

MUNICIPAL DAM GRANT PROGRAM

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

INSTRUCTIONS FOR COMPLETING APPLICATION FORM 3500-088

All applicants must complete Form 3500-088 to be considered for a grant under ch. NR 335, Wis. Adm. Code.

The instructions below are intended to provide supplemental information for completing the grant application. If you have questions, please contact one or more of the staff contacts listed below.

Wendy Peich, Dam Grant Manager 608-852-1358
Wendy.Peich@wisconsin.gov

Uriah Monday, Statewide Dam Safety Engineer 608-225-6716
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Chapters [NR 333](#) and [NR 335](#), Wis. Adm. Codes apply to Dam Design and Construction and the Municipal Dam Grant Program. Links to these codes are also listed on the DNR Municipal Dam grant web page: <https://dnr.wi.gov/aid/dammunicipal.html>

GRANT APPLICATION (FORM 3500-088) GUIDANCE

Section 1 –Applicant/Owner Information

Applicant:

A grant may only be awarded for the repair or removal of a dam that is owned by a county, city, village, town, tribe, public inland lake protection and rehabilitation district (lake district), or other municipal entity. **Note: Dams that are inspected, approved and licensed by a federal agency under 18 CFR Part 12 will not be eligible to receive funding. ([NR 335.02\(2\)\(b\)](#))**

Owner’s representative:

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 be designated by resolution to be able to sign the grant agreement, change orders, extension requests, variance requests, and the payment reimbursement request. **Include your resolution with the application package.**

Owner’s consultant:

Dam owners will need to hire a professional engineer to design their dam project and perform other analyses that may be required for the grant application. The engineering consultant should be identified as the Owner’s Consultant. A significant amount of DNR review time can be saved if the DNR Water Management Engineer 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.

Section 2 -- Dam Information

“Name of the dam” should include both the common name and/or any other popular name. Information about your dam can be found by going to this website: <https://dnr.wi.gov/topic/dams/damsearch.html> and following these instructions:

Select ***Individual dam***; type in information for your dam in one or more of the search fields then press the ***Search*** button. Once you find your dam click on ***View Dam*** button then click on the ***Report*** button.

“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, property description of the dam site or by doing an [Individual dam search](#). Also, **include a detailed map with your application.**

Section 3 – Date of Order and Required Attachments

Date of Inspection Report or Order to repair:

This is the date of the most recent DNR directive associated with the dam that indicates the safety concerns that need to be addressed by this project. Note: the dam must have deficiencies identified in a DNR inspection report (under directives), DNR concurrence letter to a consultant report, or a DNR administrative order to be eligible to apply for a grant.

A. Required Attachments:

The DNR must receive **all required** information on or before the grant application deadline for the application to be complete and considered for funding. Applications received after the application deadline will not be eligible for consideration.

Applicants that previously applied for funds through this grant program will need to resubmit an updated grant application with the required documentation, in accordance with the requirements specified in the grant application

- **Resolution #1 & Resolution #2:** An applicant must adopt a resolution which **1)** designates an authorized representative to apply for the grant 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. It is not acceptable to have a cap on the local share of the project in the resolution.

A sample “authorizing” resolution (which covers Resolution #1 & Resolution #2) is available from the following DNR web page: <https://dnr.wi.gov/Aid/DamMunicipal.html>, under the “How to Apply” tab.

(If you are using language other than the sample resolution it is strongly recommended that you submit the resolution to the DNR Grant Manager for review prior to adoption.)

- Map: To clearly show property lines and owners adjacent to dam.
- Land Use Zoning Letter: The applicant must 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.

The letters to downstream communities with certified mail receipts must be attached to the application. It is acceptable to attach one copy of the letter and certified mail receipt with a list of all recipients. The letters must be sent to all communities (counties, cities, villages) in the inundation area identified by the dam failure analysis.

If appropriate zoning controls have already been adopted by all affected municipalities to secure the hazard rating, this step is not necessary. Check with the DNR Water Management Engineer for your county to make sure. [Dam safety engineering staff contact - Wisconsin DNR](#)

- Property Deed: “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.** 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.

B. Project Type – Choose Either – “Dams to be Repaired or Modified” OR “Dams to be Abandoned and Removed”:

Dams to be Repaired or Modified

- A **dam failure analysis is required** to be submitted with your application. Your project will not be considered complete 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. This is **required of both large and small dams.**

If a dam failure analysis has previously been submitted to or approved by the Department the submittal or approval date must be provided.

Dams to be Abandoned and Removed

- 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 required in order for the project to be eligible for consideration. A full DFA is not required for Dam Removals.

Applications for a permit to abandon a dam are available online at:

[Dam abandonment and removal | Wisconsin DNR](#)

Section 4 – Summary of Estimated Eligible Project Costs Based on the Detailed Description of Eligible and Ineligible Expenses

This section provides the DNR a preliminary estimate of eligible and ineligible project costs as defined by s. [NR 335.08](#), Wis. Admin. Code. List the itemized costs and attach a detailed narrative description for each of the costs.

- Costs for engineering services should be based on signed contracts or engineer’s estimates.
- Construction estimates should be based on completed plans and specifications or on a conceptual design or project description.
- Construction estimates should not include general contingencies.

Dam owners should be aware that dam project costs often change between initial estimates, final design and bidding. Costs can even change during construction due to unforeseen conditions. Budgeting for the local share of project costs should take that into consideration. Note: Grant awards are based on actual costs.

Section 5: Estimated State Share of Eligible Project Costs and Sponsor Share of Costs

After you have entered the line-item budget amounts in Section 4 the State Share and Sponsor Share of costs will auto-calculate and fill in the appropriate fields.

The State share is calculated as prescribed in [NR 335.05](#), as follows:

Dam to be Repaired or Modified

- 50% of the first \$1,000,000.00
- 25% of the next \$2,000,000.00
- Maximum Award Amount \$1,000,000.00

Dam to be Abandoned and Removed

- 100% up to a maximum of \$1,000,000.00

Note: The Department is allowed to include a 10% contingency amount at the time a grant award is issued as long as the total award amount does not exceed \$1,000,000.00. This is to reduce the risk of State share funding deficiencies due to unforeseen costs and to limit the need for grant award amendments.

Section 6 -- Criteria for Priority Ranking

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

- Enter all answers as a ‘Y’ for yes or an ‘N’ for no.
- Points will auto-fill in the Generated Points column depending on where you enter a ‘Y’.
- For Question V. enter a ‘Y’ where applicable.
- **Supporting documentation must be submitted where indicated in order to receive points.**

I. Hazard Potential -- Based on the Dam Failure Analysis and criteria in [NR 333.06](#).

A. The Dam Hazard Potential used in the priority rankings is reflective of the current land use downstream of the dam (consequence of dam failure on current development).

High hazard potential = Dams that have existing development in the hydraulic shadow that will be inundated to a depth greater than 2 feet. Loss of human life during failure or mis-operation of the dam is probable.

Significant hazard potential = Dams that have no existing development in the hydraulic shadow that would be inundated to a depth greater than 2 feet. Failure or mis-operation of the dam would result in no probable loss of human life but could cause economic loss, environmental damage, or disruption of lifeline facilities.

B. Is this a large dam as defined by NR 333?

Large dam = Structural height of more than 6 feet and a maximum storage capacity of 50 acre-feet or more of water. OR has a structural height of 25 feet or more and impounds more than 15 acre-feet of water. This document can help you visualize the terms used in the size definition: [Large Dam Design.pdf](#)

You can find the dam size using the report from an [Individual dam search](#).

C. Land use controls currently in effect downstream of the dam ([NR 333.03\(9\)](#)).

You may only select 'Y' (yes) for only one of these statements, even if both apply.

Land Use Controls = Floodplain zoning ordinance adopted and approved per s. 87.30, Stats. or restrictive covenants, easements or other appropriate legal arrangements between the owner of the dam and owners of all land within the dam's hydraulic shadow.

Current land use controls for the area downstream of the dam must be determined. The effect of the 100-year floodplain or hydraulic shadow may cross municipal boundaries, so all affected municipalities must be contacted (see land use Zoning letter under Attachments) and land use control must be adopted in all impacted communities in order to receive the priority ranking points.

Compliant Dams = Per [NR 116.08\(3\)](#)

(a) A dam is considered compliant if all the following requirements are met:

1. The dam is structurally adequate to meet the conditions in ss. [NR 333.05 \(2\) \(k\)](#) and [333.07 \(3\) \(b\)](#).

2. The dam is hydraulically adequate to meet the standards in s. [NR 333.07 \(1\)](#).

3. The dam has been certified by a professional engineer, registered in Wisconsin, to meet the requirements of subds. 1. and 2.

4. Written assurance of the dam owner's ability to operate and maintain the dam in good condition is obtained from the dam owner.

5. An emergency action plan to minimize loss of human life has been developed for the area downstream of the dam based on the assumption that the dam fails during the regional flood.

6. The department reviews and approves the material submitted under subds. 1. to 5.

(b) Developed areas downstream of compliant dams shall be zoned and regulated as follows:

1. For high hazard dams, assuming the dam is nonexistent during the regional flood.

2. For significant or low hazard dams, assuming the dam fails during the regional flood.

(c) Undeveloped areas downstream of a compliant dam shall be zoned and regulated assuming the dam fails during the regional flood.

If you do not know whether your dam is considered a complaint dam or what zoning, if any, has been adopted downstream of your dam, please work with the DNR [Water Management Engineer](#) for your county early in the application process.

II. Purpose of the project

Enter 'Y' (yes) or 'N' (no)

Note: for question B Spillway capacity is defined in NR 333.03(26) as "Total spillway capacity" means the sum of the auxiliary spillway and principal spillway capacities of the dam.

III. Proactive Safety Measures

If you answer yes to questions A and B you must **attach approval letter or cover letter** to your application.

If you answer yes to question C you must **attach copies of completed IOM check lists, water level readings, or self-inspections** to your application.

IV. Financial Considerations

A. Enter 'Y' or 'N' Required Attachments indicating the municipality's/lake district's commitment to the operation and maintenance of the dam.

V. Public Interest – Navigability of the stream, stream classification, and the type of project.

Refer to the [Individual dam search](#) for navigability rating and to Administrative Codes [NR 102](#) and [NR 104](#) for stream classifications downstream of the dam, if not listed, it is a warm water fishery.

Here is a link to the Water Condition Viewer data for your reference.

https://dnrmaps.wi.gov/H5/?viewer=Water_Condition_Viewer

If navigability has not been identified for the impounded waterway, contact the Water Management Engineer for the County in which the dam is located. [Water Management Engineer](#).

[Surface Water Data Viewer \(SWDV\)](#) provides interactive web-mapping tools for water quality, sediment, biological data, and aquatic invasive species. [Here are detailed instructions](#) on how to navigate through the Surface Water Data Viewer (SWDV), the navigability of the stream, and stream classification for this section.

Enter ‘Y’ (yes) or ‘N’ (no)

A. For Repair/Reconstruction

You may only select ‘Y’ (yes) for only one of the “on a…” questions.

B. For Dams to be Abandoned and Removed

You may only select ‘Y’ (yes) for only one of these questions.

*If you are having difficulty with this section, contact the [Water Management Engineer \(WME\)](#) for your county.

VI. Inspections and Orders – Large Dams

A. Since 2011 have you maintained the owner required inspections by a professional engineer according to the specifications in ss. 31.19?

- ✓ Inspection of high hazard dams – 4 times in 10 years, per WDNR schedule.
- ✓ Inspection of significant hazard dams – 2 times in 10 years, per WDNR schedule.
- ✓ Inspection of low hazard dams – to be done once every 10 years beginning in 2011, per WDNR schedule.

Enter ‘Y’ (yes) or ‘N’ (no).

B. Have you complied with the due dates given for the directives listed in a WDNR dam inspection report a concurrence letter in response to a consulting engineer’s inspection, or WDNR issued order?

Enter ‘Y’ (yes) or ‘N’ (no).

VII. Ability to Proceed

A. Have you submitted approvable plans and specifications to the DNR for your dam project?

Enter ‘Y’ (yes) or ‘N’ (no).

Note: Plans and specifications must be submitted at least one month prior to the application deadline and all review comments addressed within 30 days of the application deadline.

VIII. Other Considerations

Enter 'Y' (yes) or 'N' (no) to each question.

- If the total eligible project cost is estimated to be greater than \$500,000 **attach estimated project costs or project construction bids.**

Grand Total Points Score: The sum of the points for the eight criteria topics is the score we will use for priority ranking purposes. The points for financial need will be calculated by DNR staff and added to the application's total points.

Certification – The application (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, the completed application and ALL REQUIRED ATTACHMENTS MUST BE RECEIVED BY THE DEPARTMENT by close of business (4:30 p.m.) on the application due date.**

Please 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

Applications may also be emailed to wendy.peich@wisconsin.gov, however please note that due to the size of the attachments, a share file or multiple emails may be necessary.

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

Questions may be directed to the following DNR staff or the Water Management Engineer [Water Management Engineer \(WME\)](#) assigned to the County where the dam is located.

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