

# Fiscal Year 2024 Fall State Assistance Funding Opportunity

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Background and applicant requirements for the funding opportunity for the fiscal year (FY) 24 fall State Assistance grant program. The Bipartisan Infrastructure Law is funding an estimated \$26.3 million for this grant.

## Background about the State Assistance Grant Program

The National Dam Safety Program (NDSP) State Assistance grant program encourages the establishment and maintenance of effective state programs intended to ensure dam safety, to protect human life and property and to improve state dam safety programs. The grant program's goals are to reduce risks to life and property associated with dams, increase awareness of the benefits and risks associated with dam infrastructure, and advance the state of practice of dam safety and dam risk management.

The State Assistance grant is used by state dam safety programs for the following activities:

- Dam safety training for state personnel
- Increase in the number of dam inspections
- Increase in the submittal and testing of Emergency Action Plans
- More timely review and issuance of permits
- Improved coordination with state emergency preparedness officials
- Identification of dams to be repaired or removed
- Conduct dam safety awareness workshops and creation of dam safety videos and other outreach materials
- Risk identification analysis and risk prioritization to inform decision-making in dam rehabilitation or removal projects of high hazard potential dams

In a state or territory with an enacted dam safety program, the state administrative agency or an equivalent state agency is eligible to apply.

## Funding

The [Infrastructure Investment and Jobs Act \(IIJA\)](#) was passed by the 117th Congress and signed into law by President Joseph R. Biden as the [Bipartisan Infrastructure Law \(BIL\)](#) on Nov. 15, 2021. The Bipartisan Infrastructure Law increased funding for FEMA dam safety with \$148 million for the State Assistance grant.

Prior to this law, State Assistance funding originated from annual appropriations. In Fiscal Year 2022, FEMA allocated nearly \$10.9 million in grant funding, of which \$4 million came from the Bipartisan Infrastructure Law.



# FEMA

In Spring 2023, the National Dam Safety Program worked with stakeholders via a series of listening sessions to determine how to disburse the Bipartisan Infrastructure Law funding. As a result, the program decided that BIL-funded State Assistance grants will consist of five equal disbursements of an estimated \$26 million a year with the first disbursement in the fall of FY 2024.

The State Assistance FY 2024 fall funding opportunity application period will be open from Nov. 6, 2023 – Feb. 29, 2024. The funding amount available is \$26.3 million. The funding opportunity can be found on Grants.gov by clicking [here](#).

## Eligibility Requirements

This is a basic summary of considerations and documentation required for the subrecipient grant planning for FY 2024. To be considered for a grant:

- The applicant must be eligible:
  - This funding opportunity is restricted to the state dam safety program for eligible states and territories. For the purposes of this grant program, in FY 2024, this includes 49 states and Puerto Rico. Alabama and the remaining territories are not currently eligible for funding under National Dam Safety Program grants.
- The applicant must meet the Maintenance of Effort requirement to demonstrate their financial investment in dam safety efforts within their state. Maintenance of Effort is determined by averaging the amount of funding spent on dam safety by the state for the previous two fiscal years. This average is the maximum grant amount the state or territory may receive from the State Assistance grant program.
- The application must be complete, to include procurement documentation, and submitted by the deadline on Feb. 29, 2024.

For a state to be eligible for assistance under this program, a state dam safety program must be authorized by state legislation and working toward meeting specific criteria and budgeting requirements. The summarized list of eligibility requirements for state dam safety programs is below. For exact eligibility requirements, please refer to the statute language contained in [Title 33 United States Code Section 467f\(e\)\(2\)\(a\)](#).

- Safety evaluations of existing dams
- Review of plans and specifications for dam construction and major repair work
- Periodic inspections of dams and construction work on new and existing dams
- Reviews and approval of Emergency Action Plans (EAPs) required for certain dams
- Engagement with local officials and dam owners on emergency preparedness activities<sup>1</sup>

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<sup>1</sup> Congressional Research Report: [Federal Assistance for Nonfederal Dam Safety](#) (January 2023)

Updates and additional information can be found on the [State Assistance webpage](#) on FEMA's website and in the funding opportunity scheduled for release Nov. 6, 2023 on [Grants.gov](#).

## Eligible Activities Examples

The following are examples of the kinds of activities that are eligible for the State Assistance grant. This is not an all-inclusive list.

- Perform targeted safety inspections of High Hazard (HH) dams/dams of highest consequence.
- Perform targeted condition assessment and evaluations of reservoirs and HH dams/dams of highest consequence.
- Development of new or updated Emergency Action Plan (EAP) of HH dams/dams of highest consequence.
- Perform regulatory enforcement actions to compel the dam owner of an unsafe high hazard potential dam to take action to reduce the risk associated with the dam. Regulatory enforcement actions may include, but not limited to, official notice of violation, civil or criminal penalties, reservoir restrictions, or safe breaching of the dam.
- Execution of targeted outreach and messaging strategies to inform the public and stakeholders of dam risks and actions that individuals/organizations/communities need to take.
- Establish and maintain assessment tool for gauging effectiveness of targeted public outreach about hazards and risks associated with dams.
- Identification of and applied best practices that advance operations of state dam safety programs (includes software programs that assess, monitor, model, and analyze potential and real risk).
- Risk identification analysis and risk prioritization methodologies to inform decision-making in dam rehabilitation or removal projects of High Hazard Potential Dams (HHPD). All High Hazard Potential Dams pose a risk to lives and/or property, but all risks are not equal. Risk prioritization methodology is an objective means to prioritize the dams that pose the greatest risks.
- Implementation of a state dam sector cybersecurity framework consistent with the [National Institute of Standards and Technology \(NIST\) Framework for Improving Critical Infrastructure Cybersecurity](#) and guidance from the [Cybersecurity and Infrastructure Security Agency \(CISA\)](#).
- Professional education, workshops, and training on content such as dam operations and safety standards, industry best practices, risk assessment methodologies, and risk communication strategies for dam owners, local officials and emergency management, and state dam safety staff. Best practices are procedures or activities that are accepted or prescribed as being correct or most effective.

## Application Requirements

### Steps and information required prior to submission

The following list will be content or actions needed to successfully submit a grant application.

- Unique Entity Identifier EUI Number Registration To find or request a Unique Entity Identifier (SAM), please visit [www.sam.gov](http://www.sam.gov).
- Grants.gov profile <https://www.grants.gov/applicants/registration/add-profile.html>
- State Designation for Dam Safety Program Authority Information. (Who will be your Pass-Through application Point of Contact?)
- Eligibility of a High Hazard Potential Dam by State Authority
- State Designation of State Authorization Authority
- Recognition or listing of US Corps of Engineer listing
- State Approved Mitigation Plan
- Environmental Assessment Plan (if required)
- Statement of Work Planning Information
- Construction Planning documentation
- Dam Removal Planning documentation
- Budget Planning & Funding
- Cost Match and Planning information
- Terms & Conditions for High Hazard Potential Dam funding
- Application designation Point of Contact(s) with Name, email, and phone number. (Preference submission with Primary and secondary contacts)

## Procurement Documentation

Per [Title 2 Codes of Federal Regulation Section 200.318\(i\)](#), non-federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price.

States and territories are encouraged to maintain and retain this information as well and are reminded that for any cost to be allowable, it must be adequately documented per [Title 2 Code of Federal Regulations Section 200.403\(g\)](#).

Examples of the types of documents that would cover this information include but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals.
- Responses to solicitations, such as quotes, bids, or proposals.
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable.
- Contract documents and amendments, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.
- Additional information on required procurement records can be found on pages 24-26 of the [Procurement Disaster Assistance Team \(PDAT\) Field Manual](#)

All documentation will be submitted in the close out package upon completion/termination of the grant. This package will be submitted to the State pass-through agency and the respective state National Dam Safety Program Regional Office for retention. This is separate from the financial grant close out documentation.

## Additional Information

Applicants can learn more about the State Assistance program, application requirements and process in several ways:

- Contacting their National Dam Safety Program grants officer at their respective regions
- Visiting the [FEMA State Assistance webpage](#), which contains resources and webinars
- Emailing the National Dam Safety Program grants team with comments or questions at: [FEMA-NDSP@fema.dhs.gov](mailto:FEMA-NDSP@fema.dhs.gov)