The Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
FY 2019 Rehabilitation of High Hazard Potential Dams (HHPD)

NOTE: If you are going to apply for this funding opportunity and have not obtained a Data Universal Numbering System (DUNS) number and/or are not currently registered in the System for Award Management (SAM), please take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take 4 weeks or more after you submit your SAM registration before your registration is active in SAM, then an additional 24 hours for Grants.gov to recognize your information. Information on obtaining a DUNS number and registering in SAM is available from Grants.gov at: http://www.grants.gov/web/grants/register.html. Detailed information regarding DUNS and SAM is also provided in Section D of this NOFO, subsection, Content and Form of Application Submission.

A. Program Description

Issued By
U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA), Federal Insurance and Mitigation Administration (FIMA), National Dam Safety Program Office (NDSP)

Assistance Listings Number (formerly Catalog of Federal Domestic Assistance Number)
97.041

Assistance Listings Title (formerly CFDA Title)
National Dam Safety Program

Notice of Funding Opportunity Title
FY 2019 Rehabilitation of High Hazard Potential Dams (HHPD)

NOFO Number
DHS-19-MT-041-00-01

Authorizing Authority for Program
National Dam Safety Program Act (Pub. L. 92–367), as amended, 33 U.S.C. 467f-2.

Appropriation Authority for Program
Department of Homeland Security Appropriations Act, 2019 (Pub. L. No. 116-6).

Program Type
New

Program Overview, Objectives, and Priorities
FEMA's National Dam Safety Program (NDSP) is dedicated to protecting the lives of

Americans and their property from the risks associated with dams. The Rehabilitation of High Hazard Potential Dams Grant Program (HHPD), administered in connection with the NDSP, provides technical, planning, design, and construction assistance in the form of grants to states for non-Federal governmental organizations or nonprofit organizations for rehabilitation of eligible high hazard potential dams. For FY2019, the HHPD will provide assistance for technical, planning, design and other pre-construction activities.

Eligible high hazard potential dams are non-Federal dams that are located in a state with a state dam safety program; are classified as "high hazard potential" by the state dam safety agency in the state in which the dam is located; have an emergency action plan approved by the relevant state dam safety agency; and the state in which the dam is located determines the dam fails to meet minimum dam safety standards of the state and poses an unacceptable risk to the public.

For purposes of the HHPD, the determination of unacceptable risk to the public is to be made by the state dam safety program, the agency of the state that is authorized by state statute to manage the state participation in the NDSP. See Section H, Definitions, for the definition of unacceptable risk to the public.

Given the requirements of this grant (e.g. National Flood Insurance Program participation, hazard mitigation plan, floodplain management plan, risk prioritization), it is strongly recommended that applicants pursue this grant in coordination with the State Dam Safety Officer and the State Hazard Mitigation Officer.

The HHPD supports FEMA Strategic Goal 1: Build a Culture of Preparedness and Presidential Policy Directive 8: Build and Sustain National Preparedness. Specifically, the HHPD supports Objective 1.1 of Strategic Goal 1 to incentivize investments that reduce risk, including pre-disaster mitigation, and reduce disaster costs at all levels.

Objectives

The objectives of the program are to:

1. Provide financial assistance for rehabilitation of eligible high hazard potential dams.
2. Protect the federal investment by requiring operation and maintenance of the project for the 50-year period following completion of rehabilitation.
3. Encourage state, local, and territorial governments to consider all dam risk in mitigation planning.
4. Promote community preparedness by requiring recipients to develop and implement floodplain management plans that address potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project; plans for flood fighting and evacuation; and public education and awareness of flood risks.
5. Reduce the potential consequences to life and property of high hazard potential dam incidents.
6. Reduce the overall number of high-hazard potential dams that pose an unacceptable risk to the public.
7. Promote a program of Emergency Action Plan (EAP) implementation, compliance,

and exercise for all high-hazard potential dams.
8. Reduce costs associated with dam rehabilitation through the deployment of innovative solutions and technologies.

Priorities
For FY2019, the HHPD will provide assistance for technical, planning, design and other pre-construction activities.

To best allocate federal spending, recipients are required use a risk-based prioritization method to rank eligible high hazard potential dams and decide which activities to fund. The prioritization method compares projects based on failure modes, potential consequences resulting from a dam incident, and the expected risk-reduction and other benefits of the project. States may use their own risk-based prioritization methods if they meet the minimum FEMA criteria.

To meet the minimum FEMA criteria, the risk-based prioritization method must:
1. Evaluate static, hydrologic, and seismic failure modes.
2. Evaluate downstream consequences resulting from a dam incident.
3. Comply with FEMA's "*Federal Guidelines for Dam Safety Risk Management*" (FEMA, 2015), available at https://www.fema.gov/media-library/assets/documents/101958, for screening-level risk analysis.
4. Be objective and reproducible. It is noted that some subjectivity is likely to exist with any prioritization method, however this should be limited to the extent possible.
5. Be consistent across the dam inventory for calculations or numerical estimates (e.g. estimate PAR for the same failure scenarios in the same way for each dam considered).
6. Document all assumptions used in the process.

States should consult with FEMA to determine if their method meets the intent of the risk-based prioritization method for the program. Throughout the application development phase, FEMA will be delivering outreach and training in the form of presentations and webinars to help applicants understand the risk-based prioritization method requirement.

Performance Metrics
To demonstrate the effectiveness of the HHPD grant, FEMA will evaluate how proposed activities increase risk understanding through studies, planning, and preliminary engineering, or how proposed activities reduce consequences through rehabilitation. Applicants must submit the following performance metrics with the application and document all assumptions.

Applicants must demonstrate how proposed study, planning, or preliminary engineering activities increase risk understanding by submitting the following information:
1. For dams that are being studied for better risk understanding, submit the number of eligible dams that will be studied and the Population at Risk (PAR) associated with each dam. (See Section H, Definitions, for a definition of Population at Risk.)
2. For planning and preliminary engineering studies, submit the number of eligible

dams that will have plans developed to address risk and the PAR associated with each dam.

Applicants must demonstrate how proposed rehabilitation activity reduces risk by submitting the following information:

1. Anticipated losses avoided due to rehabilitation of the dam and the PAR associated with the dam. The losses avoided can be estimated based on the structure damage and loss of benefits of the dam if the risks were not addressed and an adverse event at the dam were to occur. Include all assumptions made in the estimation of losses avoided.

For example: A state has identified that it has seven dams that meet the eligibility criteria for the HHPD grants (see Section C).

- The state knows that four of the dams do not meet current state dam safety standards, and would like to further study the failure modes and potential risks associated with each of these dams to better complete risk-based prioritization.
- The state has a good idea of the failure modes and risks associated with two of the dams and is confident that these two dams will be rated high on the risk-based prioritization method, so it chooses to begin preliminary engineering studies for future rehabilitation for these two dams.
- The state has one dam that has been studied, engineering analysis and design have been completed, and the project complies with EHP regulations, so the state would like to proceed with construction.

For this example, the performance metrics the state would submit with their application would be:

Number of eligible dams: 7

Number of dams being studied for better risk understanding: 4

1. Dam 1: PAR = 267
2. Dam 2: PAR = 315
3. Dam 3: PAR = 502
4. Dam 4: PAR = 640

Number of dams having planning and preliminary engineering studies completed: 2

5. Dam 5: PAR = 991
6. Dam 6: PAR = 853

Number of dams being rehabilitated through construction: 1

7. Dam 7: PAR = 1056

Estimate of losses avoided: $42 million plus social and environmental impacts (see below)

Example Assumptions:

- For all eligible dams in the state, the modeling software and breach conditions used to estimate the inundation zone and PAR must be submitted. The software and

breach conditions (and any other applicable assumptions) should be the same for all dams in that state.

- The estimate of losses avoided is based on the assumption that a dam breach is avoided by rehabilitation. Estimated damage to infrastructure in the inundation zone is summed to approximate financial losses. Details about how the financial losses are estimated should be included.
- Losses avoided should also include details about social and environmental consequences that would be avoided by bringing the dam into compliance with state dam safety standards. For example: if the dam is a water supply dam, impacts of failure would include loss of revenue and the displacement people who rely on the resource. Breach of the dam would also cause environmental damage downstream and impact a protected wildlife species.

B. Federal Award Information

Award Amounts, Important Dates, and Extensions

Available Funding for the NOFO: $10,000,000.00

The allocation of available HHPD grant funds is determined by 33 U.S.C § 467f-2 (g)(2) Allocation of Funds. The allocation of the HHPD funds is calculated as follows:

(i) One-third of the available funding will be distributed equally among states in which the projects for which eligible applications are submitted are located.

(ii) Two-thirds of the available funding will be distributed among states in which the projects for which eligible applications are submitted are located based on the proportion that:

a. the number of eligible high hazard potential dams in the state; bears to
b. the number of eligible high hazard potential dams in all such states.

Note: States can submit applications with eligible activities for all or some of the eligible dams. Applications that do not include any eligible activities will be removed from consideration.

The maximum amount of funding any Applicant can receive under HHPD is statutorily limited. The maximum applicant funding cannot exceed the lesser of 12.5 percent of the total amount of funds made available, or $7,500,000. For the FY 2019 program, Congress made available $10,000,000; therefore, no applicant may receive an award for more than $1,250,000.

Example Using Funding Formula: The following example demonstrates the funding formula. Assume eleven states apply for funding in a given year, with the number of eligible dams as shown in Table 1.

Table 1: Example – Number of States and Eligible Dams

State	Number Eligible Dams
State 1	3
State 2	10
State 3	2
State 4	5
State 5	8
State 6	7
State 7	14
State 8	6
State 9	4
State 10	9
State 11	5
Total Eligible Dams	**73**

Step [i]. Using the funding formula, 1/3 of the $10,000,000 in available funding ($3,333,333.33) would be divided evenly between the eleven states, totaling $303,030.30 to each of the eleven states.

Step [ii]. There are a total of 73 eligible dams in the eleven states that submitted applications. The remaining 2/3 of the available funding ($6,666,666.67) would be distributed as shown:

Table 2: Example – Resulting Funding Using Formula

State	Ratio of State's Eligible Dams to All Eligible Dams	Resulting Funding
State 1	3/73	$303,030.30 + $6,666,666.67 x (3/73) = $577,002.91
State 2	10/73	$303,030.30 + $6,666,666.67 x (10/73) = $1,216,272.31
State 3	2/73	$303,030.30 + $6,666,666.67 x (2/73) = $485,678.70
State 4	5/73	$303,030.30 + $6,666,666.67 x (5/73) = $759,651.31
State 5	8/73	$303,030.30 + $6,666,666.67 x (8/73) = $1,033,623.91
State 6	7/73	$303,030.30 + $6,666,666.67 x (7/73) = $942,299.71
State 7	14/73	$303,030.30 + $6,666,666.67 x (14/73) = *$1,581,569.12*
State 8	6/73	$303,030.30 + $6,666,666.67 x (6/73) = $850,975.51
State 9	4/73	$303,030.30 + $6,666,666.67 x (4/73) = $668,327.11
State 10	9/73	$303,030.30 + $6,666,666.67 x (9/73) = $1,124,948.11
State 11	5/73	$303,030.30 + $6,666,666.67 x (5/73) = $759,651.31

Maximum Funding Amounts. Using the example provided, the maximum amount that could be awarded to any given state in FY19 is $1,250,000. Using the funding formula, the

resulting funding for State 7 exceeded the maximum amount, so State 7 would receive $1,250,000. Amounts in excess of an Applicant's maximum will be redistributed to the remaining states using the 2/3 formula.

The state's application may include multiple subapplications; if the amount of funding is not sufficient for all eligible subapplications, the state will have to prioritize dams using the risk-based prioritization method (see Section A, Priorities) to choose which subapplications to fund.

Note: FEMA will review all activities submitted with applications for eligibility. If the state includes activities that are deemed ineligible by FEMA, that activity will not be eligible for funding. The state cannot use HHPD funding for ineligible activities. Instead, the state will use the risk-based prioritization method to choose which eligible activities to fund. See Section A, Priorities, for information about the risk-based prioritization method. In the event an application does not include activity costs that meet or exceed the maximum funding amount, recipients will only receive funding for the total costs of eligible activities. See the examples below for clarification.

Example (use Table 2 above): Assume State 2 submitted five (5) activities with their application. Assume the cost estimates for each activity are as follows: $200,000 for Activity 1, $500,000 for Activity 2, $600,000 for Activity 3, $400,000 for Activity 4, and $1,000,000 for Activity 5. FEMA reviewed the five activities and determined that Activity 1 is not eligible for funding. State 2 will still receive its maximum funding amount ($1,216,272.31 from Table 2 above) because the sum of costs for Activities 2-5 ($2,500,000) exceed the maximum funding amount. State 2 must now use the risk-based prioritization method to determine which of the remaining four eligible activities (Activities 2-5) to fund. Note that some of the activities may not be fully funded.

Example (use Table 2 above): Assume State 1 submits two (2) activities with their application. Assume the cost estimates are $200,000 for Activity 1 and $150,000 for Activity 2, for a total of $350,000 for eligible activities. Because this amount is less than the maximum funding amount ($577,002.91 from Table 2 above), State 1 would only receive $350,000 in HHPD funding. The amount in excess of State 1's total funding award will be redistributed to the remaining states using the 2/3 formula.

Period of Performance: 36 months

An extension to the Period of Performance (PoP) for this program is allowed. For details on the requirements for requesting an extension to the PoP, please refer to Section H, Extensions, of this announcement.

Projected Period of Performance Start Date(s): September 30, 2019

Projected Period of Performance End Date(s): September 30, 2022

Funding Instrument

Grant

C. Eligibility Information

Eligible Applicants
This funding opportunity is allocated to the states that have a state dam safety program authorized by state legislation.

For the purposes of the HHPD, the term "state" means each of the several states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

Each eligible state must designate one agency to serve as the applicant for HHPD funding. Each applicant may submit only one (1) HHPD grant application to FEMA. Non-federal governmental organizations (other than the designated applicant) and nonprofit organizations are considered subapplicants and must submit their applications to their State Applicant agency for the state agency to submit to FEMA. The state may apply for FY 2019 HHPD funds on behalf of an eligible non-federal entity.

To be eligible, the applicant must:

1. Coordinate with the state dam safety program and submit a list of all eligible high hazard potential dams in their state with the application. The state must submit official documentation that the dam owner has been notified of the deficiencies and unacceptable risk to the public that make the dam eligible for HHPD grant funding. (See Section H, Definitions, for the definition of unacceptable risk to the public.) Official documentation must be on official state or state dam safety program letterhead and may include official citations issued from the state dam safety program to the dam owner.
2. Be able to comply with regulations associated with receipt of federal financial contributions from FEMA.
3. If the applicant receives funding for their own project, all of the criteria for eligible subapplicants must be met.
4. Have in place (by the application deadline and at the time of obligation of grant funds) a FEMA-approved state hazard mitigation plan that includes all dam risks and complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552). If an HHPD applicant does not have a state mitigation plan that includes all dam risks, the applicant may request an extension to meet this requirement. (See Section H, Mitigation Plan Extraordinary Circumstances).
5. Demonstrate a commitment to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation (or the expected life of the dam) and provide assurance that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam. See Section H, Definitions, for the definition of the expected life of the dam. Applicants can demonstrate this commitment by submitting the following assurance statements with the application:

a. Operation and Maintenance Agreement where all applicable parties enter a legally binding contract to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation.
b. Assurance that the subapplicant will have adequate funding resources for operation and maintenance activities to be carried out over 50-year period following completion of rehabilitation project.

Eligible Subapplicants

Eligible subapplicants can be non-federal governmental organizations and nonprofit organizations. To be eligible for funding, subapplicants must:

1. Participate in, and comply with, all applicable federal flood insurance programs.
2. Act in accordance with the state dam safety program.
3. Commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation (or the expected life of the dam) and provide assurance that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam. (See Section C, Eligible Applicants and D.3, Other Eligibility Criteria.)
4. Comply with FEMA's minimum eligibility requirements to ensure that each owner and operator of a dam that receives HHPD assistance acts in accordance with the state dam safety program.
5. Have a floodplain management plan in place to reduce the impacts of future flood events in the area protected by the project or demonstrate that it will be implemented no later than one (1) year after the date of completion of the project.
6. Provide and comply with all assurance statements required in Section C, Other Eligibility Criteria.
7. Be able to secure non-federal cost-sharing amount of not less than 35 percent of the total application costs.
8. Have in place (by the application deadline and at the time of obligation of grant funds) a FEMA-approved hazard mitigation plan that includes all dam risks and complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552). Nonprofit organizations that are subapplicants must be located in a local jurisdiction with a FEMA-approved hazard mitigation plan that includes all dam risks and complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552). If an HHPD subapplicant does not have a local mitigation plan that includes all dam risks, the subapplicant may request an extension to meet this requirement. (See Section H, Mitigation Plan Extraordinary Circumstances.)

Eligibility Criteria

Project eligibility criteria as provided in 33 U.S.C. § 467f-2:

1. To be eligible, projects must be approved by the relevant state dam safety agency. See 33 U.S.C. § 467f-2(d)(1).
2. The dam must be located in a state with a state dam safety program. See definition of eligible high hazard dam in 33 U.S.C. § 467(4)(A)(i).
3. The dam must be classified as "high hazard potential" by the state dam safety agency in the state in which the dam is located. See definition of eligible high hazard dam in

33 U.S.C. § 467(4)(A)(ii).

4. The dam must have an emergency action plan approved by the relevant state dam safety agency. See definition of eligible high hazard dam in 33 U.S.C. § 467(4)(A)(iii).The state in which the dam is located has determined that the dam both fails to meet minimum dam safety standards of the state; and poses an unacceptable risk to the public. (See Section H, Definitions, for the definition of unacceptable risk to the public.) See definition of eligible high hazard dam in 33 U.S.C. § 467(4)(A)(iv).
5. The dam must not be a licensed hydroelectric dam, or a dam built under the authority of the Secretary of Agriculture. See definition of eligible high hazard dam in 33 U.S.C. § 467(4)(B).
6. Eligible projects must meet non-federal cost-share requirements. See Section H, Definitions, for the definition of non-federal entity. Also see 33 U.S.C. § 467f-2(g)(1).

Allowable Activities

Allowable activities may include risk assessments, engineering analysis, specifications and other pre-construction activities associated with rehabilitation of an allowable high hazard potential dam. For FY2019, the HHPD will provide assistance for technical, planning, design and other pre-construction activities.

The activities shown in Table 3 may qualify for HHPD funding. This list is not exhaustive; other activities may also be allowable. Please consult with FEMA before submitting an application that is outside the scope of what is described in this NOFO. Note that all grants-funded projects must comply with Federal Environmental Planning and Historic Preservation (EHP) regulations. See Section C Environmental Planning and Historic Preservation (EHP) Compliance.

Table 3: Examples of Allowable Activities

Category	Activity
Administrative	Administrative actions associated with grants management
Preliminary Engineering	Dam risk and consequence assessments Feasibility studies Preliminary engineering studies Alternatives analysis Mapping, engineering survey, and inundation modeling
Engineering Design	Engineering design Development of specifications
Planning	Development of floodplain management plans Development of operations and maintenance plans

Unallowable Activities

Federal funds provided under the HHPD cannot be used to (See 33 U.S.C. § 467f-2(h)):

1) Rehabilitate a federal dam.
2) Perform routine operation or maintenance of a dam.

3) Modify a dam to produce hydroelectric power.
4) Increase water supply storage capacity.
5) Make any other modification to a dam that does not also improve the safety of the dam.

Environmental Planning and Historic Preservation (EHP) Compliance
As a federal agency, FEMA is required to consider the effects of its actions on the environment and/or historic properties to ensure that all activities and programs funded by the agency, including grants-funded projects, comply with federal EHP regulations, laws and Executive Orders as applicable. Recipients and subrecipients proposing projects that have the potential to impact the environment, including but not limited to planning activities, engineering studies and other pre-construction activities that require analyses that physically affect the environment (for example, geotechnical investigations, collecting soil samples, shear wave velocity tests, cone penetrometer tests, test pits, site surveys, in situ soil and rock testing, or installation of monitoring instrumentation) must participate in the FEMA EHP review process pursuant to FEMA's *Instructions on Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program requirements, FEMA Instruction 108-1-1 (see https://www.fema.gov/media-library/assets/documents/118323).*

The EHP review process involves the submission of a detailed project description along with supporting documentation so that FEMA may determine whether the proposed project has the potential to impact environmental resources and/or historic properties. In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, FEMA may not be able to fund the project due to non-compliance with EHP laws, executive order, regulations and policies.

Recipients and subrecipients applying for HHPD projects that have the potential for physical impacts to the environment or cultural resources are encouraged determine the information needed to comply with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4370h) as part of their initial and ongoing planning in order to lessen potential impacts to the environment or cultural resources and to identify the best possible solution for their dam safety initiative. Recipients and subrecipients should be aware that an Environmental Assessment pursuant the requirements of NEPA may be necessary for dam rehabilitation or construction projects funded by FEMA and should therefore be accounted for as initial and ongoing project planning takes place. Recipients and subrecipients should also be aware that approval or funding of a dam rehabilitation plan or study under HHPD does not guarantee that additional EHP review will not be required if FEMA or another federal agency was to fund construction or rehabilitation activities that result from these grant activities.

Maintenance of Effort (MOE)
There is no maintenance of effort requirement.

Cost Share or Match

Cost share is required under this program. Federal funding is available for up to 65 percent of the eligible activity costs. The remaining 35 percent of eligible activity costs must be derived from non-federal sources, which may be in-kind. Requirements for cash and third-party in-kind contributions can be found in 2 C.F.R. §200.306.

The non-federal cost share contribution is calculated based on the total cost of the proposed activity. For example, if the total cost is $400,000 and the non-Federal cost share is 35 percent, then the non-federal contribution is $140,000: 35 percent of $400,000 is $140,000. The federal share cannot exceed $260,000 ($400,000 x 65%).

The cost share will be applied to each subapplication based on the eligible activity costs. The state's application may include multiple subapplications; if the amount of funding is not sufficient for all eligible subapplications, the state will have to prioritize dams using the risk-based prioritization method (see Section A, Priorities) to choose which subapplications to fund. The State may also choose to increase the non-federal cost-share.

D. Application and Submission Information

Key Dates and Times

Date Posted to Grants.gov: **05/22/2019**

Application Submission Deadline: **07/08/2019 at 11:59:00 PM [EDT]**

Anticipated Funding Selection Date: **09/01/2019**

Applicants must submit their application by the established deadline. The Non-Disaster (ND) Grants System will date stamp a submitted application and applicants will receive an electronic message confirming receipt of the full application. In general, FEMA will not review or consider for funding applications submitted after the established deadline. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant's control that prevent submission of the application by the deadline, or other exigent or emergency circumstances. Applicants that experience technical issues, must notify the ND Grants Service Desk at 1-800-865-4076 or NDGrants@fema.dhs.gov.

Applying for an award under this program is a multi-step process and may take several weeks to complete. The steps involved in applying for an award under this program are summarized in the following table:

Other Key Dates

Event	Suggested Deadline for Completion
Obtaining DUNS Number	Four weeks before actual submission deadline **(06/10/2019)**

Obtaining a valid EIN	Four weeks before actual submission deadline **(06/10/2019)**
Updating SAM registration	Four weeks before actual submission deadline **(06/10/2019)**
Starting application in Grants.gov	One week before actual submission start date **(07/01/2019)**
Final application in Grants.gov	One week before actual submission deadline **(07/01/2019)**

Address to Request Application Package
Application forms and instructions are available at Grants.gov. To access these materials, go to http://www.grants.gov , select "Applicants" then "Apply for Grants." In order to obtain the application package select "Download a Grant Application Package." Enter the Assistance Listings (formerly CFDA) and/or the funding opportunity number located on the cover of this NOFO, select "Download Package," and then follow the prompts to download the application package.

Hardcopies of the NOFO and associated application materials are not available.

In addition, the following Telephone Device for the Deaf (TDD) and/or Federal Information Relay Service (FIRS) number available for this Notice is: (800) 462-7585

Initial applications will be processed through the Grants.gov portal and complete and final application will be processed through the Non-Disaster Grants (ND Grants) System.

Content and Form of Application Submission
Applying for an award under this program is a multi-step process and requires time to complete. To ensure that an application is submitted on time applicants are advised to start the required steps well in advance of their submission. **Applicants should review the table above under Other Key Dates for estimated deadlines to complete each required step.** Failure of an applicant to comply with any of the required steps before the deadline for submitting their application will automatically disqualify their application from funding.

Unique Entity Identifier and System for Award Management (SAM)

All applicants for this award must:
1. Be registered in SAM before submitting its application;
2. Provide a valid DUNS number in its application; and
3. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency.

DHS may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time DHS is ready to make a federal award. DHS may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

The Standard Language for Using Grants.gov to Apply is provided to aid in fulfilling these requirements:

Electronic Delivery
DHS is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS encourages applicants to submit their applications online through Grants.gov.

How to Register to Apply through Grants.gov

1. *Instructions:* Read the instructions below about registering to apply for DHS funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

   The registration process can take up to four weeks to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required application submission deadlines.

   Organizations must have a Data Universal Numbering System (DUNS) Number, active System for Award Management (SAM) registration, and Grants.gov account to apply for grants.

   If individual applicants are eligible to apply for this grant funding opportunity, refer to: https://www.grants.gov/web/grants/applicants/registration.html

   Organization applicants can find complete instructions here: https://www.grants.gov/web/grants/applicants/organization-registration.html

2. *Obtain a DUNS Number*: All entities applying for funding, including renewal funding, must have a Data Universal Numbering System (DUNS) number from Dun & Bradstreet (D&B). Applicants must enter the DUNS number in the data entry field labeled "Organizational DUNS" on the SF-424 form.

   For more detailed instructions for obtaining a DUNS number, refer to: https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html

3. *Register with SAM*: In addition to having a DUNS number, all organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually.

For more detailed instructions for registering with SAM, refer to: https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html

4. *Create a Grants.gov Account*: The next step in the registration process is to create an account with Grants.gov. Applicants must know their organization's DUNS number to complete this process.

   For more information, follow the on-screen instructions or refer to: https://www.grants.gov/web/grants/applicants/registration.html

5. *Add a Profile to a Grants.gov Account*: A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, enter the DUNS Number for the organization in the DUNS field while adding a profile.

   For more detailed instructions about creating a profile on Grants.gov, refer to: https://www.grants.gov/web/grants/applicants/registration/add-profile.html

6. *EBiz POC Authorized Profile Roles*: After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the Authorized Organization Representative (AOR) role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role.

   For more detailed instructions about creating a profile on Grants.gov, refer to:https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html

7. *Track Role Status*: To track your role request, refer to: https://www.grants.gov/web/grants/applicants/registration/track-role-status.html

8. *Electronic Signature*: When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize individuals who are able to make legally binding commitments on behalf of the organization as an AOR; **this step is often missed, and it is crucial for valid and timely submissions.**

How to Submit an Application to DHS via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different

Webforms within an application. For each Notice of Funding Opportunity, you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities using Workspace, refer to:
https://www.grants.gov/web/grants/applicants/workspace-overview.html

1. *Create a Workspace*: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.

2. *Complete a Workspace*: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission.

3. *Adobe Reader*: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace so that they will appear similar to other Standard or DHS forms. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

   NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:
   https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html

4. *Mandatory Fields in Forms:* In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

5. *Complete SF-424 Fields First*: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS number. To trigger this feature, an applicant must complete the SF-424 information first. Once it is completed, the information will transfer to the other forms.

6. *Submit a Workspace*: An application may be submitted through workspace by clicking the "Sign and Submit" button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

7. *Track a Workspace*: After successfully submitting a workspace package, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:
https://www.grants.gov/web/grants/applicants/applicant-training.html

Applicant Support: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist DHS with tracking your issue and understanding background information on the issue.

Submitting the Final Application in Non-Disaster Grants System (ND Grants)
After submitting the initial application in Grants.gov, eligible applicants will be notified by DHS/FEMA and asked to proceed with submitting their complete application package in ND Grants. Applicants can register early with ND Grants and are encouraged to begin their ND Grants registration at the time of this announcement. Early registration will allow applicants to have adequate time to start and complete their application. In ND Grants applicants will be prompted to submit all of the information contained in the following forms before being eligible to receive an award under this program.

1. Standard Form 424A, Budget Information (Non-construction).
2. Standard Form LLL, Disclosure of Lobbying Activities (if the grantee has engaged or intends to engage in lobbying activities), as well as assure compliance with all Standard and Special Terms and Conditions.

Applicants will also be required to submit copies of the following in ND Grants:

1. Program and Budget Narrative.
2. Program Work Plan.
3. Project Objectives.
4. Detailed budget.

If you need assistance registering for the ND Grants system, please contact ndgrants@fema.gov or (800) 865-4076.

Timely Receipt Requirements and Proof of Timely Submission

Online Submissions. All applications must be received by ***07/08/2019 at 11:59: S00 PM [EDT]*** on the due date established for each program. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. This applicant with the AOR role will also receive the official date/time

stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When DHS successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role who submitted the application. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application. Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by DHS.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before Grants.gov receives your application. Again, Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application.

Intergovernmental Review
An intergovernmental review may be required. Applicants must contact their state's Single Point of Contact (SPOC) to comply with the state's process under Executive Order 12372 (See https://www.archives.gov/federal-register/codification/executive-order/12372.html; https://www.whitehouse.gov/wp-content/uploads/2017/11/SPOC-Feb.-2018.pdf).

Funding Restrictions
Federal funds made available through this award may only be used for the purpose set forth in this award and must be consistent with the statutory authority for the award.

HHPD recipients may only fund activities and projects that are included and approved in the FY 2019 HHPD Program Plan and Budget. For a description of eligible activities, see Section C. For definitions of dam and eligible dam, see Section H.

No Applicant may receive more than the lesser of: 12.5 percent of the total amount of funds made available; or $7,500,000.

Pre-award Cost
Pre-award costs are allowed. See Section H, Definitions, for the definition of pre-award cost.

Direct Cost

Cost Principles
Costs charged to this award must be consistent with the Cost Principles for Federal Awards located at 2 C.F.R. Part 200, Subpart E.

Planning
Planning related costs are allowed under this program.

Personnel
Personnel time dedicated toward state dam safety activities are an eligible cost.

Equipment
Equipment costs are allowed under this program.

Travel
Domestic
Domestic travel costs are allowed under this program as described in this NOFO.

International
International travel is not an allowable cost under this program unless approved in advance by FEMA.

Construction and Renovation
Construction and renovation cost are not allowable for FY 2019.

Requirements Related to Contractor and Subcontractor Wages
Recipients and Subrecipients are required to comply with the requirements of 42 U.S.C. § 5196(j)(9). All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of any contribution of Federal funds made by the Administrator under this subsection shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with sections 3141–3144, 3146, and 3147 of title 40, and every such employee shall receive compensation at a rate not less than one and ½ times the basic rate of pay of the employee for all hours worked in any workweek in excess of eight hours in any workday or 40 hours in the workweek, as the case may be. The Administrator shall make no contribution of Federal funds without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40.

Requirements Related to Contract and Subcontract Services
A contract awarded shall not be considered to confer a proprietary interest upon the United States. As a condition on the receipt of a grant under this section of an amount greater than $1,000,000, recipients and subrecipients shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under 40 U.S. Code Chapter 11 or an equivalent qualifications-based requirement prescribed by the recipient state.

Management and Administration (M&A) Costs.
Management costs are any indirect costs and administrative expenses that are reasonably incurred in administering an award or subaward. Applicant and subapplicant management

cost activities directly related to the implementation of the HHPD program, such as subapplication development, delivery of technical assistance, or managing awards and staff salary costs, are eligible for HHPD funding.

Applicants may apply for applicant management costs of up to 5 percent of the total HHPD grant application for management of the grant and all selected subgrants. Applicant requests for management costs must be included in a Scoping Narrative. Applicants and subapplicants may include subapplicant management costs of up to 5 percent of the total of their subapplication to manage the proposed activity. For applicants, this is in addition to the 5 percent applicant management costs to manage the overall grant. Subapplicant management cost activities must be added to the scope of work section and reflected in the cost estimate section of subgrant applications.

Management costs are only awarded in conjunction with awarded subapplications. Applicants and subapplicants who do not receive awards/subawards for any subapplications will not receive reimbursement for management costs.

Indirect Facilities & Administrative (F&A) Costs.
Indirect costs are allowable under this program as described in 2 C.F.R. §200.414. With the exception of recipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f), recipients must have an approved indirect cost rate agreement with their cognizant federal agency to charge indirect costs to this award. A copy of the approved rate (a fully executed, agreement negotiated with the applicant's cognizant federal agency) is required at the time of application.

Required Application Documents
Applicants are required to submit the following documents in the application package:

1. List of all eligible dams in the state with supporting official documentation. National Inventory of Dams identifiers (NID ID) are required.
2. Documentation of the state's risk-based prioritization method if the application includes activities for more than one dam. See Section A, Priorities.
3. Statement that the applicant is able to comply with regulations associated with receipt of federal financial contributions from FEMA.
4. A statement that all projects that receive funding through this program reduce risk and bring the dam into compliance with state standards. Any engineering studies, plans, or design drawings and specifications must be approved, signed, and stamped by a qualified design professional registered in the state in which the project is located.
5. A plan for the administration of the HHPD Grant Program. At a minimum, the administrative plan must include the items listed below:
    a. Designation of the State agency will have responsibility for program administration.
    b. Identification of the State Official responsible for all matters related to the High Hazard Potential Dam Rehabilitation Grant Program.
    c. Determination of staffing requirements and sources of staff necessary for

administration of the program.

d. Establishment of procedures to:
    i. Identify and notify potential subapplicants of the availability of the program.
    ii. Ensure that potential subapplicants are provided information on the application process, program eligibility and key deadlines.
    iii. Determine subapplicant eligibility.
    iv. Conduct environmental and floodplain management reviews.
    v. Establish priorities for selection of projects.
    vi. Process requests for advances of funds and reimbursement.
    vii. Monitor and evaluate the progress and completion of the selected projects.
    viii. Review and approve cost overruns.
    ix. Process appeals.
    x. Provide technical assistance as required to subgrantee(s).
    xi. Comply with the administrative and audit requirements of 2 CFR parts 200 and 3002.
    xii. Provide quarterly progress reports to FEMA on approved projects.

6. For each subapplication, applicants are required for submit the following documents in ND Grants:
    a. Scoping Narrative.
        i. Scope of work including details required by Section A, Performance Metrics.
        ii. Schedule.
        iii. Cost estimate (budget narrative and budget worksheet).
    b. Link to or copy of FEMA-approved hazard mitigation plan, specifically referencing section(s) that includes all dam risk.
    c. Request for mitigation plan extraordinary circumstance, if applicable, including written justification that identifies the circumstance for not meeting the mitigation plan requirement and explains how a mitigation plan will include all dam risks and be approved by FEMA within twelve (12) months. (See Section H, Mitigation Plan Extraordinary Circumstances.)
    d. Floodplain management plan that addresses potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project. The floodplain management plan must also include plans for flood fighting and evacuation; and public education and awareness of flood risks. If the floodplain management plan is not in place, then an assurance statement (as defined below) must be included.
    e. Information to demonstrate conformance with 44 CFR Part 9 and Part 10 and including all available information relating to known historic, archaeological, or environmentally sensitive areas.
    f. Documentation of consideration of alternatives that avoid or minimize harm to the environment or historic resources.
    g. Demonstration that the non-federal entity can meet the cost share

requirements.

h. Required assurance statements include:
    i. Statement of project approval from the relevant state dam safety agency.
    ii. Statement that the subapplicant participates in, and complies with, all applicable federal flood insurance programs.
    iii. Statement that the subapplicant acts in accordance with the state dam safety program.
    iv. Documentation that the dam has an emergency action plan approved by the relevant state dam safety agency, and that the dam is classified as "high hazard potential" by the state dam safety agency in the state in which the dam is located.
    v. Statement from the state that the proposed project dam fails to meet minimum state dam safety standards and poses an unacceptable risk to the public (as determined by the state) with official documentation that the dam owner has been notified of the deficiencies and unacceptable risk. See Section H, Definitions for the definition of unacceptable risk to the public.
    vi. Operation and maintenance agreement where all applicable parties enter a legally binding contract to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation.
    vii. Assurance that the subapplicant will have adequate funding resources for operation and maintenance activities to be carried out over 50-year period following completion of rehabilitation project.
    viii. A statement that activities relating to the public in the area around the dam are performed in accordance with the hazard mitigation plan.
    ix. If the floodplain management plan is not in place, a statement that the plan will be developed not later than one (1) year after the date of execution of a project agreement and implemented not later than one (1) year after the date of completion of construction of the project must be included.
    x. A statement that the subapplicant will comply with section 5196(j)(9) of title 42 (as in effect on December 16, 2016). See Section H for language.
    xi. A statement that the subapplicant will comply with chapter 11 of title 40; Selection of Architects and Engineers. The language can be viewed at: http://uscode.house.gov/view.xhtml?path=/prelim@title40/subtitle1/chapter11&edition=prelim.

If you need assistance registering for the ND Grants system, please contact ndgrants@fema.gov or (800) 865-4076.

E. Application Review Information

Application Evaluation Criteria

Prior to making a federal award, FEMA is required by 31 U.S.C. § 3321 note, 41 U.S.C. § 2313, and 2 C.F.R. § 200.205 to review information available through any OMB-designated repositories of government wide eligibility qualification or financial integrity information. Therefore, application evaluation criteria includes the following risk-based considerations of the applicant:

1. Financial stability.
2. Quality of management systems and ability to meet management standards.
3. History of performance in managing federal award.
4. Reports and findings from audits.
5. Ability to effectively implement statutory, regulatory, or other requirements.

Applications will also be reviewed to ensure conformance with the Eligibility Criteria in Section C of this NOFO, consistency with the goals and objectives of the HHPD, and conformance with the Application Submission Criteria in Section D. Applicants and subapplicants that do not meet eligibility or application submission requirements will be removed from consideration. Note that FEMA awards HHPD funds based on whether the submitted application is eligible whether the proposed activities are eligible. Applicants choose which eligible activities to fund using the risk-based prioritization method (see Section A, Priorities).

FEMA will review submitted work plans for approval and/or discuss recommended modification of the planned tasks.

FEMA will review funding documentation submitted with applications. Applicants unable to document the required cost share will be deemed ineligible.

Review and Selection Process for Applicants

Applications will be reviewed and recommended for funding by FEMA Headquarters. Once the application is submitted into Grants.gov, FEMA Headquarters will review the application and work plan for completeness and eligibility. FEMA Headquarters will make sure there are clearly defined goals and objectives in the applicants' work plan and necessary critical data. Applicants will be evaluated and selected for funding based on the following:

1. The Applicant has the authority and demonstrates the expertise necessary to fulfill the requirements of the HHPD.
2. The dams included on the Applicant's list of eligible dams meet eligibility criteria.
3. The Applicant's risk-based prioritization method meets minimum FEMA requirements (see Section A, Priorities).
4. The Applicant's proposed work plan employs sound concepts and techniques, and realistic timetables.
5. Proposed projects improve the safety of the dam and are eligible, deliverable, sustainable, and compatible with the goals of the HHPD.
6. The applicant proposes costs that are complete, reasonable, and cost-effective in

relation to proposed projects and tasks.

7. Applicant's state hazard mitigation plan will be assessed against 44 CFR Part 201, Mitigation Planning, to determine if the plan complies with the requirement. Specifically, FEMA will validate whether each of the following elements are included in the state hazard mitigation plan:
   a. Does the plan describe how the state dam safety agency participated in the planning process and contributed expertise, data, studies, information, etc. relative to high hazard potential dams?
   b. Does the plan address high hazard potential dams in the risk assessment, including a description of the risk-based priority system used for identifying high hazard potential dams as well as a list of high hazard potential dams?
   c. Does the plan include mitigation goals to reduce long-term vulnerabilities from high hazard potential dams that pose an unacceptable risk to the public?
   d. Does the plan prioritize mitigation actions to reduce vulnerabilities from high hazard potential dams that pose an unacceptable risk to the public?
   e. Does the plan identify current and potential sources of funding to implement mitigation actions and activities for high hazard potential dams that pose an unacceptable risk to the public?
   f. Does the plan generally describe and analyze the effectiveness of local mitigation policies, programs, and capabilities that address high hazard potential dams that pose an unacceptable risk to the public?
   g. Does the plan describe the criteria for prioritizing funding for high hazard potential dams that pose an unacceptable risk to the public?

For additional information on state mitigation plan requirements and FEMA procedures for review and approval of state mitigation plans, see FEMA's *State Mitigation Plan Review Guide* (FP 302-094-2, March 2015).

During the application review period, FEMA may request additional information from the applicant for clarification and better understanding of the proposed grant activities.

Review and Selection Process for Subapplicants

FEMA will also review subapplications submitted by each applicant to ensure compliance with the HHPD requirements, including completeness of the subapplication, eligibility of the proposed activities and costs, and availability of the non-federal cost share. Subapplications will be evaluated based on the following:

1. The Subapplicant's proposed work plan employs sound concepts and techniques, and realistic timetables.
2. Proposed activities are eligible, deliverable, sustainable, and compatible with the goals of the HHPD.
3. Proposed activities are feasible, demonstrate sound engineering concepts, improve the safety of the dam, and address risks and failure modes.
4. Rehabilitation projects bring the dam into compliance with state dam safety standards.
5. Proposed activities comply with Federal EHP regulations.
6. Proposed costs are complete, reasonable, and cost-effective.

7. The subapplicant's local hazard mitigation plan will be assessed against 44 CFR Part 201, Mitigation Planning, to determine if the plan complies with the requirement. Specifically, FEMA will validate whether each of the following elements are included in the local hazard mitigation plan:
   a. Does the plan describe the incorporation of existing plans, studies, reports, and technical information for high hazard potential dams?
   b. Does the plan address high hazard potential dams in the risk assessment?
   c. Does the plan include mitigation goals to reduce long-term vulnerabilities from high hazard potential dams that pose an unacceptable risk to the public?
   d. Does the plan prioritize mitigation actions to reduce vulnerabilities from high hazard potential dams that pose an unacceptable risk to the public?

For additional information on local mitigation plan requirements and FEMA procedures for review and approval of local mitigation plans, see FEMA's *Local Mitigation Plan Review Guide (Local Guide)* (October 2011).

The budget narrative and budget worksheets are critical elements of the cost estimate. These documents help the recipient justify the need for each line item in the cost estimate. They explain how the costs relate to the programmatic goals for the project and support the budget by showing the basis of computation. The budget narrative and basis of computation must be related to, and include all costs necessary to complete, each of the proposed activities in the work plan. FEMA uses the budget narrative/justification and basis of computation submitted by the applicant to review the funding amounts listed in the project narrative/SOW, the SF-424, and confirm that award costs are allowable, allocable, reasonable, and necessary.

Funds will not be made available for obligation, expenditure, or drawdown until the applicant's budget (to include Indirect Cost Agreement, if applicable) and budget narrative have been approved by FEMA and the grant award accepted by the recipient.

Supplemental Financial Integrity Review
If the anticipated federal share of a federal award will be greater than the simplified acquisition threshold, currently $250,000 (see Section 805 of the National Defense Authorization Act for Fiscal year 2008, Pub. L. No. 115-91, OMB Memorandum M-18-18 at https://www.whitehouse.gov/wp-content/uploads/2018/06/M-18-18.pdf):

i. Prior to making a federal award with a total amount of federal share greater than the simplified acquisition threshold, DHS is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS).
ii. An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM.
iii. DHS will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a

judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.205 federal awarding agency review of risk posed by applicants.

F. Federal Award Administration Information

Notice of Award
Notification of award approval is made through the ND Grants system through an automatic e-mail to the awardee point of contact (the "authorized official") listed in the initial application. The date FEMA approves the award is the "award date." The awardee should follow the directions in the notification to accept the award.

Recipients must accept their awards no later than 90 days from the award date. The recipient shall notify FEMA of its intent to accept and proceed with work under the award, or provide a notice of intent to decline through the ND Grants system. For instructions on how to accept or decline an award in the ND Grants system, please see pages 40 – 43 in the ND Grants Grantee Training Manual.

Funds will remain on hold until the recipient accepts the award through the ND Grants system and all other conditions of award have been satisfied, or the award is otherwise rescinded. Failure to accept the grant award within the 90-day timeframe may result in a loss of funds.

Administrative and National Policy Requirements
All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at:
DHS Standard Terms and Conditions

The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

Before accepting the award, the AOR should carefully read the award package for instructions on administering the grant award and the terms and conditions associated with responsibilities under federal awards. Recipients must accept all conditions in this NOFO as well as any special terms and conditions in the Notice of Award to receive an award under this program.

Reporting
Recipients are required to submit financial and programmatic reports as a condition of their award acceptance and drawdown requirements. Future awards and fund drawdowns may be withheld if these reports are delinquent.

Federal Financial Reporting Requirements.

The Federal Financial Reporting Form (FFR) is available online at:

SF-425 *OMB #4040-0014*

Recipients must report obligations and expenditures on a quarterly basis through the FFR to DHS/FEMA. Recipients must file the FFR electronically using the Payment and Reporting System (PARS). Award recipients must submit an FFR quarterly throughout the period of performance, including partial calendar quarters, as well as for periods where no grant award activity occurs. FEMA may withhold future awards and fund drawdowns if these reports are delinquent, demonstrate a lack of progress, or are insufficient in detail.

Financial and Compliance Audit Report

For audits of fiscal years beginning on or after December 26, 2014, recipients that expend $750,000 or more from all federal funding sources during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with the requirements of GAO's Government Auditing Standards, located at http://www.gao.gov/govaud/ybk01.htm, and the requirements of Subpart F of 2 Part 200, located at https://www.federalregister.gov/documents/2017/08/14/2017-17054/uniform-administrative-requirements-cost-principles-and-audit-requirements.

Program Performance Reporting Requirements

Grant recipients are responsible for providing performance reports on a quarterly basis. Performance progress reports should be submitted as either a word document or a pdf file. Performance progress reports are due within 30 days after the end of each reporting period, must be submitted via ND Grants, and must include at a minimum the following:

The recipient must submit a quarterly performance progress report (SF-PPR) for each award. Performance reports should include:

1. Reporting period, date of report, and recipient point of contact (POC) name and contact information.
2. SF-PPR must be used and submitted via NDGrants
3. Project identification information, including FEMA project number, subrecipient, and project type using standard ND Grants/NEMIS project type codes.
4. Significant activities and developments that have occurred or have shown progress during the quarter, including a comparison of actual accomplishments to the work schedule objectives established in the subaward.
5. Percent completion and whether completion of work is on schedule; a discussion of any problems, delays, or adverse conditions that will impair the ability to meet the timelines stated in the subaward; and anticipated completion date.
6. Status of costs, including whether the costs are (1) unchanged, (2) overrun, or (3) underrun. If there is a change in cost status, the report should include a narrative describing the change. Also, include amount dispersed to subrecipient by activity.
7. A statement of whether a request to extend the award POP is anticipated.
8. Incremental funding amounts (SFM) and progress completed.
9. Additional information as required by FEMA to assess the progress of an award.

FEMA may suspend drawdowns from SMARTLINK or PARS if quarterly performance

progress reports are not submitted on time.

The following reporting periods and due dates apply:

Reporting Period	Report Due Date
August 1 – September 30	October 30 (First Report)
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	October 30 (including Final Report)

Monitoring
Grant Award recipients will be monitored programmatically and financially on an annual and as needed basis by FEMA staff to ensure that the activities and project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring may be accomplished through either a desk-based review or on-site monitoring visits, or both. Monitoring will involve the review and analysis of the financial, programmatic, performance, compliance and administrative processes, policies, activities, and other attributes of each federal assistance award and will identify areas where technical assistance, corrective actions and other support may be needed.

Close Out Reporting Requirements.
Within 90 days after the end of the period of performance, or after an amendment has been issued to close out a grant, whichever comes first, recipients must submit a final FFR and final progress report detailing all accomplishments and a qualitative summary of the impact of those accomplishments throughout the period of performance.

If applicable, an inventory of all construction projects that used funds from this program must be reported with the final progress report.

After these reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR.

The recipient is responsible for returning any funds that have been drawn down but remain as unliquidated on recipient financial records.

Disclosing Information per 2 C.F.R. § 180.335
This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with a federal agency, the recipient must notify the federal agency if it knows if any of the

recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335. At any time after accepting the award, if the recipient learns that any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to the federal agency in accordance with 2 C.F.R. § 180.350.

G. DHS Awarding Agency Contact Information

Contact and Resource Information
The DHS/FEMA Federal Insurance and Mitigation Administration, Risk Management Directorate will manage, administer, and conduct application and budget review, create the award package, approve, amend and close out awards, as well as conduct audit resolution for the HHPD grants. For Program Questions contact the National Dam Safety Program staff listed below.

James E. Demby, Jr., PE
National Dam Safety Program
Federal Emergency Management Agency
Phone: (202) 646-3435
james.demby@fema.dhs.gov

Gokhan Inci, PhD, PE, PEng, PMP
National Dam Safety Program
Federal Emergency Management Agency
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FEMA Regions Contact Information
N/A

Mitigation Plan Requirement Questions
Mitigation Planning provides policy information and guidance regarding the mitigation plan requirement for state and local governments. Questions should be sent to the Senior Mitigation Planner in the Mitigation Division of the appropriate FEMA Regional Office (https://www.fema.gov/hazard-mitigation-planning-contacts).

Environmental Planning and Historic Preservation (EHP) Questions
OEHP provides guidance and information about the EHP review process to FEMA programs and its recipients and sub-recipients. All inquiries and communications about EHP compliance for FEMA grant projects or the EHP review process should be sent to: Portia

Ross, CFM, Environmental Officer, Office of Environmental Planning and Historic Preservation, FEMA / DHS, 500 C Street, SW, Washington, DC 20472, Desk: 202-212-5929, portia.ross@fema.dhs.gov

Grants.gov
For technical assistance with Grants.gov, please call the Grants.gov customer support hotline at (800) 518-4726. Applicants experiencing difficulties accessing information or who have any questions, should call the Grants.gov customer support hotline at (800) 518-4726.

ND Grants System
For technical assistance with the ND Grants System, please contact ndgrants@fema.gov or (800) 865-4076.

H. Additional Information

Extensions
Extensions to this program are allowed. Extensions to the initial period of performance identified in the award will be considered only through formal, written requests to the FEMA/ Federal Insurance and Mitigation Administration, Risk Management Directorate and must contain specific and compelling justifications as to why an extension is required. States are advised to coordinate with the FEMA Federal Insurance and Mitigation Administration, Risk Management Directorate as needed, when preparing an extension. All extension requests must address the following:

1. Grant Program, Grant Year, and award number;
2. Reason for delay – this must include details of the legal, policy, or operational challenges being experienced that prevent the final outlay of awarded funds by the applicable deadline. The reason must also be of significant extenuating circumstances (e.g. local flooding disaster);
3. Current status of the activity/activities;
4. Approved period of performance termination date and new project completion date (New recommended PoP);
5. Amount of funds drawn down to date;
6. Remaining available funds;
7. Revised delineated budget outlining how remaining federal grant funds will be expended by approved task;
8. Plan for completion including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion; and
9. Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

Applicants must submit extension request within sixty (60) calendar days prior to the period of performance end date, through ND Grants system for review by the FEMA National Dam Safety Office for final review and Amendment approval consideration. Extension requests must meet the Extensions requirements as listed above.

Mitigation Plan Extraordinary Circumstances
FEMA may grant an extension to the FEMA-approved mitigation plan requirement in extraordinary circumstances when justification is provided and approved prior to the application deadline. If this extension is granted, a mitigation plan that includes all dam risks must be approved by FEMA within twelve (12) months of the award. If the mitigation plan is not approved by FEMA within twelve (12) months, FEMA will recoup the award.

Extraordinary circumstances exist when a determination is made by FEMA that the jurisdiction has a current FEMA-approved mitigation plan that does not address all dam risks and also meets at least one (1) of the criteria below:

a. The jurisdiction meets the definition of small impoverished community (see definition in Section H, Definitions). Applicants must certify and provide documentation of the community or jurisdictional status with the appropriate subapplication.
b. The jurisdiction has been determined to have had insufficient capacity due to a lack of available funding, staffing, or other necessary expertise to satisfy the mitigation planning requirement prior to the application deadline.

The applicant must provide written justification that identifies the circumstance for not meeting the mitigation plan requirement and explains what resources the subrecipient will use to create or amend a mitigation plan that includes all dam risks and is approved by FEMA within twelve (12) months. The recipient will acknowledge in writing that a plan will be approved by FEMA within twelve (12) months of the award or subaward. The recipient must provide a work plan for creating or updating the mitigation plan in the required time. The requirement shall be incorporated into the award agreement.

Payments
FEMA utilizes the Payment and Reporting System (PARS) for financial reporting, invoicing and tracking payments. Additional information can be obtained at: https://isource.fema.gov/sf269/execute/LogIn?sawContentMessage=true.

DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form.

Conflict of Interest
For conflicts of interest under grant-funded procurements and contracts, refer to the section on Procurement Integrity in this NOFO and 2 C.F.R. §§ 200.317 – 200.326. To eliminate and reduce the impact of conflicts of interest in the subaward process, recipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Recipients and pass-through entities are required to follow any applicable state, local, or tribal statutes or regulations governing conflicts of interest in the making of subawards.

The recipient or subrecipient must disclose to FEMA, in writing, any real or potential conflict of interest as defined by the federal, state, local, or tribal statutes or regulations or their own existing policies that may arise during the administration of the federal award. Recipients and pass-through entities must disclose any real or potential conflicts to their Program Analyst within five days of learning of the conflict of interest. Similarly, subrecipients must disclose any real or potential conflict of interest to the pass-through entity as required by the recipient's conflict of interest policies, or any applicable state or local statutes or regulations.

Conflicts of interest may arise during the process of FEMA making a Federal award in situations where an employee, officer, or agent, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, sub applicant, recipient, subrecipient, or FEMA employee.

Definitions

Applicant
The entity (i.e., the State under this grant program) applying to the Federal Emergency Management Agency (FEMA) for a Federal award that will be accountable for the use of the funds. Once funds are awarded, the applicant becomes the recipient or pass-through entity or both.

Dam *(Source: 33 USC § 467(3))*

(A) any artificial barrier that has the ability to impound water, wastewater, or any liquid-borne material, for the purpose of storage or control of water, that—
  (i) is 25 feet or more in height from—
    (I) the natural bed of the stream channel or watercourse measured at the downstream toe of the barrier; or
    (II) if the barrier is not across a stream channel or watercourse, from the lowest elevation of the outside limit of the barrier;
  to the maximum water storage elevation; or
  (ii) has an impounding capacity for maximum storage elevation of 50 acre-feet or more; but

(B) does not include—
  (i) a levee; or
  (ii) a barrier described in subparagraph (A) that—
    (I) is 6 feet or less in height regardless of storage capacity; or
    (II) has a storage capacity at the maximum water storage elevation that is 15 acre-feet or less regardless of height;

Eligible High Hazard Potential Dam *(Source: 33 USC § 467(4)(A))*

(A) a non-federal dam that—
  (i) is located in a state with a state dam safety program;
  (ii) is classified as "high hazard potential" by the state dam safety agency in the state in which the dam is located;
  (iii) has an emergency action plan approved by the relevant state dam safety agency; and

(iv) the state in which the dam is located determines—
(I) fails to meet minimum dam safety standards of the state; and
(II) poses an *unacceptable risk to the public*.
(B) Exclusion: The term "eligible high hazard potential dam" does not include—
(i) a licensed hydroelectric dam; or
(ii) a dam built under the authority of the Secretary of Agriculture.

Expected life of the dam
Estimated number of years the rehabilitation will be effective. For example, major infrastructure typically have a 50-100 year expected life.

Non-Federal Entity
A state, local government, or nonprofit organization that carries out a federal award as a recipient or subrecipient

Nonprofit
Eligible nonprofit organizations are those organizations that are described under section 501(c)(3) of the Internal Revenue Code of 1986 (IRC) and exempt from tax under section 501(a) of such code. Refer to links below for additional information:

- https://www.irs.gov/charities-non-profits/charitable-organizations/exemption-requirements-section-501-c-3-organizations
- https://www.irs.gov/publications/p557/ch03.html
- https://www.irs.gov/charities-non-profits

Pass-through Entity
A non-federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

Period of Performance (POP)
The time during which the non-federal entity may incur new obligations to carry out the work authorized under the federal award. The federal awarding agency or pass-through entity must include start and end dates of the POP in the federal award.

Population at Risk (PAR) *(Source: USACE ER 1110-2-1156)*
The population downstream of a dam that would be subject to risk from flooding in the instance of a potential dam failure; usually documented in numbers of persons at risk.

Pre-award Costs *(Source: 2 CFR § 200.458)*
Pre-award costs are those incurred prior to the effective date of the federal award directly pursuant to the negotiation and in anticipation of the federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the federal award and only with the written approval of the federal awarding agency.

Recipient

A non-federal entity that receives a federal award directly from a federal awarding agency to carry out an activity under a federal program. The term recipient does not include subrecipients.

Rehabilitation *(Source: 33 USC § 467(12))*
The repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable state dam safety and security standards.

Routine Operation and Maintenance
Activities performed to prevent deterioration of structures and equipment to keep a dam in a safe and functioning condition throughout the expected life of the dam. These activities can be a scheduled or recurring action outlined in the operation and maintenance plan or performed after an inspection reveals an unusual observation that requires corrective restoration. Identifying and correcting problems before they become serious is an important part of routine operation and maintenance. Typical routine operation and maintenance activities can include (but are not limited to) mowing, removal of woody vegetation, addressing erosion, repairing concrete structures, and servicing gates.

Small Impoverished Community
A small impoverished community must:

a. Be a community of 3,000 or fewer individuals identified by the applicant as a rural community that is not a remote area within the corporate boundaries of a larger city or jurisdictional area or boundary
b. Be economically disadvantaged, with residents having an average per capita annual income not exceeding 80 percent of the national per capita income, based on best available data. For the most current information on the national income, see http://www.bea.gov
c. Have a local unemployment rate that exceeds by 1 percentage point or more the most recently reported, average yearly national unemployment rate. For the most current unemployment information, see http://www.bls.gov/eag/eag.us.htm
d. Meet other criteria required by the applicant in which the community is located

State *(Source 33 USC § 467(13))*
The term "state" means each of the several states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

State Dam Safety Agency *(Source 33 USC § 467(14))*
The term "state dam safety agency" means a state agency that has regulatory authority over the safety of non-federal dams.

State Dam Safety Program *(Source 33 USC § 467(15))*
The term "state dam safety program" means a state dam safety program approved and assisted under section 467f(e) of this title

Subapplicant
The entity, such as a community/local government or nonprofit, that submits a subapplication to the applicant for FEMA assistance. Once funding is awarded, the subapplicant becomes the "subrecipient."

Subaward
An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient
A non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

Unacceptable Risk to the Public
For purposes of the HHPD, the determination of ***unacceptable risk to the public*** is to be made by the state dam safety program, the agency of the state that is authorized by state statute to manage the state participation in the National Dam Safety Program.

A dam poses ***unacceptable risk to the public*** when the dam requires remediation or risk reduction measures due to deficiencies caused by inadequate dam design, construction methods, or the results of inadequate operation and maintenance.

For a dam to be considered an ***unacceptable risk to the public*** for funding under the HHPD, it must meet all the following conditions:
1. Does not meet the minimum dam safety standards of the state (not including routine operations and maintenance actions)
2. State dam safety program has documented the deficiencies at the dam that must be reduced, eliminated or mitigated
3. Official notice of the determination of the documented deficiency (s) has been communicated to the dam owner to address the ***unacceptable risk to the public*** to implement interim risk reduction measures until permanent risk reduction measures are implemented in a manner that is acceptable to the state. Official documentation must be on official state or state dam safety program letterhead and may include official citations issued from the state dam safety program to the dam owner.