential units located within the area that is the subject of the proposal?</b>		
Yes	Given priority	
No	Eligible for consideration only if no projects containing residences remain	
<b>7. Does the proposed project conform to the state and local hazard mitigation plans?</b>		
Yes	5 points	
No	0 points	

<i>Criterion</i>	<i>Description or Value</i>	<i>Check One</i>
<b>8. If residential units are located within the area that is the subject of the proposal, how many are there?</b>		
10 or more	5 points	
1-9	0 points	
<b>9. Does the proposed project have a stated goal of prohibiting or limiting future residential development within the area that is the subject of the proposal?</b>		
Prohibited	5 points	
Limited/regulated but not prohibited	3 points	
Not limited/prohibited/uncertain	0 points	
<b>10. Has the project area been the subject of a flood related loss in the past?</b>		
Yes, within the past 10 years	5 points	
Yes, but greater than 10 years ago	3 points	
No	0 points	