

**FLOOD MITIGATION
ASSISTANCE PROGRAM
(FMAP)**

Policies and Procedures Manual

**Version 1.1
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1.0 DEFINITIONS

Clearly defining terms associated with the City's Flood Mitigation Assistance Program (FMAP) helps to alleviate confusion. Accordingly, the process by which Assistance applications are administered, reviewed, and evaluated, and the definitions and terminology associated with these activities, should be clearly documented and accessible to Applicants and the City. Listed below are common terms and their definitions being used throughout this Policies and Procedures Manual:

“Applicant” shall mean a resident or property owner that has applied for City Flood Mitigation Assistance.

“Application” shall mean the City's Flood Mitigation Assistance Program online application form, and all supporting documentation which must be submitted by the Applicant or added to an Applicant's file by City staff for review and consideration under this program.

“Approved List of Practices” shall mean products and services eligible for reimbursement under the City's Flood Mitigation Pilot Assistance Program.

“Assistance” shall mean the financial support issued by the City to reimburse Applicants for expenses identified on the Approved List of Practices. The City will reimburse Applicants for 50% of eligible expenses, up to a maximum total of \$5,000.

“Assistance Program” or “Program” shall mean the City of Rockville's Flood Mitigation Assistance Program.

“Basement” shall mean any property area having its floor subgrade (below ground level on all sides).

“City” shall mean the City of Rockville.

“Coverage Period” shall mean the period of time between July 1, 2019, and present day.

“DPW” shall mean Department of Public Works.

“EMD” shall mean the City of Rockville's Environmental Management Division.

“Flood Mitigation” shall mean action(s) taken to *reduce* or *eliminate* long-term risk to life and property from a flood event.

“Flood Preparedness” shall mean action(s) taken to *prepare for* a flood event.

“Floodproofing” shall mean any combination of structural and nonstructural additions, changes, or adjustments to properties, which reduces the risk of flood damage.

“HDC” shall mean the City's Historic District Commission

“ISD” shall mean the City's Inspection Services Division.

“Property Owner” or “Owner” shall mean owners of 33% or more of a property identified on the Application.

“Residents” shall mean individuals that reside within Rockville City limits.

“Renters” shall mean non-property owners who install or implement approved Program practices on property that reside in with the approval of the property owner.

2.0 FLOOD MITIGATION ASSISTANCE PROGRAM SUMMARY

Starting in September 2022 and as part of the City’s Flood Resiliency initiative, the City is offering financial assistance through matching reimbursement funds to residents and property owners for purchasing and/or installing approved flood mitigation and floodproofing practices on or after July 1, 2019. This assistance will be known as the City of Rockville’s Flood Mitigation Assistance Program (FMAP or Program”) and will be open to residential and commercial property owners, renters, homeowner associations, condominium associations within the Rockville City limits.

2.1 Background

There have been instances of unprecedented flash flooding in parts of Rockville. For example, on September 1, 2021, Tropical Storm Ida hovered over Rockville, recording 2.56” of rainfall during the peak 30-minute period, with a total of 2.97” rainfall in only 45 minutes. The storm impacted scores of properties, including rendering uninhabitable the bottom floors of two multi-story apartment buildings.

Given the inevitability of changing climate conditions, such heavy rainfall events are likely to occur with more frequency. The Mayor and City Council established this Flood Mitigation Assistance Program Pilot to strengthen Rockville’s resiliency measures to minimize damage to Rockville residences and structures from storm events. This is a pilot program and may be expanded, ended, or modified based on the results of FY 2023 implementation.

2.2 Goal

FMAP assists City residents and property owners by providing education and assistance to help make building improvements for flood and moisture prevention. This pilot program is modeled after regional programs other jurisdictions have launched within the last two years.

The Program’s overall goal is to financially reimburse individuals who have made improvements to their residences/and or properties to mitigate future damage from flash flooding events. For the City, this means delivering Assistance funds to residents who took efforts to increase overall community resiliency. For the individual Applicant, this means being reimbursed for products and/or services that will provide a return on both the City’s and their own investment.

2.3 Scope

The Policies and Procedures Manual is intended to serve as a resource for Applicants to understand City policies and mechanisms related to applying for, being deemed eligible for, and ultimately receiving Flood Mitigation Pilot Assistance.

It is a cost-share program, similar to the City’s successful RainScapes Rebate program (learn more at www.rockvillemd.gov/rainscapes), but focused on installing flood proofing technologies such as doorway flood gates, flood protective window wells, backup sump pump battery systems, utility covers, elevated utility modifications, etc.

The Fiscal Year 2023 budget includes \$300,000 for the grant program and the maximum award amount is \$5,000. This program is funded by the City’s Stormwater Utility Fee (learn more at www.rockvillemd.gov/569/Stormwater). Applications will be reviewed for funding on a first come, first serve basis. During the pilot phase, the City will be continuously evaluating both the

available funding and eligibility requirements to adjust as needed. The program budget for Fiscal Year 2024 will be determined during the Mayor and City Council’s budget process.

2.4 Administration, Record-Keeping, and Accounting

The City’s Department of Public Works, Environmental Management Division (EMD), has the overall responsibility for Pilot Program administration and accountability. Administration and accountability will be possible through timely communications and accurate recordkeeping. Documentation and relevant files, including application information, electronic communications, file notes, funding decisions and other records will be maintained within the City’s system, as well as on internal EMD tracking sheets.

3.0 GENERAL PILOT PROGRAM INFORMATION

General Pilot Program information is presented below:

Total funding available:	<i>Up to \$300,000 (FY 2023 Year allocation).</i>
Funding maximum per Applicant:	<i>Up to \$5,000.</i>
Funding cost share:	<i>50% City 50% Applicant</i>
Applicant:	<i>Open to residential, apartment , non-profit and commercial properties, as well as Condominium Associations and Homeowner Associations, applying on behalf of more than one property that wish to take proactive measures to prevent flooding.</i>
Ownership eligibility:	<i>Property owners and Renters that provide document that property owners approved of the approved practices</i>
Coverage Period	<i>Approved Practices must have occurred been installed after July 2019.</i>
Documentation required:	<i>Documentation of purchase of materials/services such as receipts, invoices, statements, etc. must be submitted.</i>
Documentation recommended:	<i>Additional documentation may include, but is not limited to, photographs of complete installation, City of Rockville permits/approvals and/or insurance claims.</i>
Program administration:	<i>City of Rockville Environmental Management Division.</i>

4.0 APPROVED LIST OF PRACTICES

The Approved List of Practices was developed by the City based on best practices for flood mitigation implemented by other jurisdictions that have developed and administered similar assistance programs. This list identifies eligible flood mitigation practices along with their descriptions and a quick snapshot of the City's permit review/application requirements for each. In total, these practices:

- Help mitigate flooding on private property.
- Reduce the overall damage to property from flooding through flood protection.

The Approved List of Practices is included as Appendix A and is also presented on the City's webpage www.rockvillemd.gov/floodassistance.

Some of these Approved Practices may require review, approvals and permitting by City Departments as outlined in Section 5.0 (below).

5.0 FLOOD MITIGATION ASSISTANCE PROGRAM PHASES

As presented in Section 5.0, the Program's process involves a Application Phase, an Initial Completeness and Eligibility Phase and an Approval and Funding Phase. Each Phase is further described below.

5.1 Application Phase

The Applicant must submit an application to the City's Environmental Management Division in order to be receive consideration for reimbursement under this program. Such applications may be submitted via the use of an online application on the Flood Mitigation Assistance Program website www.rockvillemd.gov/floodassistance. Assistance in submitting applications is available by contacting 240-314-8876.

5.1.1 Ownership

The Program is open to residential, rental, non-profit and commercial property owners and residents, as well as Condominium Associations and Homeowner Associations. If the Applicant is applying on behalf of a Condominium Association or Homeowner Association, the application shall be submitted for commonly owned property areas and not individual properties within an Association. In order to be reimbursed, proof of approval by the Association's Board must be included with the application. Likewise, renters applying must also provide proof of approval from the property owners in order to be considered for reimbursement under this program.

5.1.2 Approved List of Practices

As presented in Section 4.0, the Approved List of Practices is a list of goods and services eligible for reimbursement under the Pilot Program.

5.1.3 Documentation

In order to be eligible for Assistance funding, an Applicant must submit receipts or other documentation related to the purchasing/installation of products and/or services identified within the Approved List of Practices.

Receipts and/or additional documentation for flood mitigation practices and services must be dated after July 2019.

5.1.4 City Approval and Permits

Before the City approves and Applicant for Assistance funding, the City will check to determine whether the proper permits and/or approvals if required, were obtained. For example, many items on the Approved List of Practices, such as installing French drains and building flood walls, require an Applicant to engage with the Historic District Commission, Inspection Service Division, Community Planning and Development Services and/or the Department of Public Works.

5.1.4(a) Historic District Commission (HDC)

The City's Historic District Commission supported by the Department of Community Planning and Development's Historic Preservation Division is responsible for oversight and preservation of any properties that are deemed to be of historic or architectural value to the city of Rockville. The HDC must review and issue a Certificate of Approval if your proposed activity makes a permanent external modification in properties that:

- lie within the local historic district and/or
- involve a City designated historic building,

Sandbags and other temporary measures may not require the review of the HDC as long as deployed and removed.

The link to the HDC process can be found at.

<https://www.rockvillemd.gov/182/Historic-Preservation>.

Key Consideration triggering HDC Review:

“Will the proposed work be permanent and visible from the public right-of-way to a Historic designated building, or a structure located in the Historic District?”

5.1.4(b) Inspection Service Division (ISD)

The Inspection Services Division (ISD) enforces state-mandated codes and ordinances through the issuance of permits and contractor licenses, plan review, and the inspection of all phases of residential and commercial construction. ISD is responsible for the issuance of building and/or mechanical, electrical and plumbing permits that be required.

The link to ISD permit and approvals can be found at:

<https://www.rockvillemd.gov/2180/Permits-Inspections-Division>

Key Consideration triggering ISD Review:

“Will the proposed work alter, demo, renovate, and/or create a permanent addition to an existing building or structure?”

5.1.4(c) Community Planning & Development Services (CPDS)

CPDS is responsible for administering procedures, standards and requirements that protect trees and forests during and after development activity and minimize tree loss due to development. For any grading or land disturbing activities, contact CPDS as follows.

- Single family homes, contact CPDS (forestry inspector) if you have Forest Conservation Easements on the property.

- Commercial, mixed use, and HOA properties, contact CPDS (forestry inspector) if
 1. You have Forest Conservation Easements on the property, or
 2. The limits of disturbance for your project is within a critical root zone of any significant tree (6" diameter or greater at 4.5' off the ground). If you are unsure, please contact CPDS (forestry inspector) for clarification.
- Homes in Historical Preservation Districts contact CPDS (forestry inspector).

Key Consideration triggering CPDS Review:

- **“Will the proposed work involve the grading or land disturbance on a property that has a Forest Conservation Easement or potentially impact a tree?”**

5.1.4(d) Department of Public Works

Department of Public Works (DPW) review will be required for any proposed activity that involves the grading or land disturbance of more than 5,000 square feet (or 100 cubic yards) requires a Sediment Control Permit (SCP) issued by DPW. In addition, any disturbance within the public right-of-way requires a PWK permit.

The links to DPW permits and approvals can be found at:

<https://www.rockvillemd.gov/2372/Sediment-Control-Permit>

<https://www.rockvillemd.gov/2374/Public-Works-Permit-Protection-of-Right-of-Way>

Key Consideration triggering DPW Review:

- **“Will the proposed work involve the grading or land disturbance of more than 5,000 square feet (or 100 cubic yards)?”**
- “Is the disturbance within the public right of way?”**

Therefore, prior to applying, an Applicant should contact ISD, HDC, CPDS or DPW to ensure permitting requirements if needed, have been satisfied. If actions requiring permits were undertaken without the needed approvals, those expenses will not be eligible for Assistance reimbursement. In addition, the City may request the Applicant retroactively apply for permit(s) and cover all costs associated with compliance.

5.2 Application Review Process

Within 14 business days of receipt of the application, City staff will review your application and determine eligibility. During the review process if a deficiency (missing receipts or documentation.) is found the City will notify the Applicant and the Applicant may attempt to correct the deficiency. However, it should be noted that there is no guarantee that reimbursement funds will still be available since the program is on a first come, first served basis.

City review of an application is divided into two phases:

5.3 Initial Completeness and Eligibility and Funding Review

During the Initial Completeness and Eligibility Review Phase, the City will review the Application for initial completeness – making sure the Application is filled out correctly – and perform initial eligibility checks regarding location in the City of Rockville, home ownership, property type, documentation provided and whether city permits, or reviews were required and obtained. EMD staff will also review the Application to determine if the correct amount of funding is being requested and whether it matches what can be approved.

5.3.1 General Information Check

City personnel will crosscheck information provided in the Application against established City records. This will include determining if general information (name, address, etc.) is provided and accurate. If the Application contains the required general information, a Documentation Check will be conducted. If errors or omissions are identified, the Application will be returned to the Applicant for revision and resubmission.

5.3.2 Documentation Check

If the General Information Check is complete, the City will then conduct a Documentation Check. During the Documentation Check, City personnel will review materials in the Applicant's online submission package to confirm the goods and/or services are on the Approved List of Practices and the cost incurred that the Applicant is seeking reimbursement for. **Documentation of costs is required in order to receive Assistance program funds. All receipts and/or additional documentation for flood mitigation practices and services should be dated after July 2019.**

During this phase, City personnel will review such items as:

- Receipts
- Photographs
- Designs/Drawings
- Email records
- City approvals and/or permits

If the Application contains receipts or other documentation for at least one of the Practices identified above, it will move forward in the Initial Completeness and Eligibility Review Phase. If errors or omissions are identified, the Application will be returned to the Applicant for revision and resubmission.

5.3.3 Waiver Acknowledgement

An Applicant must agree to the following waiver acknowledgment in order to complete the Application process:

I (we), certify under penalty of law, that I (we) have paid in full for the installation of floodproofing measures at the above-named property. As a condition of accepting the reimbursement allowance, I (we), if requested by the City, will permit the City to verify said installation without delay, prior to receiving the reimbursement allowance.

Further, as a condition of accepting the reimbursement allowance, I (we) agree to accept full responsibility for operation and maintenance of floodproofing measures, funded in part by this Assistance program. I (we) agree to hold the City and its agents and employees harmless for and waive any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the City for the construction, installation, operation, presence, existence, or maintenance of the floodproofing measures.

Such waiver is applicable only to claims related to the floodproofing measures and any services provided in association with the Flood Mitigation Pilot Assistance Program.

5.4 Approval and Funding

If approved (all documentation submitted, waiver signed etc.), City staff will transmit an approval letter to the Applicant. A payment request will be processed, and a check will be cut for the amount allowable by the Program. Checks will be mailed to the address contained in the application. Please allow three (3) to six (6) weeks from receipt of application approval for payment processing