

MUNICIPAL DAM GRANT PROGRAM

(ch. NR 335, Wis. Adm. Code)

INSTRUCTIONS FOR COMPLETING APPLICATION FORM 3500-088

Completion of Form 3500-088 is required by the Department of Natural Resources (DNR) if a municipality or lake district wishes to be considered for a grant under ch. NR 335, Wis. Adm. Code. The instructions below are intended to provide supplemental information to instructions that already appear on Form 3500-088. If you still have questions after reading through the instructions, the following DNR staff is available to assist:

Bill Sturtevant, State Dam Safety Engineer	608-266-8033
Meg Galloway, Dams and Flood Plain Section Chief	608-266-7014
Eileen Trainor, Dam Grant Manager	608-267-0848

Chapters NR 333 and NR 335, Wis. Adm. Code, are referenced in Form 3500-088 and these instructions. You may link to these codes at the top left of the following DNR grant web page:

<http://dnr.wi.gov/org/caer/cfa/Grants/Dammaint.html>

SECTION-BY-SECTION INSTRUCTIONS

Section 1 -- Owner Information

- A grant may only be awarded for the repair or removal of a dam that is owned by a county, city, village, town, tribe, lake district, or other municipal entity.
- The owner's representative is the individual authorized by a resolution of the governing body of the municipality to apply for the grant on behalf of the municipality. This representative must also be able to sign the grant agreement.
- If the owner has retained an engineering consultant to assist in preparing the required studies, plans, and specifications, the consultant should be identified as the Owner's Consultant. A significant amount of DNR review time can be saved if the DNR can pose technical questions directly to the design engineer. NOTE: Plans, specifications, and studies required for the grant project must be prepared, stamped, and signed by a professional engineer licensed to practice in the State of Wisconsin. Detailed construction plans and specifications do not need to be submitted with the application but will need to be submitted for review and approval before the owner bids the project.

Section 2 -- Dam Information

- "Name of the dam" should include both the common name and/or any other popular name.
- "Waterway impounded" is the river or stream that the dam spans or the name of the lake formed by the dam.
- "Location" should be indicated by the Section, Township, and Range, which can be determined from a USGS quadrangle map, plat map, or property description of the dam site.
- "Date of Inspection Report" or "Order to Repair" is the date of the most recent DNR directive associated with the dam. If the date of your inspection report or order is older than 6 months and you did not request funding under this program within 6 months of receiving the document, an additional step is required to meet an eligibility requirement for the grant. Instructions to complete the necessary steps to assure your eligibility is available at the following DNR web page:
<http://dnr.wi.gov/org/caer/cfa/Grants/Dammaint.html>

- “Proof of Property Ownership” must include a map showing property lines and property owners adjacent to the dam site, and a copy of the property deed for the dam site. Documentation of dam transfer may be submitted in place of a deed. In order to qualify for a grant under s. NR 335.02(2)(a), the applicant must own or have permanent legal access to the entire dam, including all embankments.

Section 3 – Checklist

- The DNR must receive all information on the checklist by October 15, 2009, in order for the application to be considered for funding.
- **RESOLUTION #1 & RESOLUTION #2:** An applicant must adopt a resolution which 1) designates an authorized representative to apply for and act on behalf of the applicant and 2) indicates a municipality’s/lake district’s commitment to the “local share” and agrees to pay a share of the eligible costs which are equal to the total project cost minus the state share. A sample “authorizing” resolution (which covers Resolution #1 & Resolution #2) is available from the following DNR web page: <http://dnr.wi.gov/org/caer/cfa/Grants/Dammaint.html>
- **LAND USE LETTER:** This requires the applicant to provide proof of receipt of a letter sent by certified mail to all municipalities that are affected by the dam failure profile, informing the municipality that a change in the land use controls may be necessary to secure the hazard rating for the dam.

An authorizing resolution and the letters to downstream communities with certified mail receipts must be attached to the application.

- The applicant should provide the required information for either the DAMS TO BE REPAIRED OR MODIFIED or the DAMS TO BE ABANDONED AND REMOVED section of the application, depending upon the fate of the dam.
 - A dam failure analysis is required of those dams to be repaired/modified. Your project cannot be ranked until this analysis is reviewed by the department and deemed adequate to identify the hazard the dam poses to existing development downstream of the dam. **Important to Note:** The sooner the DNR receives the dam failure analysis, the sooner Department staff can review and verify the point totals for this portion of the application.
 - A permit to abandon, or an application for a permit to abandon, and a hydrologic analysis of the floodplain with the dam non-existent is necessary for a dam to be removed. Applications for a permit to abandon a dam are available from the Water Management Specialist or the Water Management Engineer in the local DNR office. Their contact information can be found on the following DNR web page:
- (Water Management Specialists/WMS) http://dnr.wi.gov/waterways/about_us/county_contacts.html
- (Water Management Engineers/WME) <http://dnr.wi.gov/org/water/wm/dsfm/dams/staff.html>

Section 4 -- Estimated Eligible Project Costs

This section provides the DNR a preliminary estimate of project costs. Eligible costs are defined in s. NR 335.08. Costs for engineering services should be based on signed contracts or engineer's estimates. Construction estimates should be based on a conceptual design or project description. The actual grant award will be based on actual construction bids. Cost overruns will not be eligible for additional funding.

Section 5 -- Criteria for Priority Ranking

The DNR will check this section for accuracy, and contact the applicant if a discrepancy is found.

- The "Dam Hazard Rating" used in the priority rankings will be assigned based on the consequence of dam failure on current development. The analysis must include a determination of the rating, however, this rating could change based on the department's review.
- "Land Use Controls" for the area downstream of the dam must be determined for dams that are being repaired/reconstructed. The effect of the 100-year floodplain or hydraulic shadow may cross municipal boundaries, so all affected municipalities must be contacted. Municipal jurisdictions associated with the downstream floodplain should be indicated on the Flood Insurance maps or Dam Failure maps. Dam removal projects do not need to determine land use controls.
- "Financial Need" is determined by a comparison of the municipality's per capita income to the state average, and the municipality's indebtedness. This information comes from the following Wisconsin Department of Revenue (DOR) publications. These documents will assist in determining (1) applicant County's per capita income as a percentage of the state average, and (2) the local share of project cost plus current long term non-school indebtedness as a percent of statutory limitation based on equalized valuation.
 - "Municipal Debt Margins": (publication is located on DOR's website: <http://www.revenue.wi.gov/report/m.html> (look under "Reports - M" at "Municipal"))
 - "Wisconsin Municipal Income per Return" (publication is located DOR's website <http://www.revenue.wi.gov/report/i.html> (look under "Reports - I" at "Income"; three years of data are located under the "Income" subgroup.) (The adjusted gross income divided by the population will yield the per capita income.)

The points for each of the two criteria should be added and then divided by two, resulting in a final point value between one and ten.

- "Total Eligible Project Cost" is carried over from the front page.
- "Navigability" refers to the stream across which the dam is constructed. The original authorization for the dam will state the navigability of the stream or your local Water Management Specialist (WMS) can help make this determination.
- The size of the dam is self-explanatory.
- "Total Priority Points" is the sum of the points for the six criteria. A priority ranking list of complete applications will be established by December 1. Available funds, as of this date, will be committed based on this list. In the event two applications receive the same score, priority will be given to the application received first.

CERTIFICATION -- Form 3500-088 must be signed and dated by the authorized representative listed in the "Owner Information" section of the application and identified in the authorizing resolution.

APPLICATION SUBMITTAL -- To be considered for grant funding, ALL PARTS OF THE APPLICATION MUST BE RECEIVED BY THE DEPARTMENT by **October 15, 2009**.

If the application is being submitted by means other than hand-delivery, allow ample time for documents to reach the DNR by the deadline date.

Mail applications to: WI Department of Natural Resources
Municipal Dam Grant Program – CF/2
101 South Webster Street
P.O. Box 7921
Madison, WI 53707-7921

NOTE: If the application is hand-carried to the Department, deliver it the DNR Customer Service Center, 1st floor, State Natural Resources Building, 101 S. Webster Street, Madison, WI 53702. Make sure the application is stamped with the date of delivery.

Faxed applications will not be accepted.

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If any part of the application process is unclear, please contact the following DNR staff for information:

Bill Sturtevant, State Dam Engineer	608-266-8033
Meg Galloway, Dams and Flood Plain Section Chief	608-266-7014
Eileen Trainor, Dam Grant Manager	608-267-0848