

**Wyoming Department of Environmental Quality
Wyoming State Loan and Investment Board**

**Clean Water State Revolving Fund
FY2025 Intended Use Plan**

Introduction

The 1987 Clean Water Act (CWA) amendments include requirements for each state to prepare an Intended Use Plan (IUP) for each capitalization grant application. The IUP describes how the State will use the Clean Water State Revolving Fund (CWSRF) to meet CWA objectives and further the protection of public health and the environment. The IUP contains the following elements:

1. Priority List of Projects and Criteria and Method for Distribution of Funds
2. CWSRF Financial Status
3. Additional Subsidization
4. Green Project Reserve
5. Short- and Long-term Goals of the Program
6. Information on the Activities to be Supported
7. Assurances and Specific Proposals

The Department of Environmental Quality (DEQ) and the Office of State Lands and Investments (OSLI) prepared the draft IUP and provided it to the public for review and comment through posting the draft IUP on the DEQ and OSLI websites. The public was informed of the posting of the drafts by advertisement in the Casper Star-Tribune a State newspaper on May 1, 2024 and by sending out notices to all of the subscribers to the GovDelivery email system for the DEQ and OSLI. The CWSRF program held a public meeting on the draft IUP on June 3, 2024 in Cheyenne. Attachment VI summarizes comments and responses from the public meeting. Additionally, pursuant to State law, DEQ submitted the IUP to the Joint Minerals, Business and Economic Development Committee of the State Legislature for review. The Final IUP will be submitted to EPA Region VIII.

Priority List of Projects and Criteria and Method for Distribution of Funds

The State's FY2025 project priority list and project ranking systems are given in the following attachments:

- Attachment I – SFY 2025 CWSRF Needs Survey
- Attachment II – Project Priority List
- Attachment III – Secondary Funding List
- Attachment IV – Emerging Contaminants Priority List

Attachment V – Projects Under Construction, Design, Loan Closing, or Application Process
Attachment VI – Proposed Leaking Underground Storage Tank Non-Point Source Projects
Attachment VII – Public Meeting Minutes

The CWSRF program has identified projects most likely to apply for CWSRF funds during the upcoming year through a newly created “Needs Survey”. The new survey method was used to solicit only projects that are knowingly going to apply for CWSRF loan funds. The results of the survey were utilized to formulate the “Project Priority List” for the 2025 IUP. The “Project Priority List” defines the financial package that the program can provide the applicant upon applying for the CWSRF funds. The final funding approval will be made by the State Loan and Investment Board (SLIB) based on actual applications received and criteria determined by SLIB. The CWSRF program currently has no active applications to be completed and approved prior to the start of the 2025 SFY.

From the project solicitation period the CWSRF program received thirty-four funding eligible “Needs Surveys”. All thirty-four projects would receive funding through the CWSRF Base and BIL General cap grants, and no new submittals for the BIL Emerging Contaminants cap grant funding. From the thirty-four project submissions the program created two separate funding lists for the traditional SRF project funding that will be available to it from the FFY 2023 CW Base, FFY 2023 BIL General, and FFY 2024 BIL General cap grants. The two lists that will utilize these CWSRF cap grants are the “Project Priority List” and the “Secondary Funding List” as described in detail below.

SFY 2025 State Revolving Fund IUP Project Solicitation and Application Process Change Description

The State Revolving Fund (SRF) program did “spring cleaning” on the existing DW and CW project lists. Current “in process” applications, approved applications without closed loan documents, approved projects in the design and/or construction phase, lead service line projects, and emerging contaminants projects from the State Fiscal Year (SFY) 2024 IUP will continue to be listed on the new SFY 2025 IUPs. Any other projects on the SFY 2024 IUPs have been removed from the lists.

The SRF program instituted a “Needs Survey” approach for each project intending to apply for SRF loan funds for State Fiscal Year (SFY) 2025. Any project fully intending to apply for a CWSRF loan during the SFY2025 was required to complete this survey. It was requested that projects not fully intending to apply for loans during SRF2025 delay filling out the survey until the year in which they will apply.

The Needs Survey asked similar questions as the previous project solicitation survey did and included a series of new questions regarding the intended project. The Needs Survey responses were used to assign a score that were reviewed by the SRF program for finalization. Once all of the Needs Surveys had been submitted and the scoring finalized, the SRF program assembled a “Project Priority List” to fund in SFY 2025. The Project Priority List (PPL) ranks projects based on the Needs Survey responses. The PPL ranking identifies allocated loan dollars and principal forgiveness awards for the projects to be funded in SFY

2025. The PPL ranking and allocations will provide the SRF program and loan applicants a better path forward in planning the funding side of these important infrastructure projects. Applicants completing a Needs Survey and not making it on the PPL have been placed on a secondary list of fundable projects.

The SRF program will require that applicants from the PPL to follow the application deadline schedule below:

Table 1. PPL Application Dates

New State Revolving Fund Application Cycle For Project Priority List		
SRF Pre-Application Meeting Deadline	SRF Application Due Date	SFY 2025 SLIB Meeting Date
4/5/2024	6/5/2024	10/3/2024
6/7/2024	8/7/2024	12/5/2024
8/9/2024	10/9/2024	2/6/2025
10/4/2024	12/4/2024	4/3/2025

Based on the established PPL application dates, any entity on the PPL that does not apply for their allocated funding and principal forgiveness will forfeit their allocated principal forgiveness dollars. A notification of the remaining, available amount of principal forgiveness will be posted on the OSLI SRF website after the last “Priority List” application due date of 12/4/2024 for any of the other projects on the secondary fundable project list to pursue.

Projects that are not identified on the PPL and are placed on the secondary funding list may apply for available SRF loan funds following the regular SRF application deadline process or they may wait to see if principal forgiveness comes available after the 12/4/2024 deadline. The secondary funding list applicants are eligible to receive the new lower interest rates that are applicable to the project and applicant at any time during the OSLI application and SLIB schedule.

There will also be a new “SRF Pre-Application Meeting” requirement. Every SRF loan applicant will need to schedule a pre-application meeting with the SRF Program at least 60 days prior to the application due date they are targeting. Any application received on a given application deadline without having completed the “pre-application meeting” will not be accepted for that cycle. This new step is being enacted to allow the program better communication with the applicant. During the meeting, SRF staff will, discuss the new facilities plan, and the new application process with the applicant. The application pre-application meeting will also allow the applicant to ask questions about the application process, SRF funding options, other funding options, and the SRF program as a whole.

Project Lists:

Attachment II Project Priority List

The CWSRF Project Priority List for the CWSRF program is comprised of all of the submitted projects that qualified for principal forgiveness with a population under ten thousand. From

the CWSRF FFY 2023 Base, FFY 2023 BIL General, transfer from the DWSRF FFY 2023 BIL General, and FFY 2024 BIL General cap grants the program had a total of \$15,362,323.50 in additional subsidies to award to qualifying submitted projects. The program received nineteen submissions for a total amount of qualifying project costs of \$26,141,223.00 dollars that qualified for a total principal forgiveness amount of \$14,848,243. Which resulted all projects receiving a full principal forgiveness award. The program decided to take the approach of awarding principal forgiveness to only the projects with populations under ten thousand because when the qualifying projects over the threshold were included in the allocations the principal forgiveness awards were diluted by a significant amount. The CWSRF program receives lower federal cap grants than the DWSRF side of the program, and this results in lower amounts available to the States program to award in principal forgiveness. With this fact and the fact that the SRF programs additional subsidies are designed to focus on smaller and disadvantaged systems. The program decided it would be prudent to focus the principal forgiveness awards on the project priority list only to the systems with populations under ten thousand.

In the Project Priority List the readers will find the submitted projects, the requested loan amount, allocated principal forgiveness amount, and the corresponding interest rate that the entity can expect to receive upon applying for funding. Within the program rules a zero percent interest rate was developed for any applicant that volunteers to be an equivalency project for the program. An equivalency project for the program must meet all of the federal requirements of the CWSRF program in order to receive the zero percent interest rate. The SRF program must have enough equivalency projects to report to the "Federal Funding Accountability and Transparency" office equal to the total cap grants awarded. While the Project Priority List does not reflect that any entity will receive the zero percent interest rate it does reflect which project submissions said that they would volunteer to be one. In order to qualify for this rate, the applicant will need to make this determination upon submitting the application. Once all of the federal requirements are met through the process the zero percent rate will be awarded at that the time of loan approval.

The program expects that the nineteen submitted projects making up the Project Priority List will submit loan applications during the designated application due dates discussed on page 19 of the IUP, and get the loans closed during the SFY 2025. The program intends to fund all of the closed loans with the listed CWSRF cap grants listed above. Focusing on the oldest grant year first starting with the BIL General grants until all of the applied for cap grants are committed to closed loans.

Attachment III Secondary Funding List

The Secondary Funding List is made up of fifteen submissions for a total project cost of \$91,406,941. These projects consist of entities that qualified for principal forgiveness with populations over ten thousand, those that do not qualify for principal forgiveness under program rules, and projects do to the nature of a public and private relationship being part of the funding model.

In the Secondary Funding List, the readers will find the submitted projects, the requested loan amount, and the corresponding interest rate that the entity can expect to receive upon

applying for funding. Within the program rules a zero percent interest rate was developed for any applicant that volunteers to be an equivalency project for the program. An equivalency project for the program must meet all of the federal requirements of the CWSRF program in order to receive the zero percent interest rate. The SRF program must have enough equivalency projects to report to the "Federal Funding Accountability and Transparency" office equal to the total cap grants awarded. While the Secondary Project List does not reflect that any entity will receive the zero percent interest rate it does reflect which project submissions said that they would volunteer to be one. In order to qualify for this rate, the applicant will need to make this determination upon submitting the application. Once all of the federal requirements are met through the process the zero percent rate will be awarded at that the time of loan approval.

The program expects that the fifteen submitted projects making up the Secondary Project List will submit loan applications during any of the designated application due dates on the OSLI website, and get the loans closed during the SFY 2025. The program intends to fund all of the closed loans with the listed CWSRF cap grants listed above. Focusing on the oldest grant year first starting with the BIL General grants until all of the applied for cap grants are committed to closed loans. Any loan amount above the cap grant amounts will be funded through the programs second round funds made up loan repayments and program investment income.

Attachment IV

Are projects submitted for the IUP that listed an emerging contaminants (EC) component to a project. The total project list is \$34 million dollars of which the emerging contaminant portion of these two projects will need to be vetted once an application for the funds are received. The CWSRF program is also considering using the initial FY2022 EC cap grant of \$459,000 to make a loan to a third party in order to conduct EC testing at wastewater treatment facilities and landfill locations. This will help provide the State with information on areas to focus on and project development.

The program at this time has decided not to apply for the 2023 BIL Emerging Contaminants Grant allotments. As the program has not received definitive replacement project proposals to make the program confident in knowing the amounts that would be used to close project loans as required by the EPA. It is the expectation of the program to be in a position to make an informed decision based on source water testing throughout the 2024 calendar year whether there is actual demand for the 2024 allotment. The program has until September of 2025 to be awarded the 2024 grant allotment.

Attachment V Projects Under Construction, Design, Loan Closing, or Application Process

Lists thirty-two projects that are currently in the CWSRF project pipeline that are in the construction/disbursing, loan closing, or application process phases. The amount of loans in the pipeline total \$268,105,550.00.

Attachment VI

Lists projects proposed for non-point source remediation/corrective actions at leaking underground storage tank (LUST) sites for FY2025. Their total estimated cost is \$8,508,000. The CWSRF program also expects that additional loans of approximately \$7,000,000 each will be requested for additional LUST projects in each of fiscal years FY2025-FY2028.

The State intends to fund projects at LUST sites as "equivalency" projects primarily.

Project funding decisions and bypass procedures:

Historically, the State has been able to fund all projects that apply for loan funding. The CWSRF program can no longer guarantee funding for all applicants without advanced funding planning. During the past several years there has been greater demands on the CWSRF program along with large financial projects coming from the wastewater sector. This demand has allowed the program to fully utilize the federal cap grants along with using up the actual second round fund balance it had carried for several years. This has been one of the driving factors in developing and utilizing the new IUP "Needs Survey" process. Now that the loan application amounts exceed the amount available for loans, the State will fund projects in order of priority of those that apply that are ready to proceed promptly with construction (or with design work for a design only loan). An exception may apply to projects eligible for the Green Project Reserve (GPR); these projects, in priority order, may bypass higher ranked projects if needed to achieve the minimum GPR funding requirement. Only projects on the "Project Priority Lists" will be considered eligible for funding, except in the case of emergencies as described below.

Emergency bypass procedures:

If the Wyoming State Lands and Investments Board (SLIB) determines that immediate attention is required to protect public health, a project may be funded with CWSRF funds; however, the IUP must first be amended to include the project. Any eligible costs would be reimbursable after the project meets CWSRF program requirements.

Transfer of Funds Between the DWSRF and the CWSRF Programs:

At the Governor's discretion, a state may transfer up to thirty-three percent of its DWSRF capitalization grant to the CWSRF or an equal amount from the CWSRF to the DWSRF. Transfers could not occur until at least 1 year after receipt of the first capitalization grant, which was June 30, 1999. This transfer authority was effective through FFY 2001. One-year extensions of this transfer authority were granted through Veterans Affairs, Housing and Urban Development, and Independent Agencies Appropriation Bill until the FFY 2006 appropriation bill, when the transfer provision was authorized indefinitely. In addition to transferring grant funds, states can also transfer state match, investment earnings, or principal and interest repayments between SRF programs.

To this point in Wyoming's State Revolving fund history the State has not had the need to transfer funds from one program to the other. Due to financial demands on the CWSRF program over the last few years, and the recent CWSRF 2025 IUP project solicitations. The SRF program has decided it was in the best interests of the CWSRF program to utilize the transfer rules available to it for SFY 2025. The SRF program made the decision to transfer 33 percent of the DWSRF 2023 General Supplemental cap grant over to the CWSRF program to fund projects.

Table 2 and Table 3 summarize transfers to date, and funds still available for transfer for the Base grant and the BIL General grant.

Table 2 Amounts Available to Transfer Between SRF Programs for the Base Grant

Year	Transaction Description	33% Max Transfer Amount Available to Transfer	Transferred from DWSRF to CWSRF	Transferred from CWSRF to DWSRF	DWSRF Funds Available for Transfer to CWSRF	CWSRF Funds Available for Transfer to DWSRF
2023	DW Grant Award	\$1,629,540	\$0	\$0	\$1,629,540	\$1,629,540
Total			\$0	\$0		

Table 3 Amounts Available to Transfer Between SRF Programs for the BIL General Supplemental Grants

Year	Transaction Description	33% Max Transfer Amount Available to Transfer	Transferred from DWSRF to CWSRF	Transferred from CWSRF to DWSRF	DWSRF Funds Available for Transfer to CWSRF	CWSRF Funds Available for Transfer to DWSRF
2023	DW Grant Award	\$6,948,150	\$0	\$0	\$6,948,150	\$6,948,150
2023	Transferred Grant Funds	\$6,948,150	\$6,948,150	\$0	\$0	\$6,948,150
2024	DW Grant Award	\$7,585,050	\$0	\$0	\$7,585,050	\$14,533,200
Total			\$6,948,150	\$0		

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CWSRF Financial Status

The following table summarizes the CWSRF financial status as of 4/24/2024.

Table 4. CWSRF financial status as of 4/24/2024

	Federal Grant	State Match (20%)	Total
Capitalization grants FY1991 through FY2009	\$135,830,917	\$27,166,183	\$162,997,100
ARRA 2009 grant (state match not required)	\$19,239,100	\$0	\$19,239,100
Capitalization grants FY2010 through FY2017	\$57,321,000	\$11,464,200	\$68,785,200
Capitalization grant FY2018	\$7,859,000	\$1,571,800	\$9,430,800
Capitalization grant FY2019	\$7,779,000	\$1,555,800	\$9,334,800
Capitalization grant FY2020	\$7,780,000	\$1,556,000	\$9,336,000
Capitalization grant FY2021	\$7,779,000	\$1,555,800	\$9,334,800
Capitalization grant FY2022	\$5,681,000	\$1,136,200	\$6,817,200
Capitalization grant FY2022 BIL General	\$8,738,000	\$873,800	\$9,611,800
Capitalization grant FY2022 BIL EC	\$459,000	\$0	\$459,000
Capitalization grant FY2023	\$3,683,000	\$736,600	\$4,419,600
Capitalization grant FY2023 BIL General	\$10,233,000	\$1,023,300	\$11,256,300
FY2023 BIL General 33% Cap Grant Transfer from DWSRF Program to Fund Projects	\$6,948,150	\$0	\$6,948,150
Capitalization grant FY2024 BIL General	\$11,164,000	\$2,232,800	\$13,396,800
Total Federal & State funds deposited into CWSRF Accounts (estimated)	\$290,494,167	\$50,872,483	\$341,366,650
Less Administration Set-Aside (4.0% of federal grants, except ARRA, estimated)			\$-11,109,615
Less Small Systems Technical Assistance - <=2% FY2022 grants			\$-938,123
Plus Total Loan Principal Repayments received*			\$266,767,886
Plus Total Loan Interest Payments received			\$55,148,760
Plus Investment Income earned			\$73,491,909
Less Loans awarded			-\$680,822,661
Equals Total Estimated Fund Balance Available for Capital Construction Funding with estimated FY2023 & FY 2024 capitalization grants.			\$43,904,806

* As of 4/24/2024 eighty (80) loans have been repaid in full for \$186,704,622.07. Fourteen (14) loans have had the principal forgiven. Sixty-Six (66) loans are in repayment status. Eight (8) loans have been cancelled. Twenty-Six (26) loans are in disbursement status. A total of two hundred five (205) loans have been awarded since inception, including twenty-six (26) fully or partially funded ARRA projects.

Additional Subsidization

Starting with the FY2010 federal capitalization grant, the State must use certain amounts of each capitalization grant to provide Additional Subsidization to eligible recipients. The State provides Additional Subsidization in the form of loans in which a portion of the principal will be forgiven upon project completion. SLIB determines the amount of Principal Forgiveness awarded to individual projects based on criteria set forth in SLIB Rules and Regulations Chapter 11 see appendix 8 and on the actual applications received. The rules base eligibility for Principal Forgiveness primarily on affordability criteria that are based on income data, unemployment data, and population trends, as mandated by the 2014 CWA amendments. The rules also allow eligibility based only on income criteria in cases where Principal Forgiveness does not need to be linked to affordability criteria. The rules specify a maximum percentage of Principal Forgiveness for applicants based on the given criteria. Table 5 shows the status of the Additional Subsidization requirement.

Table 5. Additional Subsidization Requirement Status as of 4/24/2024

Federal Grant Year	Federal Grant Amount	Min. Required Add. Sub.	Max. Allowable Add. Sub.
FY2010	\$10,002,000	\$1,497,982	\$4,993,274
FY2011	\$7,222,000	\$669,233	\$2,230,777
FY2012	\$6,908,000	\$383,922	\$575,882
FY2013	\$6,520,000	\$307,120	\$460,680
FY2014	\$6,853,000	\$372,924	\$559,386
FY2015	\$6,817,000	\$0	\$2,045,100
FY2016	\$6,525,000	\$652,500	\$2,610,000
FY2017	\$6,474,000	\$647,400	\$2,589,600
FY2018	\$7,859,000	\$785,900	\$2,357,700
FY 2019	\$7,779,000	\$777,900	\$2,333,700
FY 2020	\$7,780,000	\$778,000	\$2,334,000
FY 2021	\$7,779,000	\$777,900	\$2,333,700
FY 2022	\$5,681,000	\$568,100	\$1,704,300
FY 2022 BIL Gen	\$8,738,000	\$4,281,620	\$4,281,620
FY 2022 BIL EC	\$459,000	\$459,000	\$459,000
FY 2023	\$3,683,000	\$368,300	\$1,104,900
FY 2023 BIL Gen	\$10,233,000	\$5,014,170	\$5,014,170
FY2023 General Transfer Amount	\$6,948,150	\$3,404,594	\$3,404,594
FY 2024 BIL Gen	\$11,164,000	\$5,470,360	\$5,470,360
Totals with estimates		\$27,216,925	\$46,862,743
Additional Subsidization under binding commitment			\$28,150,052
Additional Subsidization conditionally awarded, binding commitment pending			\$0
Minimum Additional Subsidization still required			\$14,257,424
Maximum Additional Subsidization still available			\$15,362,324

Green Project Reserve

Starting with the FY2010 capitalization grant, to the extent there are sufficient eligible project applications, the State must use certain minimum amounts of the capitalization grants to fund projects that address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities (collectively referred to as "green" projects). This requirement is referred to as the Green Project Reserve, or GPR. Table 6 shows the status of the GPR. The SFY 2025 Needs Surveys showed that sufficient green projects are anticipated to apply for funding to meet the minimum required GPR amount. Other projects on the priority lists may be able to show, through a business case or additional information, that they also are green projects; these projects too will be considered eligible for award under the GPR. GPR loans will have an interest rate of 0 percent and will be eligible for Principal Forgiveness under the criteria established in SLIB rules.

Table 6. Green Project Reserve Status as 4/24/2024

Federal Grant Year	Federal Grant Amount	Minimum GPR %	Minimum GPR
FY2010	\$10,002,000	20%	\$2,000,400
FY2011	\$7,222,000	20%	\$1,444,400
FY2012	\$6,908,000	10%	\$690,800
FY2013	\$6,520,000	10%	\$652,000
FY2014	\$6,853,000	10%	\$685,300
FY2015	\$6,817,000	10%	\$681,700
FY2016	\$6,525,000	10%	\$652,500
FY2017	\$6,474,000	10%	\$647,400
FY2018	\$7,859,000	10%	\$785,900
FY 2019	\$7,779,000	10%	\$777,900
FY 2020	\$7,780,000	10%	\$778,000
FY2021	\$7,779,000	10%	\$777,900
FY 2022	\$5,681,000	10%	\$568,100
FY 2022 BIL Gen	\$8,738,000	10%	\$873,800
FY 2022 BIL EC	\$459,000	10%	\$45,900
FY 2023	\$3,683,000	10%	\$368,300
FY 2023 BIL Gen	\$10,233,000	10%	\$1,023,300
FY2023 General Transfer Amount	\$6,948,150	10%	\$694,815
FY 2024 BIL Gen	\$11,164,000	10%	\$1,116,400
Total			\$15,264,815
GPR amount under binding commitment			\$13,373,244
GPR amount conditionally awarded, binding commitment pending			\$0
Minimum GPR amount still required (estimate with 2022, 2023, & 2024 capitalization grants)			\$3,387,471

Short-term Goals

1. Continue to improve the water quality of the State's waters (surface and groundwater), meet the wastewater treatment needs of the State, and eliminate any public health hazards related to the discharge of inadequately treated wastewater.
2. Provide low interest (1.5 percent or 0 percent depending on type of project) financing (up to 100 percent loans for eligible project costs) on municipal wastewater facilities and systems, eligible Section 319 projects, and other eligible projects.
3. Ensure the technical integrity of Clean Water State Revolving Fund projects through the review of planning, design drawings and specifications, and construction activities.
4. Ensure compliance with all pertinent Federal, State, and local water pollution control laws and regulations.
5. Obtain maximum capitalization of the fund for the State in the shortest time possible.
6. Continue to evaluate and revise, as needed, the CWSRF affordability criteria.
7. Continue to evaluate the CWSRF's priority point system for project ranking commensurate with need. For the 2025 State Fiscal Year, the CWSRF program utilized a new needs survey approach in order to identify the projects for the 2025 IUP Priority Project List for the Base and General Supplemental EPA Cap Grants. This has allowed the CWSRF program to better pinpoint loan applicants that will be applying for the loan funds in current fiscal year. Thus, allowing the program to predetermine the allocation of additional subsidies and loan funding. This type of process should benefit the program and the borrowers in the execution of project funding and planning. Throughout the next year we will continue to evaluate the process and work to refine the overall process for future years.
8. The program along with the new IUP project solicitation method. Has changed the application process in the timing of getting loans approved and the application. In the 2025 fiscal year entities on the Project Priority List will have three State Lands and Investments Board meetings to have the applications approved at. The program has also made some changes to the application to account for the Emerging Contaminants funding in the normal question and answer portion of the application. It also will be requiring a written portion for the application that it is referring to as a "Facilities Plan". This written portion will consist of detailed project descriptions, detailed estimated project costs, evaluation of the project on the long-term operations and maintenance costs to the system, and the normal federal requirements of the program. Along with the new application the program will require all applicants to schedule a pre-application meeting with the program at a minimum of 60 days prior to their respective application deadline of choice. This meeting will entail a description of the CWSRF program, federal requirements, the applications, and time to field questions from the applicant.

Long-term Goals

1. Maintain, restore, and enhance the State's water quality to protect public health and the environment.
2. Maintain a permanent, self-sustaining State Revolving Fund program that will serve in perpetuity.
3. Fulfill the requirements of pertinent federal, state and local laws and regulations governing water pollution control activities, while providing the State and local project sponsors with maximum flexibility and decision-making authority regarding such activities.
4. To build a fully staffed and expertly trained SRF staff to help our communities build and maintain the infrastructure within the State of Wyoming.
5. Work to create a technical assistance program that can help the wastewater systems within the State with management and compliance issues.

Information on the Activities to be Supported

SLIB is the grant recipient for the federal capitalization grant. The revolving loan account receives the federal capitalization grant and the 20 percent State match generated from the underground storage tank Corrective Action Account. This account receives money from the oil and gas severance tax equal to one cent per gallon on gas and special fuels sold or distributed in the State.

During the 2022 Legislative session, the CWSRF program got a legislative change to the program statutes on how the program may attain the SRF grant match funding. If the available funds from the corrective action account are insufficient to provide the full twenty percent (20%) state match amount, the board may authorize additional match funding to be paid from the mineral royalty capital construction account created by W.S. 9-4-604 through a short-term loan from the program. The loan funding received from the corrective action account and or the mineral royalty capital construction account for state matching funds shall be reimbursed from eligible repaid CWSRF loan interest and CWSRF fund investment income funds to the account from which the loan was provided.

The primary types of assistance are loans for underground storage tank remedial actions and for wastewater system improvements. The CWSRF makes loans to the DEQ for use in making payments to contractors for site investigations and corrective action contamination cleanup work at underground storage tank sites. These loans are made at a 0 percent interest rate for a 20-year repayment period. The CWSRF also makes loans to eligible applicants (counties, municipalities, joint powers boards, state agencies, and other political subdivisions) to finance wastewater and non-point source projects.

During the past year the CWSRF program has completed the rule making process to create several low interest rate scenarios to benefit the communities in the State as listed below:

- 1.50% for all loans that have received a full Principal Forgiveness award under the program rules.
- 1.25% for all loans that do not qualify for Principal Forgiveness.
- 0% on all “Green” loans or “Green” components of a loan.
- 0% on loans for applicants that volunteered to serve as a CWSRF equivalency project for one of the State’s CWSRF Federal Grants.
- 0% on loans in which the project consolidates smaller systems into an already existing system; or consolidating several smaller systems into one consolidated system. Thus, reducing the number of WYPEDS Systems in the State.
- When full Principal Forgiveness awards are not available the applicant will receive the partial Principal Forgiveness award along with a decreased interest rate in relation to the full Principal Forgiveness award they would have qualified for:
 - 75% Principal Forgiveness are eligible for a 0.50% Interest Rate
 - 50% Principal Forgiveness are eligible for a 0.75% Interest Rate
 - 25% Principal Forgiveness are eligible for a 1.00% Interest Rate
- Large Loan Incentive Interest Rates for a single project or systems that have a group of projects ready to fund:
 - Loans in the amount of \$7.5 million up to \$10 million are eligible for a 0.75% Interest Rate.
 - Loans in the amount of \$10 million up to \$15 million are eligible for a 0.50% Interest Rate.
 - Loans in the amount of \$15 million or higher are eligible for a 0.25% Interest Rate.
- All eligible loans made for the emerging contaminants funding will receive a 0% interest rate.

The interest rates were determined to ensure maximum fund utilization. The program also understands that the majority of the water systems within the State need an affordable avenue to finance infrastructure projects.

In addition, each applicant will pay a 0.5 percent origination fee upon completion of loan documents. The origination fee is put into an account to be used for the administration of the CWSRF program in the event that the amount the federal cap grants allow for administration of the program do not meet the program demands, or to continue to run the programs in the event the federal cap grants are no longer funded for the CWSRF program. The current balance of the CWSRF administration account from the loan origination fees is \$553,779.15.

Program Administrative Funds from CWSRF Federal Capitalization Grants:

The State plans on applying for an amount equal to 4 percent of the FY2023 federal grant for administrative expenses, as authorized in the CWA. The State continues to bank 4 percent (\$769,564) of the ARRA 2009 federal grant, to be drawn from a future federal grant, for administrative expenses. These funds will be used to pay reasonable administrative costs of the CWSRF program not to exceed 4 percent of all CWSRF federal grants (cumulative) awarded to the fund. This covers program development, review of treatment system facilities plans, review of construction and bid documents, assistance and oversight during planning, design and construction, loan origination work, administering repayments, costs associated

with the public comment process, staff salaries, and associated costs to administer the program.

For the upcoming CWSRF FFY 2023 and 2024 grant allotments, the State intends on applying for the CWSRF 2023 Base, BIL General 2023, and BIL General 2024 allotments and utilizing the 4 percent administrative expenses funds of \$1,003,200 respectively available to the State.

All awarded program administrative funds not drawn in the current year will be available to be drawn from future federal grants, up to the 4 percent maximum allowed. The actual program administrative funds expended and carried forward from the federal grant will be accounted for and reported in the CWSRF Annual Report and will be part of EPA's annual program oversight review.

The CWSRF program will use first in, first out (FIFO) accounting, per EPA directions, on all CWSRF federal grant cash draws for expediting federal grant close-outs.

CWSRF 2 Percent Technical Assistance:

The Bipartisan Infrastructure Law signed on November 15, 2021 created the following use of the CWSRF grant funds:

(k) Additional Use of Funds.--A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.

This means States have the flexibility to use up to an amount equal to 2 percent of their annual CWSRF capitalization grant for the purpose of hiring staff, nonprofit organizations, or regional, interstate, or municipal entities to assist rural, small, and tribal publicly owned treatment works. The form of that assistance is flexible and could include, but is not limited to, community outreach, technical evaluation of wastewater solutions, preparation of applications, preliminary engineering reports, and financial documents necessary for receiving SRF assistance. This provision applies to the base program, the BIL CWSRF General Supplemental fund, and the BIL CWSRF Emerging Contaminants fund.

The maximum amount of CWSRF money that may be used to provide technical assistance consistent with section 603(k) of the CWA is an amount equal to 2 percent of all grant awards received by a state CWSRF after November 15, 2021. If a state does not utilize the full amount of the technical assistance funds allowed under a capitalization grant, they may reserve the right to utilize the unused portion at a later date.

Wyoming plans on applying for the CWSRF 2023 Base, BIL General 2023, and BIL General 2024 capitalization grant and using the full 2 percent amount of \$113,620 (2022 Base), \$174,760 (2022 BIL General), \$73,660 (2023 Base), \$204,660 (2023 BIL General), and \$223,280 (2024 BIL General) to set up and enter into a contract with an outside organization to mirror the use of the funds in the DWSRF 2 percent Technical assistance program. The program will also look at utilizing this funding for to create fiscal sustainability plans for small

systems. If the program demands do not dictate that the additional grant dollars are needed the program reserves the right to access the 2 percent Technical Assistance from future years.

All awarded program 2% technical funds not drawn in the current year will be available to be drawn from future federal grants, up to the 2 percent maximum allowed. The actual program administrative funds expended and carried forward from the federal grant will be accounted for and reported in the CWSRF Annual Report and will be part of EPA's annual program oversight review.

The CWSRF program will use first in, first out (FIFO) accounting, per EPA directions, on all CWSRF federal grant cash draws for expediting federal grant close-outs.

Cash Draw Ratio:

In FY2023 and prior, the CWSRF program used a cash draw ratio of 83.33 percent federal funds and 16.67 percent state match funds for all of the Traditional CWSRF Capitalization grants.

Starting in FY2024 the CWSRF program will no longer use the proportionality method for cash draws. The State has decided that it will first use the State's match portion to make payments for the program. Once the State's match portion has been exhausted the State will draw down the Federal capitalization grant funds for all loan disbursements at a rate of 100 percent. This procedure will commence with the FFY2022 CWSRF grants.

Data Entry:

The State will perform monthly updates to the CW SRF data system. In addition, the State will perform monthly updates to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) to meet the Federal Funding Accountability and Transparency Act as required in the grant conditions of awarded grants.

Procurement of Architectural and Engineering Services:

All leaking underground storage tank (LUST) remediation activities funded by CWSRF are designated as using the CWSRF first round funds; i.e., they are "equivalency" projects. Accordingly, all new solicitations, significant contractual amendments, and contract renewals for architectural and engineering services that are initiated on or after October 1, 2014, and that use CWSRF equivalency monies from the FY2015 capitalization grant or later, need to be negotiated in the same manner as a contract for architectural and engineering services is negotiated under the Title 40 USC Chapter 11. Since implementation of State practices for architectural and engineering services on LUST projects may not comply with requirements under Title 40 USC Chapter 11, LUST program use of loans using FY2015 or later equivalency funds will be limited to non-engineering costs (such as construction work that is put out for bid, utility payments, and laboratory contracts) and to engineering contract amendments that are considered to not be significant. Such contract amendments will be for engineering contracts initially awarded before October 1, 2014. These amendments will be only those determined to not be significant amendments using best professional judgment analyzing the increases to both scope and cost of work as allowed by EPA interpretive

guidance. LUST projects are the only projects needed to meet this and other "equivalency" requirements in CWSRF.

The demands on the LUST program in future years does not appear to be able to be relied upon to meet the full "equivalency" requirements of the CWSRF grant requirements for FY 2022 and beyond. Thus, the CWSRF program will be looking at making rule changes that incorporate the following CWSRF program requirement for equivalency projects:

On June 10, 2014, President Obama signed into law the Water Resources Reform and Development Act of 2014 (WRRDA). Among its provisions are amendments to the Federal Water Pollution Control Act (FWPCA), which include changes to the administration of the Clean Water State Revolving Fund (CWSRF) program. Per Section 602(b)(14) of FWPCA (33 U.S.C. § 1382(b)(14)), beginning October 1, 2014, all contracts, including new solicitations, significant contractual amendments, and contract renewals must now publicly announce when soliciting for architectural and engineering services and must negotiate contracts for those services using a qualifications-based selection (QBS) process. This is a requirement for all CWSRF projects receiving assistance in fiscal year 2016 and beyond. Drinking Water State Revolving Fund projects are excluded from this requirement.

Selecting an Architectural/Engineering Design Firm:

1. The applicant shall publicly issue a request for qualifications (RFQ) based on a scope of work. Some suggestions for inclusion in the solicitation include the following:
 - a. Project name and details, including intended size, function, capacity, and other general requirements.
 - b. Project budget and anticipated funding sources.
 - c. Anticipated project schedule, including completion of design work, construction start, and planned project completion date.
 - d. Unique requirements such as zoning or environmental problems, if known.
 - e. Specific services to be provided by the engineer or architect, such as preliminary engineering reports, final design, construction observation or management, etc.
2. The applicant shall evaluate and rank the submitted qualifications statements based on established, publicly available criteria (the criteria may be included in the solicitation, made available through a website, etc.);
3. The evaluation criteria used by the applicant shall be based on demonstrated competence and qualification for the type of professional services required (e.g., past performance, specialized experience, and technical competence in the type of work required);
4. The applicant shall engage in discussions with at least three firms to consider anticipated concepts and compare alternative methods for furnishing services;
5. The applicant shall select at least three firms considered to be the most highly qualified to provide the services required. It is highly recommended that the applicant contacts clients that the firms have worked with during the last five years for references;
6. The applicant shall begin contract negotiations with the most highly qualified firm to

determine compensation that is fair and reasonable based on a clear understanding of the project scope, complexity, professional nature, and the estimated value of the services to be rendered;

7. In the event that a contract cannot be negotiated with the most highly qualified firm, negotiation continues in order of qualification.

The Architectural/Engineering Procurement requirements in this section are a requirement of the traditional CWSRF program as well as the CWSRF grants created by the Bi-Partisan Infrastructure Bill.

Please contact the CWSRF staff for guidance documents pertaining to this federal requirement.

Assurances and Specific Proposals

The State has assured compliance with the following sections of the law in the State/EPA Capitalization Grant Operating Agreement. In addition, the State has developed specific proposals on implementation of those assurances in the attachments to the Operating Agreement developed by the SLIB and DEQ.

Environmental Reviews - The State of Wyoming certifies that it will conduct environmental reviews of each Section 212 project receiving assistance from the Clean Water State Revolving Fund. Wyoming will utilize procedures equivalent to National Environmental Policy Act procedures in conjunction with such environmental reviews.

Section 602(b) (3) - Binding Commitments - The State of Wyoming certifies that it will enter into binding commitments equal to at least 120 percent of each quarterly payment within one year after receipt.

Section 602(b) (4) - Timely Expenditures - The State of Wyoming certifies that it will expend all funds in the Clean Water State Revolving Fund in an expeditious and timely manner.

Davis Bacon Act- The State of Wyoming certifies that Borrower must agree that all laborers and mechanics employed by contractors and subcontractors on the project, funded directly by or assisted in whole or in part by a Loan, shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor pursuant to 40 U.S.C.A. § 3142(b).

ATTACHMENT I
SFY 2025 CWSRF NEEDS SURVEY



CWSRF IUP - Google
Forms.pdf

ATTACHMENT II PROJECT PRIORITY LIST

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
1	93	Town of Newcastle	96610	3,374	Landfill #1 Remediation project	Contain treat and discharge landfill leachate to protect ground water in the area.	NPS	\$1,000,000	\$250,000	1.50%	10/3/2024	No
2	60	Town of Pine Haven	95907	553	Lagoon Infiltration Repairs	The Town has been getting excess water in their final cell of their lagoons. With it being winter, it has been difficult to determine the source of the water, however it is believed that it is entering through the wall of the lagoon from the adjacent cell which is of higher elevation.	I	\$1,000,000	\$750,000	1.50%	12/5/2024	Yes
3	55	Big Valley & Crossed Arrows ISD	N/A	35	New Community Septic System	Repair or Replace failing community septic system. System has had several instances of raw sewage surfacing and flowing out of leachfield area.		\$100,000	\$75,000	1.50%	2/6/2025	Yes
4	50	Town of Pinedale	20656	2,005	Pinedale Wastewater Treatment Facility Rehabilitation Phase 1 and Phase 2 Engineering	Upgrade septic receiving station, replace anaerobic pond covers, replace UV disinfection, install outfall diffuser, secondary treatment upgrade design and engineering	I	\$1,895,350	\$473,838	1.50%	10/3/2024	Yes
5	49	Town of Encampment	20591	452	Lagoon Improvements, Phase II	Upgrades to treatment including installation of improved aeration system and potentially including baffling and/or pond covers in order to address discharge compliance for BOD, pH, and future nutrient requirements.	I	\$500,000	\$375,000	1.50%	10/3/2024	No
6	38	Town of Sinclair	20397	374	2025 Sewer Improvements Project	Replacement and/or rehabilitation of old, deteriorated sewers within the existing collection system.	III	\$1,000,000	\$500,000	1.50%	10/3/2024	No
7	37	City of Torrington	20231	6,119	East D Street-US Highway 26/30th Avenue	Storm Sewer replacement and upgrades	III	\$2,500,000	\$625,000	1.50%	10/3/2024	No

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
8	37	Town of Pine Bluffs	32212	1,156	Pine Bluffs Gravity Sewer and East Lift Station Upgrades	The project consists of upgrades to support infrastructure upgrades to the East LS as well as improve upon new gravity sewer mains within the Town's sanitary sewer collection system. Project upgrades would include an upstream debris management solution to address destructive items prior to the wastewater pumps, generator upgrades, SCADA improvements, and roadwork associated for the sanitary sewer design. In addition to this, the project would also include the installation of new gravity sewer main upgrades to a new industrial areas nearby.	III	\$3,710,000	\$2,782,500	1.50%	2/6/2025	Yes
9	36	Town of Newcastle	96610	3,374	2025 Improvements project	Replace leaking failing and aged sewer mains and manholes.	III	\$1,000,000	\$250,000	1.50%	10/3/2024	Yes
10	35	Town of Pine Bluffs	32212	1,156	Pine Bluffs Sewage Treatment Lagoons Upgrades	Development and infrastructure upgrades within the Town of Pine Bluffs have proven that the treatment facility can only handle approx. 78gpm of additional average daily wastewater flows until capacity concerns become problem at the existing treatment facility. The new infrastructure upgrades and future anticipated flows will greatly exceed the existing lagoons capacity. The project upgrades to address the capacity concerns at the lagoons include new aeration for increased evaporation and treatment, lagoon baffling improvements to minimize short circuiting, chemical building and outlet structure for treatment, SCADA improvements, and bringing power to the existing lagoons.	I	\$3,838,000	\$2,878,500	1.50%	2/6/2025	Yes
11	34	Town of Dubois	20834	911	Sanitary Sewer Improvements	Replace old, deteriorated, and undersized (4-inch) sewer mains, and install manholes at angle points and terminations where there are none. Install new sewer main where there currently is none within the service area/Town core.	III	\$600,000	\$450,000	1.50%	10/3/2024	Yes

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
12	33	Town of Saratoga w/ Saratoga Carbon County Impact Joint Powers Life	21491	1,702	Town of Saratoga Collection System Improvements Project	Replacement of approximately 3,000.00 feet of existing sewer main lines. The work includes the replacement of two sewer main lines that cross the North Platte River. Recent video shows the deterioration of the lining of the existing pipe. In addition to replacement/rehabilitation of the river crossings, the project would install redundant measures for both crossings. Alongside the river crossings the project will replace existing clay lines in the alleys on the west side of town. These lines are aged and in poor condition.	III	\$3,150,000	\$1,575,000	1.50%	12/5/2024	Yes
13	25	Town of Fort Laramie	20567	206	Sewer Improvements Phase V-VI	Town of Fort Laramie has been working to upgrade their municipal sanitary sewer and water utility to bring it up to current DEQ and EPA standards. We have upgraded our sanitary sewer collection outfall line from the southeast end of town south to their wastewater lagoons, upsized and synthetical lined their finishing lagoon and removed and replaced about 50% of our undersized and outdated sanitary sewer collection pipeline network (including manholes and service lines). This project seeks to address the remaining outdated and, in some cases, undersized, sanitary sewer pipelines.	III	\$1,656,873	\$1,242,655	1.50%	12/5/2024	Yes
14	24	Town of Opal		63	Upgrade sewer main, and lift station generator.	Replace damaged sewer main and upgrade lift station generator to gain efficiency	III	\$200,000	\$150,000	1.50%	2/6/2025	No
15	21	Town of Pinedale	20656	2,005	Shallow Water Main Sewer Repairs	Replace compromised sewer lines in the project area of the Shallow Water Main Replacement Project	III	\$295,000	\$73,750	1.50%	10/3/2024	Yes
16	21	Town of Thayne	25895	380	Thayne North Sewer Extension	Extend sewer to the north area of Town where residents are using inadequate onsite wastewater systems.	IVA, IVB	\$780,000	\$585,000	1.50%	12/5/2024	No
17	21	Town of Dubois	20834	911	Meckem Street Improvements	Install storm sewer to connect to WYDOT storm system	NPS	\$430,000	\$322,500	1.50%	10/3/2024	Yes

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
18	15	Town of Wheatland	20150	3,588	16th Street Reconstruction Project	Reconstruct 16th Street - including wastewater lines and connections	III	\$1,500,000	\$750,000	1.50%	2/6/2025	Yes
19	15	Town of Pine Bluffs	32212	1,156	Pine Bluffs North Lift Station Upgrades	The project consists of replacements and upgrades of the Town's North Lift Station pumps, VFDs, upgrades to the existing generator, SCADA upgrades, wet-well improvements, and site work. Development and infrastructure upgrades within the Town of Pine Bluffs have proven that the North Lift Station is near capacity and only 70gpm of peak day capacity is available until upgrades occur, and new development within the Town will place larger wastewater loads on the station than they can currently handle. The North Lift Station is the final lift station before reaching the Town's wastewater treatment lagoons and is a critical piece of infrastructure for Pine Bluffs.	III	\$986,000	\$739,500	1.50%	2/6/2025	Yes
Funding Totals								\$26,141,223	\$14,848,243			

- Categories
- I. Secondary Wastewater Treatment
 - II. Advanced Wastewater Treatment
 - III. Sewer System Rehabilitation
 - IVA. New Collector Sewers and Appurtenances
 - IVB. New Interceptor Sewers and Appurtenances
 - VIA. Stormwater Conveyance
 - VIB. Stormwater Treatment
 - VIC. Storm Water Green Infrastructure
 - X. Recycled Water Distribution
 - NPS. Non-Point Source

ATTACHMENT III SECONDARY FUNDING LIST

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
1	147	Town of Jackson	21458	10,760	Jackson GI/LID pilot projects	Implementation of projects/initiatives identified by the Stormwater Management Program, including some GI/LID applications with direct water quality improvement for receiving surface waters. This specific project in multi-year planning involves conceptual planning and design of a pilot project to install green infrastructure to manage stormwater runoff from the public right-of-way.	NPS	\$45,000	\$0	1.25%	12/5/2024	No
2	139	City of Sheridan	R040000	19,625	Sheridan Stormwater	Stormwater controls, urban runoff. Area waters are on 303(d) list for E. coli and sediment repairment.	NPS	\$3,500,000	\$0	0.00%	12/5/2024	Yes
3	87	Kemmerer Diamondville Water & Wastewater JPB	20320	2974	KDWWJPB WWTP	Design for new WWTP plant. The request is for design services related to a project with an estimated total cost of \$70,000,000.	II	\$7,500,000	\$0	0.75%	10/3/2024	Yes
4	76	City of Kemmerer	N/A	2,974	Gateway PUD	Storm Sewer portion of infrastructure for Gateway subdivision in the City of Kemmerer.	NPS	\$1,119,617	\$0	0.75%	10/3/2024	Yes
5	53	City of Laramie	22209	31,407	West Laramie Lift Station	This project includes construction of a new West Laramie Lift Station, located adjacent to the City of Laramie's wastewater treatment plant. This new construction is due to the existing facility reaching the end of its useful life. The primary project objectives include construction of a new wastewater lift station and removal or abandonment of the existing wastewater lift station. The new wastewater lift station will include at a minimum the following features: bar screen with an overflow channel, washer compactor, communications equipment integrated with the existing communications system, integration into the existing backup generator system or addition of a new backup generator system, and bypass pump connections.	I	\$9,500,000	\$0	1.00%	10/3/2024	No

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
6	52	City of Kemmerer	N/A	2,415	Canyon Road Commercial Section	Project is a dedicated storm sewer (piping, inlets and appurtenances) in a portion of the Canyon Road Development-Commercial Section.	NPS	\$4,333,370	\$0	0.75%	10/3/2024	Yes
7	52	City of Kemmerer	N/A	2,415	Canyon Road Multi-Residential	Provide a dedicated storm sewer (piping, inlets and appurtenances) in a portion of the Canyon Road Multi-Residential Development.	NPS	\$1,205,954	\$0	0.75%	10/3/2024	Yes
8	41	City of Sheridan	20010	19,625	Sheridan Sanitary Sewer Improvements	Replace/rehabilitate old, deteriorated sewers and appurtenances. Upsize undersized sewers. Also add new sewer lines to areas that are currently being developed.	III	\$9,000,000	\$0	0.00%	12/5/2024	Yes
9	28	Teton Village Water & Sewer District	N/A	1,000	Rachel Way Sewer Line Replacement	Project will replace (pipe-burst) approximately 400 L.F. of leaking clay sewer main and connections constructed in the 1960s and early 1970s.	III	\$130,000	\$0	1.25%	12/5/2024	Yes
10	26	City of Cody	20451	10,224	Cody Utility Services Shop	The Needs Study has found that the City's Electric division will require additional office, warehouse, and storage yard space over a 20-year planning horizon. It is expected that a similar finding will be made for the Water and Wastewater divisions. Based on these long-term needs, the City's consultant has recommended planning for a new Cody Utility Services Shop that will combine the Electric, Water, and Wastewater divisions into a new shop on property that the City owns. By moving the Water and Wastewater divisions out of the City's existing Public Works Shop (currently shared by Streets, Storm Drainage, Vehicle Maintenance, Water, and Wastewater), the City's Public Work Shop will be able to serve the future shop and yard storage needs of Streets, Storm Drainage, and Vehicle Maintenance. The City is seeking funding for the Wastewater division (clean water SRF) and Water division (drinking water SRF) to be combined with funding from the City's Electric division to create a combined funding package for the proposed Cody Utility Services Shop project. The new Cody Utility Services Shop is projected to cost \$20 million.		\$7,000,000	\$0	1.00%	12/5/2024	Yes

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Category	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
11	26	Town of Jackson	21458	10760	Jackson Sewer Replacements	Replace system assets for one of the following: aged, deteriorated, undersized, need to be routed off of private property, difficult to maintain, or other similar. This specific project in multi-year CIP implementation replaces an aged sewer line in conjunction with a larger project for water main and street upgrades.	III	\$973,000	\$0	1.25%	12/5/2024	No
12	25	City of Cody	20451	10,224	Cody Sanitary Sewer East Extension	Extend sanitary sewer collection system with necessary trunk mains, regional lift station, force main, and SCADA controls to serve areas east of the City of Cody incorporated limits identified for potential annexation in both the 2014 Comprehensive Land Use Plan and the 2021 Water Master Plan (for treated water service expansion).	III	\$5,000,000	\$0	1.00%	2/6/2025	No
13	2	Kemmerer Diamondville Water & Wastewater JPB	20320	2,974	Gateway PUD	Residential	III	\$9,100,000	\$0	0.75%	10/3/2024	Yes
14	2	Kemmerer Diamondville Water & Wastewater JPB	20320	2,974	Canyon Road Commercial Development	New sewer services for commercial development on Canyon Road in Diamondville	III	\$31,000,000	\$0	0.75%	10/3/2024	Yes
15	2	Kemmerer Diamondville Water & Wastewater JPB	20320	2,974	Canyon Road Multi Residential Development	Sewer collection services for development	III	\$2,000,000	\$0	0.75%	10/3/2024	Yes
Funding Totals								\$91,406,941	\$0			

Categories

- I. Secondary Wastewater Treatment
- II. Advanced Wastewater Treatment
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- IVA. New Collector Sewers and Appurtenances
- IVB. New Interceptor Sewers and Appurtenances
- VIA. Stormwater Conveyance
- VIB. Stormwater Treatment
- VIC. Storm Water Green Infrastructure
- X. Recycled Water Distribution
- NPS. Non-Point Source

**ATTACHMENT IV
EMERGING CONTAMINANTS LIST**

Rank	Needs Survey Points	Project Owner	WYPDES No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
1	60	Green River, City of	20443	11,825	Green River WWTP Lagoon Reclamation	Reclamation of 35 acres of wastewater lagoons. Lagoons are 60 years old, and are in the process of being phased out in favor of a mechanical WWTP. Reclamation is expected to be phased over several years, and will likely involve dealing with emerging contaminants.	\$4,000,000	Program Rules Will Dictate at Time of Award	0.00%
2	60	Sheridan, City of	20010	18,737	Sheridan Big Goose, Little Goose, and Goose Creek Ecosystem, Flood Control, and rehabilitation Project.	Rehabilitate storm water runoff control with improvements to spillways, head gates, Concrete flood control channels, re-channelization and all pertinent improvements. Improve wetlands, reduce potentially harmful algae, reduce sediment transportation, reduce E.coli, and reduce pollutants.	\$30,000,000	Program Rules Will Dictate at Time of Award	0.00%

ATTACHMENT V
PROJECTS UNDER CONSTRUCTION, DESIGN, LOAN CLOSING, or APPLICATION PROCESS

Loan Number	Project Owner	Project Name	Loan Amount	Status
CW123	DEQ	Leaking Underground Storage Tanks	\$10,000,000.00	Disbursing
CW132	DEQ	Leaking Underground Storage Tanks	\$11,100,000.00	Disbursing
CW137	DEQ	Leaking Underground Storage Tanks	\$14,000,000.00	Disbursing
CW146	DEQ	Leaking Underground Storage Tanks	\$20,500,000.00	Disbursing
CW156	DEQ	Leaking Underground Storage Tanks	\$8,000,000.00	Disbursing
CW160	City of Green River	Wastewater Treatment Plant Replacement Facility Design	\$2,400,000.00	Disbursing
CW161	DEQ	Leaking Underground Storage Tanks	\$15,000,000.00	Disbursing
CW169	City of Cody	Wastewater Treatment Facility Upgrade & Expansion	\$2,167,600.00	Disbursing
CW172	DEQ	Leaking Underground Storage Tanks	\$9,000,000.00	Disbursing
CW177	City of Laramie	North Laramie Sanitary Sewer Trunk Main	\$2,500,000.00	Disbursing
CW181	City of Sheridan	Landfill Cell Closure & Permanent Cap	\$1,500,000.00	Disbursing
CW182	City of Green River	WWTP Replacement Facility Construction	\$45,100,000.00	Disbursing
CW183	City of Laramie	Wastewater Treatment Plant Upgrades	\$9,500,000.00	Disbursing
CW184	North Sweetwater W and S District	Lagoon Modifications & Collection System Upgrades	\$2,953,650.00	Disbursing
CW185	DEQ	Leaking Underground Storage Tanks	\$9,500,000.00	Disbursing
CW188	Town of Guernsey	Landfill Remediation Project	\$500,000.00	Disbursing
CW189	City of Torrington	WWTP Modifications	\$7,000,000.00	Disbursing
CW191	Town of Lusk	Phase II of Utility Improvements-Sewer Rehab	\$4,010,000.00	Disbursing
CW192	DEQ	Leaking Underground Storage Tanks	\$7,000,000.00	Disbursing
CW193	Teton Village W and S District	WWTP Upgrades	\$4,200,000.00	Disbursing
CW195	Town of Moorcroft	Landfill Site Investigation & Preliminary Engineering Report	\$250,000.00	Disbursing
CW196	City of Sheridan	Main Street Project	\$1,700,000.00	Disbursing
CW197	City of Sheridan	Landfill Cell 10 Phase I	\$4,115,000.00	Disbursing
CW198	City of Sheridan	Landfill Remediation Corrective Measures Construction	\$3,696,500.00	Disbursing
CW199	DEQ	Leaking Underground Storage Tanks	\$7,000,000.00	Disbursing
CW200	City of Sheridan	WWTP South Clarifier Replacement	\$1,200,000.00	Disbursing

Loan Number	Project Owner	Project Name	Loan Amount	Status
CW201	DEQ	Leaking Underground Storage Tanks	\$9,000,000.00	Loan Closed
CW203	Town of Upton	Sewer & Stormwater Replacement Phase 1-3	\$4,120,000.00	Loan Closing
CW204	Town of Upton	Colorado Ave Sewer	\$206,250.00	Loan Closing
TBD	City of Sheridan	WWTP Upgrades	\$7,800,000.00	Loan Closing
TBD	City of Gillette	WWTP Phase II Upgrades	\$15,000,000.00	Loan Closing
TBD	City of Lander	Multi Year Sewer System Rehab	\$28,086,550.00	Loan Closing
Total Funding			\$268,105,550.00	

ATTACHMENT VI
FY2025 PROPOSED LEAKING UNDERGROUND STORAGE TANK
NON-POINT SOURCE PROJECTS

Storage Tank Program Remediation Project		FY2025
GIS Data Base Development (Environ)		
	Maintenance	\$5,000
Sweetwater County (SRF804300, Amendment 9, Fremont)		
	O&M	\$125,000
	Construction/Construction Oversight	\$15,000
	Decommission	\$125,000
Laramie East Grand/Upper Platte Valley (SRF107100, Amendment 11, AnteaGroup)		
	SSI	\$100,000
	Design	\$50,000
	Injections	\$80,000
	Construction Oversight	\$85,000
	Construction	\$100,000
	O&M	\$450,000
	Decommission	\$25,000
Rawlins #1/Baggs/Green River 2/West Casper/Niobrara-Goshen (SRF117100, Amendment 7, Terracon)		
	SSI	\$25,000
	O&M	\$225,000
	Injection	\$130,000
	Decommission	\$10,000
Albany County/Diamond/Shamrock #4545 (SRF124100, Amendment 7, Apex)		
	O&M	\$75,000
Central Wyoming (SRF123100, Amendment 6, Fremont)		
	O&M	\$275,000
	Injection	\$125,000
	Decommission	\$50,000
Riverton 3/Riverton/Riverton 2/Wind River/Jackson (SRF130100, Amendment 5, AECOM)		
	Construction Oversight	\$25,000
	Construction	\$50,000
	O&M	\$325,000
Rawlins #2 (SRF134100, Amendment 7, Trihydro)		
	SSI/Design	\$28,000
	Injections	\$175,000
	O&M	\$175,000
North Evanston/South Evanston (SRF129100, Amendment 6, AnteaGroup)		
	SSI/Design	\$125,000
	Construction/Construction Oversight	\$65,000
	Injections	\$100,000
	O&M	\$200,000
	Decommission	\$25,000

Lincoln/Sublette Counties/Pinedale 2/Teton CO (SRF135100, Amendment 6, Stantec)		
	O&M	\$200,000
	Injections	\$75,000
	Decommission	\$50,000
Rock Springs/Pilot Butte (SRF137100, Amendment 5, WSP)		
	Injections	\$45,000
	O&M	\$150,000
	Construction Oversight	\$15,000
	Decommission	\$15,000
N Big Horn Basin/Lovell (SRF138100, Amendment 4, Fremont)		
	O&M	\$140,000
	Injections	\$15,000
	Decommission	\$25,000
Jeffrey City/Bairoil/YNP/Teton CO 2/Cheyenne 2 (SRF143100, Amendment 5, Terracon)		
	SSI/Injections	\$100,000
	O&M	\$125,000
Worland 2/Ten Sleep/Thermopolis/East Gillette (SRF144100, Amendment 5, Fremont)		
	Construction Oversight	\$25,000
	Injections	\$20,000
	O&M	\$125,000
Ft. Bridger/Kemmerer Design-Build (SRF145100, Amendment 5, AnteaGroup)		
	SSI	\$30,000
	Design	\$10,000
	Construction/Construction Oversight	\$60,000
	Injections	\$100,000
	O&M	\$100,000
Rock Springs 4 Design/Build (SRF142100, Amendment 6, AECOM)		
	O&M	\$125,000
	SSI/Injections	\$35,000
Albany County 2/Laramie-Third Street (SRF149100, Amendment 4, Trihydro)		
	Design	\$10,000
	Construction Oversight	\$25,000
	Construction	\$35,000
	Injections	\$300,000
	O&M	\$375,000
	Decommission	\$15,000

Lander/Hudson (SRF128100, Amendment 5, AnteaGroup)		
	Design	\$25,000
	Injections	\$15,000
	O&M	\$75,000
Southeast Wyoming (SRF151100, Amendment 4, WSP)		
	SSI/Injections	\$250,000
	Construction/Construction Oversight	\$15,000
	O&M	\$750,000
	Design/Decommission	\$30,000
Shoshoni/Lysite/Sheridan/Buffalo (SRF152100, Amendment 4, AnteaGroup)		
	SSI	\$50,000
	Design	\$125,000
	Construction Oversight	\$100,000
	Construction	\$100,000
	O&M	\$250,000
	Injections	\$200,000
	Decommission	\$50,000
Carbon County (SRF154100, Amendment 4, Trihydro)		
	SSI/Design	\$55,000
	Injections	\$250,000
	O&M	\$375,000
	Decommission	\$25,000
Buckhorn Grocery (SRF160100 through Amendment 3, Fremont)		
	O&M	\$55,000
PROJECT TOTALS		\$8,508,000

ATTACHMENT VII
SUMMARY of COMMENTS and RESPONSES FROM PUBLIC MEETING

Public Meeting was held June 3, 2024 as advertised May 4, 2024 in the Wyoming Star-Tribune and on the DEQ and OSLI websites at the DEQ office (200 W. 17th St. 2nd floor), and by Google Meets/call-in.

Participants at the public meeting:

From State Lands: Ben Wolff, Penzi Tran, and Ben Wolff

From DEQ: Keenan Hendon, Stan Miller, Shawn King, Bradley Ellis and Iris Kurz

From WWDO: Jennifer Russell

Public Participants:

George Hruska- Oftedal Construction

Bryce Dorr, Frank Strong, and Clint Bassett- Board of Public Utilities for City of Cheyenne

Joshua Richardson- WWC Engineering

Brooks Webb- City of Laramie

Christopher Peltz- Teton County

Greg Stumpff- City of Newcastle

Carmen McIntyre- Crook County Natural Resources District

Mark Westenskow- City of Green River

Brandon Noble- HDR Engineering Inc.

Dayton Alsaker- DOWL Engineering

Cindy Sanchez- City of Laramie

Discussion: The meeting started by Mr. King having all of the State Revolving Fund staff that was present and two public participants physically present introduce themselves. Went on to state that we would have the other participants introduce themselves as they were called upon.

Proceeded to finish opening the meeting by stating that the public meeting was to take and address any comments that those attending had regarding the SRF Intended Use Plans. That had been posted on the DEQ and OSLI websites for SFY 2025 for review. At that time, we asked for anyone that had comment or questions to proceed to raise their hands for SRF members to call on.

Brooks Webb from the City of Laramie had a question as to the interest rate that was posted for their submitted project on the CWSRF IUP. He was wondering why the large loan interest rate was not used in the IUP's presentation. Shawn King addressed the question by stating that the interest rates used in the IUP for all projects were just based on the qualification criteria and utilization of the program's principal forgiveness. That when an application is actually submitted and the loan approved the final interest rate that a project will qualify for will be set in the loan documents for closing. The stated rates in the IUP are not final.

After this question we called for the next comment or question. There were no more comments or questions at that time. So, SRF program staff asked for people to volunteer comment on what they liked or disliked about the IUP and application process we designed for the SFY 2025 IUP. No one stepped forward with any comment. So, Beth Blackwell started to call upon attendees so that we could get some feedback.

Carmen McIntyre, George Hruska, Mark Westenskow, and Brandon Noble when called upon stated that they were just attending to listen in to learn if anything new was being presented or to learn more about the program and process.

Brooks Webb stated that it was good for it made them to have to drill down on the project that they really needed to focus on to get done.

Bryce Dorr when called upon asked how we could take project solicitations and start the application process before the IUPS were approved. Shawn King answered by that it was a process that the program had done many times in the past, and that the program has always worked the applications while putting the IUPS together. The one caveat being that the applicant must understand that the loan cannot be approved and closed until the IUP process and all board approvals are complete. Then he stated that the program is planning to have the CWSRF IUP finalized and taken to the August 2024 SLIB meeting for final approval. Then the DWSRF IUP should be taken to the October 2024 SLIB board meeting. Shawn went on to state that the program will be looking at opening up the project solicitation of the SFY 2026 IUP in November or December 2024 to allow the program to complete the process by the June of 2025 SLIB meeting. So, the whole process is done prior to the SFY 2026 starting on July 1, 2025.

Frank Strong after hearing about the solicitation of the projects being moved up by one to two months. Stated that it could be a problem. For municipalities would not have their budgets completed. The program feels that the majority of the water and wastewater projects that come in for funds are conceptualized and planned to pursue construction before the budgets are done in most cases.

Dayton Alsaker stated that he liked that the IUP project lists were cleaned up and we started over. He then asked if the pre-application meetings are still required for he had heard we did away with them. The program told him that we are still doing them.

Joshua Richardson was the last attendee to make any comments. He attended the meeting to hear if there was anything new and to learn more about the process. He then told us about a client, Osage Water and Sewer District, that he is working with. They are having multiple problems with their water and sewer system and that they really need to get their TMF in order. For they had taken over a water system that Blackhills Energy owned, but not all of the assets have formally been transferred to the District. Beth asked if it would be beneficial to for us to have Midwest Assistance our TA provider contact the him and the District to see if they could help.

The meeting was kept open until 2:40 to see if anyone else would sign in online. No one else signed on, and the meeting was adjourned at 2:30 pm.

ATTACHMENT VIII
Chapter 11: Clean Water State Revolving Fund Program Rules

Chapter 11
Clean Water State Revolving
Fund Loans

Section 1. Authority.

This Chapter is adopted pursuant to Wyoming Statute 16-1-203(a).

Section 2. Definitions. In addition to the definitions in Chapter 1, as used in this Chapter:

(a) “Additional Subsidies” means principal forgiveness, grants, and Green Project Reserves loans as authorized by state or federal legislation and as adopted by the Board.

(b) “County” means a political subdivision of the State of Wyoming pursuant to W.S. 18-1-101(a)-(y).

(c) “DEQ” means the Wyoming Department of Environmental Quality.

(d) “Emerging Contaminants” refer to substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment. These substances, microorganisms, or materials can include many different types of natural or manufactured chemicals and substances – such as those in some compounds of personal care products, pharmaceuticals, industrial chemicals, pesticides, and micro plastics.

(e) “Emergency” means a direct threat to the continued operation of a community water system.

(f) “Green Project Reserve” means funds loaned out to implement a process, material, technique, or technology that addresses water or energy efficiency goals, mitigates stormwater runoff, or encourages sustainable project planning, design, and construction.

(g) “Initiating Operations” means the earliest point in time when a capital infrastructure project is ready for use even if only for system testing purposes.

(h) “Intended Use Plan (IUP)” means the annual plan that priority ranks eligible Wyoming projects for funding consideration by the Board that meet 1987 Clean Water Act amendments, the requirements of W.S. 16-1-203(c)(i), and the IIJA.

(i) “Infrastructure Investment and Jobs Act of 2021” (IIJA) means U.S. Public Law 117-58, signed November 15, 2021; providing supplemental funding for eligible projects and funding to address Emerging Contaminants.

(j) “Joint Powers Board(s)” means legally organized Wyoming entities authorized to engage in joint or cooperative action by the Wyoming Joint Powers Act pursuant to W.S. 16-1-101 et. seq.

(k) “Municipalities” means incorporated towns and cities in Wyoming.

(l) “Principal Forgiveness” means a portion of the loan’s principal is forgiven and need not be repaid.

(m) “Special District” means any legally formed special district in Wyoming that is eligible for program funding.

(n) “Special Program Requirements” include, but are not limited to, restrictions on the types of project materials that may be used, required funding reserves, qualification-based selection of architectural and engineering services, and minimum wage requirements as set forth in state or federal legislation and as adopted by the Board.

(o) “State Environmental Review Process (SERP)” means the review conducted by DEQ, pursuant to W.S. 16-1-204(a), of potential environmental impacts of projects receiving assistance from the Account.

(p) “Substantial Completion” means that stage in a project when the capital infrastructure constructed is capable of initiating operations or can be used for its intended purpose.

(q) “USEPA” means the United States Environmental Protection Agency.

Section 3. General Policy.

(a) The Board shall approve loans and Additional Subsidies under the provisions of this Chapter in such a manner and to such applicants as shall, in the judgment of the Board, inure to the greatest benefit of the citizens of the State of Wyoming and represent a prudent use of loan funds.

(b) Supplemental and Emergency Contaminant funding for loans and additional subsidies under this Chapter is subject to a supplemental congressional appropriation in the Infrastructure Investment and Jobs act of 2021 (IIJA). To facilitate key provision of this Act, the Board will consider funding applications for:

- (i) Projects addressing Emerging Contaminants; and,
- (ii) Conventional clean water projects.

Section 4. Additional Subsidies and Special Program Requirements.

(a) Notice. OSLI and DEQ will assess, at least annually, the impacts of state and federal legislation on the Clean Water State Revolving Fund loan program administered under this Chapter. OSLI will provide timely notice to eligible applicants of changes in Additional Subsidies and Special Program requirements. Said notice will be not less than thirty (30) calendar days prior to any application deadline. Methods of notice include, but are not limited to, electronic, telephonic, written, website postings, video conferences or combinations of the same.

Section 5. Base and Supplemental Loan and Additional Subsidies Eligibility

(a) Applicants. Municipalities, counties, state agencies, special districts, and joint powers boards in Wyoming shall be eligible applicants for loans and Additional Subsidies under this Chapter.

(b) Additional Subsidies. Additional Subsidies shall be awarded in the form of Principal Forgiveness and Green Project Reserve loans. The Additional Subsidies will be awarded in accordance with all federal regulations. OSLI will award points based on population trend, income data, unemployment data, enterprise system rate management, and the prior year's propriety tax and four percent (4%) sales tax collections to determine the amount of principal forgiveness an applicant is eligible to receive. Applicants whose total points are nine (9) or greater are eligible for principal forgiveness of up to seventy-five percent (75%) of their loan amount. Applicants whose total points are equal to or greater than six (6) but less than nine (9) are eligible for principal forgiveness of up to fifty percent (50%) of their loan amount. Applicants whose total points are equal to or greater than three (3) but less than six (6) are eligible for principal forgiveness of up to twenty-five percent (25%) of their loan amount. Applicants whose total points are less than three (3) are not eligible for principal forgiveness.

(i) Population trend points are awarded based on the category that the applicant was in as of the last decennial census (or other available population data acceptable to OSLI if decennial census data is not available). If an applicant can show population trend data demonstrating that it has likely dropped to a smaller category since the last decennial census, its points will be adjusted up accordingly.

(A) Applicants whose population is five hundred (500) or less will receive three (3) points.

(B) Applicants whose population is between five hundred one (501) and three thousand, three hundred (3,300) will receive two (2) points.

(C) Applicants whose population is between three thousand, three hundred one (3,301) and ten thousand (10,000) will receive one (1) point.

(D) Applicants whose population is ten thousand, one (10,001) or greater will receive zero (0) points.

(ii) Income data points are awarded based on ratio of the local annual median household income (AMHI) to the State AMHI, using data from the most recently released American Community Survey 5-year estimates. If no data directly corresponding to the applicant is available, the AMHI of the nearest municipality will be used as the default. The applicant may provide alternate data acceptable to OSLI, such as an income survey, at the applicant's expense and in lieu of American Community Survey 5-year estimates.

(A) Applicants whose AMHI is less than sixty percent (60%) will receive three (3) points.

(B) Applicants whose AMHI is sixty percent (60%) or greater, but less than seventy percent (70%) will receive two and one half (2.5) points.

(C) Applicants whose AMHI is seventy percent (70%) or greater, but less than eighty percent (80%) will receive two (2) points.

(D) Applicants whose AMHI is eighty percent (80%) or greater, but less than ninety percent (90%) will receive one and one half (1.5) points.

(E) Applicants whose AMHI is ninety percent (90%) or greater, but less than one hundred ten percent (110%) will receive one (1) point.

(F) Applicants whose AMHI is one hundred ten percent (110%) or greater will receive zero (0) points.

(iii) Unemployment data points are awarded based on relationship of the local unemployment rate to the State unemployment rate. Local and State unemployment rates for the most recent quarter by county as published by the Wyoming Department of Workforce Services will be used.

(A) Applicants whose unemployment rate is equal to or greater than the State rate will receive one (1) point.

(B) Applicants whose unemployment rate is less than the State rate will receive zero (0) points

(iv) Enterprise system rate management points are awarded based on the relationship of the entity's average annual water rate as a percentage of their AMHI.

(A) Applicants whose average annual water rate is two percent (2%) or greater of the AMHI will receive (1) point.

(B) Applicants whose average annual water rate is less than two percent (2%) of the AMHI will receive zero (0) points.

(v) Prior year's property tax and four percent (4%) sales tax collection points will be awarded based the amount of taxes collected by an entity, rounded to the nearest dollar, as reported in the Wyoming Department of Revenue's Annual Report.

(A) Applicants whose total collections are is less than two hundred fifty thousand dollars (\$250,000.00) will receive five (5) points.

(B) Applicants whose total collections are between two hundred fifty thousand one-dollar (\$250,001.00) and five hundred thousand dollars (\$500,000.00) will receive four (4) points.

(C) Applicants whose total collections are between five hundred thousand one-dollar (\$500,001.00) and one million dollars (\$1,000,000.00) will receive three (3) points.

(D) Applicants whose total collections are between one million one dollars (\$1,000,001.00) and two million five hundred thousand dollars (\$2,500,000.00) will receive two (2) points.

(E) Applicants whose total collections are between two million five hundred thousand one dollars (\$2,500,001.00) and five million dollars (\$5,000,000.00) will receive one (1) point.

(F) Applicants whose total collections are greater than five million dollars (\$5,000,000.00) will receive zero (0) points.

(c) Principal Forgiveness Contingency. Receipt of Principal Forgiveness is contingent on the applicant completing a first loan draw within eighteen (18) months of the effective date of the loan agreement and continuing to make loan draws at least quarterly until the project is complete. Failure of the applicant to comply with these terms shall result in the awarded Principal Forgiveness being forfeited. A request for an extension may be submitted to OSLI if additional time is necessary

(d) The amount of Green Project Reserve funding will be determined by DEQ based on the project information provided and the requirements of the state and federal regulations.

(e) AMHI data is based on information obtained from the most recent American Community Survey of the U.S. Census Bureau. Median household

income data for special districts will be based on the closest municipality unless income information via an income survey at district expense or other financial data acceptable to OSLI and the Board. If the applicant is a special district or a joint powers board, it must be legally formed and approved prior to submitting its loan application. Applicants must be in compliance with all applicable reporting requirements of both the Wyoming Department of Revenue and the Wyoming Department of Audit prior to its application being considered by the Board. For consideration at the October Board meeting, applicants must file their current financial reports by September 10th with the Department of Audit and notify the OSLI in writing that the filing was done.

(f) Purposes. Loans and Additional Subsidies may be awarded by the Board pursuant to W.S. 16-1-205(a). The Board may authorize loans to refinance existing debt incurred completing an eligible project. The Board may also award loans and Additional Subsidies consistent with changes in state or federal law. Refinancing existing debt obligations for which debt was incurred and building began after March 7, 1985.

(g) Project Eligibility. Only projects on the current Clean Water State Revolving Fund Intended Use Plan are eligible for loans and Additional Subsidies under this Chapter. Eligible applicants are responsible for ensuring that their project(s) are listed on the current Clean Water State Revolving Fund Intended Use Plan.

(h) Ineligible Project Costs. The following project costs shall be ineligible for reimbursement:

- (i) Costs for any asset that is owned by a private property owner;
- (ii) Costs for tap fees, sewer and water fees, and plant investment fees;
- (iii) Engineering fees, including design, inspection and contract administration costs, over twenty percent (20%) of Board approved project costs;
- (iv) All non-cash costs except land which is integral to the treatment process and if allowable under federal law but not costs for land in excess of current fair market value and/or costs for an amount of land in excess of that needed for project purposes;
- (v) Costs for preparation or presentation of grant or loan applications for any source of funding;
- (vi) Costs for transportation, meals, and lodging, and incidentals incurred anywhere away from the site of the project or that exceed the current federal per diem reimbursement rate;
- (vii) Costs of tools, supplies and furnishings for capital projects not included in DEQ approved construction contract documents, including but not limited

to, capital equipment, hammers, tools, furniture, drapes, blinds, file cabinets, file folders, and survey stakes;

- (viii) Legal fees, except as pre-approved by DEQ and OSLI;
- (ix) Costs related to the issuance of bonds;
- (x) Costs of elections;
- (xi) Costs to establish and form special districts or joint powers boards;
- (xii) Costs incurred prior to loan award, except costs incurred for architectural and engineering design, surveying, state environmental review process (SERP) requirements or in emergency circumstances;
- (xiii) Costs for change orders not approved by DEQ and OSLI;
- (xiv) Lump sum contracts unless approved by DEQ and OSLI;
- (xv) Costs in excess of \$50.00, unless approved by DEQ and OSLI, based on an invoice(s) or additional documentation submitted by applicant;
- (xvi) Costs associated with the applicant's own employees and equipment, unless pre-approved by DEQ;
- (xvii) Markups by engineers/architects of sub-consultant and other outside charges;
- (xviii) Projects undertaken using alternate design and construction delivery methods under W.S. 16-6-701, unless pre-approved by DEQ.

Section 6. Application Procedure.

- (a) Applications. Separate applications shall be prepared for each project. Applicants shall submit a complete application on a form provided by OSLI.
- (b) Public Meeting Requirement. All eligible applicants must hold a minimum of one public meeting in advance of submitting an application for Board consideration. Notice of the public meeting is to be published in a local or regional newspaper fifteen (15) days prior to the same. The public meeting must provide the public an overview of the proposed project, financing and sustainability. The overview aspect of the public meeting must, at a minimum, address project scope, milestones and costs. The financing aspect of the public meeting must, at a minimum, address the financial impact of project costs upon the public. The sustainability aspect of the public meeting must, at a minimum, address the revenue streams, adjustments of water and sewer rates or other sources required to sustain the proposed project. Eligible applicants must verify compliance with the

public meeting requirement through documentation submitted with their loan applications.

(c) **Timing of Board Consideration.** Applications must be received by the Director at least one hundred twenty (120) calendar days prior to any scheduled meeting of the Board. Applicants must cure any defects in their applications no later than forty-five (45) calendar days before any scheduled meeting of the Board. The Board may consider applications for loans under this Chapter at any scheduled meeting.

(d) **Incomplete Applications.** Incomplete applications, those missing one or more of the information items requested and/or failing to meet established deadlines, shall not be presented to the Board for consideration.

Section 7. Evaluation.

(a) **Criteria.** The Board shall evaluate applications utilizing the following criteria:

- (i) Whether the applicant is current on all its repayment obligations to the Board;
- (ii) Whether the applicant's dedicated source of revenue is acceptable to the Board and will be sufficient to repay its requested loan;
- (iii) Whether the applicant is ready to proceed with construction or implementation of the project;
- (iv) Whether the applicant has established an adequate operations and maintenance costs fund for the project for which applicant seeks funding;
- (v) Whether the applicant has made a significant commitment of funding resources for the project for which it seeks funding;
- (vi) The percentage of the applicant's population directly served by the project;
- (vii) The project's priority rank on the current intended use plan (IUP); and
- (viii) Whether the project is appropriately sized for the population to be served by the project.

(b) If assessments are included as part of the dedicated source of repayment, applicant shall establish an annual assessment equal to, or greater than, the amount of the annual debt service payment on the loan. This assessment schedule will be filed with the County Assessor's Office on or before February 15th of each year for the full term of the loan, a copy of which will be sent to the OSLI

annually.

(c) Interagency Consultation. The OSLI shall facilitate interagency consultation with DEQ through the review of applications for loans and Additional Subsidies and the opportunity to provide comments to the Director for Board consideration. The Board shall request the DEQ to provide the services required under W.S. 16-1-201 through W.S. 16-1-207.

Section 8. Board Consideration.

(a) The Board shall consider each complete application, and allow for comments from the applicant, the Director and DEQ. The Board shall also establish loan amounts and terms. Loan terms shall not exceed thirty (30) years, or the useful life of the project, whichever is less.

Section 9. Interest Rates. The interest rate for all loans made under this Chapter shall be established by the Board pursuant to Chapter 14 of these rules.

Section 10. Repayment.

(a) Annual payments for all loans shall begin one year after substantial completion of the project as indicated in the final project contract. Annual payments for loans used to refinance existing debt shall begin no later than one (1) year after loan approval.

Section 11. Disbursement of Loan Proceeds.

(a) Requests for disbursements shall be submitted on a form provided by the Director and include supporting invoices establishing the eligibility of costs submitted for disbursements. Proceeds will only be disbursed for eligible project costs as set forth in this Chapter and within federal guidelines following review by the OSLI and DEQ.

(b) Any loan for a project that spans more than one construction season shall submit an updated timeline to OSLI and DEQ for the project not less than annually.

Section 12. Audits and Inspections.

(a) The Board shall ensure compliance with the provisions of the Single Audit Act and Subpart F of Title 2 U.S. Code of Federal Regulations (CFR) Part 200. *Uniform Administrative Requirements. Cost Principles, and Audit Requirements for Federal Awards.* On an annual basis records of loan recipients shall be, at a minimum, compiled by an independent accounting firm. Notification of compliance shall be made to the Board in the form of a Compilation, Review, or Audited Financial Statement prepared by an independent accounting firm. The Board may, at its expense, conduct an independent audit of the loan recipient's records and inspect the construction and operation of the project. Loan recipients

shall maintain project accounts in accordance with Generally Accepted Government Accounting Standards (GAGAS).

(b) The Board may, at its expense, conduct an independent audit of the loan recipient's records and inspect the construction and operation of the project. Loan recipients shall maintain project accounts in accordance with Generally Accepted Government Accounting Standards (GAGAS). Loan recipients shall assist and provide any information required by the auditors.

Section 13. Reports.

(a) The Director, or the Director's designee, shall review all reports prepared by the OSLI and DEQ for submission to the USEPA.

Section 14. Program Compliance.

(a) The Board shall administer the water pollution control revolving loan account program in accordance with all applicable federal laws and regulations. The Board shall enter into, and periodically update, a Memorandum of Understanding with the OSLI and DEQ to implement the program and facilitate program compliance.

Section 15. Fees.

(a) A loan origination fee of one-half of one percent (0.5%) of the amount of the loan will be collected at loan closing. The fees will be deposited to the Administrative Account as authorized by W.S. 16-1-205(d).

Section 16. IIJA Emerging Contaminants Funding. The Board may award funding from IIJA funds under this Section for projects that address Emerging Contaminants. For awards under this Section, the provisions of this Section shall supersede any inconsistent provisions in any other section of this Chapter.

(a) Loan and Additional Subsidies Eligibility.

(i) Applicants. Publicly Owned Water Systems in Wyoming listed on the Project Priority List specifically related to Emerging Contaminants shall be eligible to apply for loans and Additional Subsidies under the Section.

(ii) Additional Subsidies. Additional Subsidies may be awarded in the form of Principal Forgiveness, to the extent available, and in accordance with all federal regulations. All loans awarded under this section qualify for one hundred percent (100%) Principal Forgiveness, contingent on compliance with federal requirements.

(iii) Disadvantaged Community Eligibility. All entities with identified areas meeting the Emerging Contaminants definition in Section 2(e) are considered

disadvantaged under this section and qualify for one hundred percent (100%) Principal Forgiveness.

(b) Eligible Projects. Projects shall be eligible under this Section if they:

- (i) Meet all DWSRF eligibility criteria;
- (ii) Are primarily intended to address Emerging Contaminants in drinking water; and
- (iii) Meet all other federal program requirements.

(c) Eligible Costs. The following project costs shall be eligible for reimbursement under this Section, subject to federal program requirements:

(i) Emerging contaminants costs associated with the construction of a new treatment facility or upgrade to an existing treatment facility that addresses Emerging Contaminants.

(ii) Development of a new source that addresses an emerging contaminant issue. Water rights purchases must meet all criteria in the Class Deviation for Water Rights in order to be eligible for funding under this section.

(iii) Consolidation with another water system that does not have Emerging Contaminants present or has removal capability.

(iv) Costs for planning and design and associated pre-project costs.

(v) Infrastructure related to pilot testing for treatment alternatives.

(vi) Creation of a new community water system to address unsafe drinking water provided by privately-owned wells or surface water sources.

Section 17. Planning and Assessment Grants. The Board may use a portion of the additional subsidies from the capitalization grants to fund qualifying Planning and Assessment activities.

(a) The amount available for grants under this subsection shall be defined in the annual IUP.

(b) The following activities may qualify for grants under this subsection:

- (i) Asset management, fiscal sustainability, cost and effectiveness analyses;
- (ii) Capital improvement plans;

- (iii) Integrated planning;
- (iv) Long-term control plans;
- (v) Water or energy audits;
- (vi) Conservation plans facility plans;
- (vii) Treatment works security and safety plans;
- (viii) Risk or vulnerability assessments;
- (ix) Emergency preparedness response and recovery plans;
- (x) Drought management plans;
- (xi) Climate adaptation plans;
- (xii) Environmental management systems;
- (xiii) Watershed management plans; and
- (xiv) Total maximum daily load implementation plans.

(c) Applicants for grants under this Section shall submit an application on a form provided by OSLI and governed by the provisions of Section 7 of this Chapter.

(d) The Board shall award grants under this Section to such applicants and in such amounts as shall, in the judgment of the Board, inure to the greatest benefit of the citizens of the State of Wyoming and represent a prudent use of funds.