



MONTANA

DEPARTMENT OF COMMERCE

Community Development Division

2021-2023 Biennia Treasure State Endowment Program Emergency Grant

Application and Guidelines

Applications accepted on an ongoing basis

DOCCDD@mt.gov

<https://comdev.mt.gov/Programs/TSEP/EmergencyGrants>

The Montana Department of Commerce does not discriminate on the basis of disability in admission to, access to, or operations of their programs, services, or activities. Individuals, who need aids or services for effective communications or other disability-related accommodations in the programs and services offered, are invited to make their needs and preferences known. Please provide as much advance notice as possible for requests.

INTRODUCTION

The Treasure State Endowment Program (TSEP) is a state-funded program created in 1992. It was established to help solve serious health and safety problems and assist communities with the financing of public facilities projects. The program helps local governments with infrastructure planning as well as constructing or upgrading drinking water systems, wastewater treatment facilities, sanitary or storm sewer systems, solid waste disposal and separation systems, and bridges. These guidelines pertain to Emergency Grants only; instructions on how to apply for Construction or Infrastructure Planning Grants are contained in separate guidelines.

Grant funds for TSEP emergency grants are awarded through the Legislature each biennium. Applications for emergency grants will be accepted on a continuous basis, until there are no more TSEP emergency grant funds available in any given biennium.

These application guidelines explain how cities, towns, counties, special purpose districts, and tribal governments can apply for TSEP financial assistance pertaining to emergency grants.

There are various administrative procedures and requirements that go along with receiving TSEP funds. TSEP grantees must enter into a contract with the Montana Department of Commerce before any funds can be reimbursed. Reimbursement requests must include copies of applicable invoices, the reimbursement request form, a signature certification form, a designation of depository form, and a Uniform Invoice Tracking Sheet. Please contact the Commerce staff person assigned to your project for copies of these forms.

If you have any questions regarding the *TSEP Emergency Grant Application Guidelines*, the application form, or other aspects of the Treasure State Endowment Program, contact:

Montana Department of Commerce
Community Development Division 301
South Park Avenue
PO Box 200523
Helena, MT 59620-0523

Telephone: (406) 841-2770 - FAX: (406) 841-2771
E-mail address: DOCCDD@mt.gov Web page:
[https://comdev.mt.gov/Programs/TSEP/
EmergencyGrants](https://comdev.mt.gov/Programs/TSEP/EmergencyGrants)

Alternative accessible formats of this document will be provided upon request. If you need this document in an alternative format, such as large print, Braille, audio tape, or computer diskette, please contact the Montana Department of Commerce Community Development Division at (406) 841-2770, TDD (406) 841-2702, or the Relay Services number, 711. The Department of Commerce does not discriminate on the basis of disability in admission to, access to, or operations of its program, services, or activities. Individuals who need aids or services for effective communications or other disability-related accommodations in the programs and services offered are invited to make their needs and preferences known. Please provide as much advance notice as possible for requests.

Eligible Applicants

- A. Eligible applicants for TSEP emergency grant assistance include any:
 - 1. Incorporated city or town;
 - 2. County;
 - 3. Consolidated government;
 - 4. County or multi-county water, sewer, or solid waste district; or
 - 5. Tribal government (includes any federally recognized Indian tribe within the State of Montana).

- B. Non-public entities are not eligible for TSEP emergency assistance. Private water or sewer user's associations are not eligible to apply for TSEP emergency funds, because they are not a public entity. In order to apply for TSEP funds an association would first have to be legally created as a county or multi-county water and sewer district (pursuant to sections 7-13-22 and 23, MCA) before submitting a TSEP application.

Eligible Projects

- A. Types of projects eligible for TSEP emergency grant assistance include:
 - 1. Drinking water systems;
 - 2. Wastewater treatment systems;
 - 3. Sanitary sewer or storm sewer systems;
 - 4. Solid waste disposal and separation systems, including site acquisition, preparation, or monitoring; and
 - 5. Bridges.

Details of Emergency Grants

The Legislature has historically appropriated \$100,000 per biennium of TSEP funds to provide grants for emergency projects. Emergency grants may be awarded by Commerce at any time between, and during, legislative sessions for infrastructure projects necessary to remedy conditions that if allowed to continue until legislative approval could be obtained would endanger the public health or safety and expose the applicant to substantial financial risk.

The situation being corrected must be the result of reasonably unforeseen circumstances and not the result of normal use, age, deterioration, or negligence on the part of the owner; funding will generally not be recommended for projects that would have been addressed and prevented through an adequate O&M program.

Before being considered an emergency for purposes of this program, the project must mitigate a problem that is critical to the operation of a system. Funding will normally not be provided for preventive maintenance or to provide a backup to an existing system component. All of the proposed expenditures must be essential to resolving the emergency and necessary for completing the proposed emergency project. The emergency should be a project that is taken care of promptly (as opposed to a project that might not go forward without the emergency grant funding).

Eligible applicants requesting an emergency grant should be in compliance with the State's auditing and reporting requirements provided for in Section 2-7-503, MCA. If an applicant has failed to conduct audits or submit reports as required by statute, or has received an adverse audit opinion or disclaimer from any state or federal agency or authorized agent thereof, Commerce may deny requests for an emergency grant until the applicant can demonstrate that it is in compliance with the State's requirements.

The applicant may be required to demonstrate that it has contributed as much financial and other resources as reasonably possible towards completing the proposed emergency project. The use of TSEP funds, and expenses that will be eligible for reimbursement, will be determined on a case-by-case basis. In-kind costs are not eligible for reimbursement.

In order to determine whether to fund a request for emergency grant funds, Commerce may consult with the Department of Natural Resources and Conservation, the Department of Environmental Quality, or the Department of Transportation, depending on the type of project. Upon being contacted about an emergency, the Emergency Grant Review Form will be completed by the applicant – with assistance from Commerce staff - to determine if an emergency project should be funded. Please note this form may be modified at any time by Commerce; the most current form will be posted on the Commerce website.

Local governments that have an emergency-related project should contact the Community Development's Division Engineer at 841-2770. A letter or email from the eligible applicant indicating their intent to seek emergency grant funding must accompany the application.

EMERGENCY GRANT REVIEW FORM

Applicants are directed to the Commerce website for a description of program criteria

Applicant and Project Information

Date Request Received: _____

Applicant: _____

Address: _____

Chief Elected Official Name: _____

Telephone Number: _____ Email Address: _____

Contact Person Name: _____

Telephone Number: _____ Email Address: _____

Engineer: _____

Telephone Number: _____ Email Address: _____

Nature of Emergency: _____

Proposed Project: _____

Estimated Total Cost of Project: *(Itemize the proposed expenditures)*

Amount of TSEP Funds Requested:

Review of Request

1. Describe the emergency. Include descriptions of who the project affects, what caused the problem, where and when it occurred, and why or how the problem happened.

2. Describe the solution. Provide invoices or cost estimates from an engineer, architect, contractor, or supplier.

3. Explain why the situation being corrected is the result of reasonably unforeseen circumstances and not the result of normal use, age, deterioration, or negligence on the part of the owner.

4. Provide documentation that as much financial and other resources as reasonably possible has been contributed toward completing the proposed emergency project. Include average monthly residential user rates as applicable. Include a discussion of other potential funding sources.

5. Describe all state or federal environmental permits required to complete the proposed project. For each permit, identify whether the permit has already been obtained, and if not, describe how the permit will be obtained.

6. Describe the process followed to meet all MEPA requirements, and the findings resulting from that process. Please attach a copy of all environmental review documents applicable to the proposed project.

Reviewer Recommendation

P.E.
Community Development Division Engineer

Date

Concurrence

Concur _____

Do Not Concur _____

Concur with the Following Modifications _____

Jennifer Olson, Division Administrator
Community Development Division

Date