

# Application for Structural Repairs High Hazard Dam Upgrade

## *Instructions*

Form Numbers TSSWCB-FC-7A & TSSWCB-FC-7B  
(Updated January 31, 2023)

*This application is for requesting state grant funds for the cost of performing structural repairs (high hazard dam upgrade) on flood control dams in situations where there is no financial assistance from the federal Dam Rehabilitation or Emergency Watershed Protection Programs administered through the United States Department of Agriculture – Natural Resources Conservation Service.*

The application consists of two forms: (1) The Administrative Form [Number TSSWCB-FC-7A], and (2) the Technical Form [Number TSSWCB-FC-7B]. One Administrative Form is required for all applications, while Technical Forms must be completed and submitted for each flood control dam for which grant funds are being requested. Because there is no way to anticipate how many flood control dams may be included in a single application, the TSSWCB has provided two separate forms. A complete application includes one Administrative Form and a separate Technical Form for each flood control dam referenced in the Administrative Form.

Both forms are provided in Portable Document Format (PDF) with several auto-formatting enhancements. For instance, while some information is required in several locations throughout the form, it will only need to be entered into the form in one location; the information is automatically transferred throughout the form. Additionally, while the initial monetary information must be manually entered by the user, the resulting summary amounts are automatically provided for your convenience and to prevent errors.

### ADMINISTRATIVE FORM

The first information you will need to provide in the administrative form is the contact information for the appropriate **soil and water conservation district (SWCD)**. All flood control dams in Texas have several different governmental entities as sponsors, but the SWCD is always among them. If you are applying for grant funds to address **high hazard upgrade** needs on multiple dams within one watershed project area, but the project area overlaps more than one SWCD, you need to submit two separate Administrative Forms. Essentially you will be

submitting two entirely separate applications, which is acceptable under the rules of the Program.

Next you will need to provide the contact information for the **“authorized representative.”** This term, which is defined in the Program rules, refers to the individual that all applicable sponsors have agreed should be the point of contact between the sponsors and the TSSWCB. While certain contact information such as email addresses, fax numbers, etc., may not be available for all sponsors, it is very important that every aspect of the requested contact information is provided for the authorized representative.

On the second page of the Administrative Form, contact information blocks are provided for up to four **other sponsors**. General agreement on the application and the **high hazard upgrade** activities is an important factor for the TSSWCB when considering the award of grant dollars, therefore the program rules require that all sponsors associated with the specified flood control dams sign the application. As a result, contact information for all sponsors is required. The TSSWCB is not aware of any situations where more than four sponsors exist, however, if this situation presents itself, please include an additional copy of this page and use it as a continuation page for additional contact information.

The **Project Description** is your opportunity to describe the overall project with your own words. Tell the TSSWCB about the project, its importance to the local sponsors, and any other information that you feel the TSSWCB should know when considering whether to award funds. Be as descriptive as possible.

The **Project Schedule** is where you should tell the TSSWCB what the most opportune timeline for completing the project looks like. Include information relating to availability of certain types of contractors, how seasonal weather patterns would affect certain **dam upgrade** activities, and any other information that would assist the TSSWCB in budgeting for the overall project. Keep in mind that all funds have obligation deadlines and expenditure deadlines. If you need more information about these deadlines, contact the TSSWCB Flood Control Program Administrator.

The next section, **Contracting Preferences / Organization of Partners**, is an opportunity for you to tell the TSSWCB your thoughts on how contracting mechanisms should be developed. The project may be most efficient by contracting all funds to one local sponsor, while other projects may be best organized to contract construction dollars to one sponsor and land rights acquisition dollars through another. Tell the TSSWCB your thoughts on what would be most efficient for your project. The sponsor receiving the TSSWCB grant funds for construction will

be responsible for soliciting bids, receiving bids, and awarding a construction contract to accomplish the **high hazard dam upgrade** work.

The next section of the Administrative Form requires you to manually enter the National Inventory of Dams (NID) Identification Number, Watershed Name and Site number, and construction cost estimates into a summary table entitled **Grant Funds Requested for Design and Construction**. Space is provided for up to 8 flood control dams; however, it is highly unlikely all of this space will be required. This information must exactly correspond to the information from each Technical Form submitted with the Administrative Form. The table will automatically calculate the total construction cost estimates for the entire application. NID Identification Numbers and associated common names may be found in the List of Eligible Flood Control Dams posted on the TSSWCB web page at:

<https://www.tsswcb.texas.gov/programs/flood-control-program>

**Anticipated costs for purchasing easements and land rights** are requested in the next section. Click the “Yes” or “No” checkbox to indicate if these costs are anticipated, and if “yes,” characterize those costs in the space provided. You will also need to provide an estimated cost in the space provided. Sponsors are required to provide all necessary land rights for each project, but the costs may be reimbursed to sponsors if allowed by program rules and agreement provisions.

Because there may be many unforeseen aspects for an application, space is provided for you to include **“other costs”** you anticipate being associated with the project. While many activities may qualify for grant funds, the TSSWCB may not agree that some activities can be addressed through this program. Provide as much information as possible in this section.

At this point in the Administrative Form, the **grand total cost** of the overall project is automatically calculated based on your previous inputs.

The next section of the administrative form describes the general priority for funding and provides general information about the application process. More details about these subjects are contained in the “Policy and Procedures Manual” posted on the TSSWCB web page at: <https://www.tsswcb.texas.gov/programs/flood-control-program>

The next section of the Administrative Form explains that the TSSWCB may include up to an additional 5% in the grant agreement to cover **administrative costs** of the contracted sponsor. TSSWCB uses a sliding scale based on construction cost to determine the percentage of

administrative cost reimbursement for each project. This amount may be negotiated between the TSSWCB and entities that ultimately sign contracts through the Program.

The next section of the Administrative Form is the **Sponsor Certification Signature** page. Every sponsor with Operation and Maintenance (O&M) responsibility for the dam(s) must sign the application. Additionally, the authorized representative must sign acknowledging acceptance of his or her role.

The final section of the Administrative Form is a list describing **how to organize the application and a list of required attachments**. The Administrative Form should be placed first in the overall application, followed by the appropriate Technical Forms. Immediately behind each Technical Form, place at least four color photographs illustrating the repair needs. The final attachments that are needed are documentation required by the Technical Form and any **non-NRCS** agreements (TSSWCB has copies of all watershed plans and other NRCS-sponsor agreements) or other reports and documents that would assist the TSSWCB when considering the application.

### **TECHNICAL FORM**

The Technical Form [Number TSSWCB-FC-7B] is the portion of the application that includes flood control dam identification and the specific structural repairs for which grant funds are being requested. An individual Technical Form must be submitted for each flood control dam listed in the Administrative Form.

The first section of the Technical Form requests information regarding the **identification of the flood control dam**. The NID Identification Number, common name, the year of the dam's completion, as well as the geographic county within which the dam is located is required. Additionally, you must list the entities responsible for operation and maintenance and which entity holds any easements associated with the dam.

The main body of the Technical Form's first page provides **a list of all structural repair activities defined by program rules**. You should check the box for **"Upgrade dam to high hazard criteria"** as well as all dam repairs that are needed for this specific flood control dam. Even though this application is for dam upgrade, additional points for any needed repair can be added to the score for dam upgrade to get the total score for ranking. Other activities that may be conducted in conjunction with the dam upgrade for which grant funds are requested should be described in the Project Description section of the Administrative Form. Additionally, the form includes an option for "other" structural repairs. You must describe the repair in the space provided,

and the TSSWCB will determine if “other” activity is eligible. The TSSWCB will directly contract with a third-party to provide engineering design work; therefore, these costs are not included on the application form. However, **estimates of the construction costs** for dam upgrade and each repair activity selected are required. The form will automatically total all the cost estimates for the Technical Form.

The next page of the Technical Form requests information regarding a number of other significant details. You must indicate whether the need for the structural repairs resulted from **unauthorized modification**. If “Yes” is selected, you must explain the circumstances of the unauthorized modification.

Next, you should determine if the dam should be considered an “**Essential Project**” (see *Policy and Procedures Manual-Priority and Ranking*). If “Yes”, please explain why in the box provided and attach supporting documentation.

Next, you must determine if a **High Hazard Dam Assessment (which includes a RISK INDEX EVALUATION)** has been completed by NRCS for this dam. Select “Yes” or “No”.

Next, if a High Hazard Dam Assessment has **NOT** been prepared by NRCS, determine if a high hazard dam **RISK INDEX EVALUATION** has been completed by a qualified engineering firm. If the answer is “Yes”, attach a copy of the evaluation. (You do not need to answer this question if the previous question about “High Hazard Dam Assessment” was answered “Yes” – just write N/A).

Next, you must provide the dam’s **current hazard classification** as assigned by the TCEQ. Select “High,” “Significant,” or “Low.”

Next, you must provide the **hazard classification originally assigned to the dam upon initial construction**. Select “High,” “Significant,” or “Low.”

Next, you must determine if an **Emergency Action Plan (EAP)** has been developed and submitted to Texas Commission on Environmental Quality-Dam Safety Division (TCEQ). Answer by selecting the appropriate “Yes” or “No” box.

If **TCEQ has approved** the EAP, check “Yes” and attach a copy of the TCEQ approval letter. Please **do not** submit the actual EAP with the application to TSSWCB.

In the next section of the Technical Form, indicate whether an application has been submitted to the United States Department of Agriculture – Natural Resources Conservation Service for

federal assistance to perform a rehabilitation of the dam through the **Federal Dam Rehabilitation Program or Emergency Watershed Protection (EWP) Program**. If “Yes,” you must attach a copy of the rehabilitation or EWP application immediately behind the Technical Form.

The next three questions on the Technical Form pertain to **uses of the impounded waters** of the flood control dam. Please answer each of the questions relating to the impounded waters regarding drinking water, recreation, and other potential uses, and provide as much detail as possible about each use.

The final section of the Technical Form requires that **at least four color photographs** be included in the application for each repair need specified. These photographs may be significant in the TSSWCB’s review of the application, as they could reduce potential site inspections needed by the TSSWCB during the ranking process.