

July 2024

**Wyoming Department of Environmental Quality  
Wyoming Water Development Commission  
Wyoming State Loan and Investment Board**

**Drinking Water State Revolving Fund**

**FY2025 Intended Use Plan**

**Introduction**

The 1996 Safe Drinking Water Act (SDWA) 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 Drinking Water State Revolving Fund (DWSRF) to meet SDWA objectives and further the protection of public health. The IUP contains the following elements:

1. Priority List of Drinking Water Projects
2. Criteria and Method for Distribution of Funds
3. DWSRF Financial Status
4. Additional Subsidization
5. Green Project Reserve
6. Short- and Long-term Goals of the Program
7. Description of Set-Aside Accounts and Activities

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 OSOI websites. The public was informed of the posting of the drafts by advertisement in the following State newspaper: Casper Star-Tribune on May 1, 2024 and by sending out notices to all of the subscribers to the GovDelivery email system for the State of Wyoming. The DWSRF program held a public meeting on the draft IUP on June 3, 2024, in Cheyenne. Appendix 6 summarizes comments and responses from the public meeting. Additionally, pursuant to State law, DEQ, OSOI and WWDO submitted the IUP to the Select Water Committee for review, comment and recommendations. The Wyoming State Loan and Investment Board (SLIB) authorized the Final Intended Use Plan at its meeting on October 3, 2024. The Final IUP will be submitted to EPA Region VIII.

**Priority List of Projects**

The Wyoming State Revolving Fund program decided to change the project solicitation method for the program for traditional SRF funding projects. It was decided that the program would solicit projects for the State Fiscal Year (SFY) 2025 Intended Use Plan (IUP) through a "Needs Survey". Throughout the year and upon the opening of the project solicitation period prospective borrowers were made aware that we would be wiping the traditional SRF project lists clean, and only carry over the Lead Service Line and Emerging Contaminants funding lists. The program only asked for entities that planned to apply for DWSRF loan funds in SFY 2025 to submit projects for the IUP. The intentions behind this approach were to allow the program to be able

to better plan the allocation of the loan funding and be able to define the amount of principal forgiveness to qualifying entities.

From the project solicitation period the DWSRF program received thirty-nine funding eligible “Needs Surveys”. Thirty-seven for projects that would receive funding through the DWSRF Base and BIL General cap grants, and then two that would be funded through the BIL Lead Service Line cap grant funding. From the thirty-seven 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 DW Base, FFY 2023 BIL General, and FFY 2024 BIL General cap grants. The two lists that will utilize these DWSRF cap grants are the “Project Priority List” and the “Secondary Funding List” as described in detail below.

## **Appendix 1 DWSRF Project Priority List**

The DWSRF Project Priority List for the DWSRF program is comprised of all of the submitted projects that qualified for principal forgiveness. From the DWSRF FFY 2023 Base, FFY 2023 BIL General, and FFY 2024 BIL General cap grants the program had a total of \$20,594,626.50 in additional subsidies to award to qualifying submitted projects. The program received twenty-six submissions for a total amount of qualifying project costs of \$47,062,031.00 dollars that qualified for a total principal forgiveness amount of \$21,418,517.00. Which resulted in an overall shortfall of awardable principal forgiveness of 3.8467% or \$823,890.50 shortfall. This resulted in no projects receiving a full principal forgiveness award, but rather a partial principal forgiveness award and a corresponding reduced loan interest rate as defined in the program rules.

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 DWSRF 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 the time of loan approval.

The program expects that the twenty-six submitted projects making up the Project Priority List will submit loan applications during the designated application due dates discussed on page 14 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 DWSRF 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.

## **Appendix 2 Secondary Funding List**

The Secondary Funding List is made up of eleven submissions for a total project cost of \$50,810,000.00. These projects consist of entities that do not qualify for principal forgiveness under program rules or 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 DWSRF 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 eleven 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 DWSRF 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 of loan repayments and program investment income.

## **Appendix 3 Lead Service Line Inventory/Replacement Project List**

Lists the projects related to Lead Service Line identification and removal and has a total project sum of \$59,494,000 in projects that indicated that they would pursue funding in SFY 2025 or later. The 2023 BIL Lead Grant allotment for the State of Wyoming is \$28,650,000. The 2024 BIL Lead Grant allotment for the State of Wyoming is \$28,650,000. The program at this time has decided not to apply for the 2023 BIL Lead Grant allotment. 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 the how the lead service line inventories progress throughout the 2024 calendar year to decide if the program will have more definitive commitments from the public water systems to apply for the 2024 LSL allotment. The program has until September of 2025 to be awarded the 2024 grant allotment.

## **Appendix 4 Emerging Contaminants Project List**

Lists twelve projects for the study and remediation of Emerging Contaminants totaling \$27,450,00 starting in SFY 2025. Of which only \$7,000,000 is for projects listed that have done required testing to isolate the emerging contaminants affecting their source water. The 2023 BIL Emerging Contaminants Grant allotment for the State of Wyoming is \$7,640,000. This program will likely grow over the next several years. The DWSRF program will encourage WY

systems to utilize these funds in the coming years and perform the emerging contaminants testing needed to identify and develop projects to correct emerging contaminants.

The program at this time has decided not to apply for the 2023 BIL Emerging Contaminants Grant allotment. 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 to make a decision on applying for the 2024 BIL Emerging Contaminants Grant allotment. The program has until September of 2025 to be awarded the 2024 grant allotment.

## **Appendix 5 Projects Under Construction, Design, Loan Closing, or Application Process**

Lists twenty-five projects that are currently in the DWSRF project pipeline that are in the construction/disbursing, loan closing, or application process phases. The amount of loans in the pipeline total \$91,626,095.00.

## **Criteria and Method for Distribution of Funds**

The Safe Drinking Water Act amendments of 1986 and 1996 imposed many new regulatory requirements upon public water suppliers. Public health and compliance problems related to these requirements are the most influential criteria in Wyoming's project ranking system. System deficiencies, as related to public health and compliance, are also considered in the Wyoming ranking system. The financial impact of the proposed project on the system users along with the systems management is also considered; the communities that exhibit a high rate of financial management within their water enterprise system to be positioned to fund a project are awarded points under the affordability criteria.

A summary of the ranking criteria and scoring is listed below. The complete Wyoming DWSRF Ranking System is attached to this plan as Appendix 2.

1. General Category - 119 points maximum
2. Public Health Issues- 20 points maximum
3. Compliance Issues - 13 points maximum
4. System Deficiencies that may affect public health or ability to comply - 32 points maximum
5. Project Needs Category – 12 points maximum
6. Affordability - 10 points maximum
7. Green Project Eligibility – 95 points maximum

Because public health issues may result from a variety of causes, points may be obtained from more than one of the first five ranking system categories listed above. For example, any documented public health issue, such as a boil order resulting from bacteriological contamination, would be accompanied by compliance and system deficiencies points. Points are not awarded for any issue which results from lab or operator error. Typically, project proposals that address immediate public health receive the highest overall scores, followed by proposals that address lower risk public health threats, such as chemical contaminants present

at low levels, and then by proposals that address system deficiencies that may not allow compliance with existing or future regulatory requirements before noncompliance occurs.

The Wyoming DWSRF program is required annually to use at least 15 percent of all funds credited to the DWSRF account to provide loan assistance to systems serving fewer than 10,000 people. Because the majority of systems in Wyoming serve fewer than 10,000 people, this requirement has and will continue to be achieved.

### **Financial planning:**

The State of Wyoming bases its financial planning for the DWSRF on the following factors: fund utilization, Mineral Royalty Grant funding that will be available for potential drinking water projects to access in conjunction with DWSRF funds, and projects ready to proceed. The core loan program interest rate of 1.5 percent and the special terms under recent capitalization grants have increased loan applications over the last few years. In addition, the loan origination fees and the interest payments are projected to increase as projects are completed and loan repayments begin. Furthermore, the health of the fund will increase with a higher fund utilization rate to replenish the revolving fund.

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

**Table 1 Amounts Available to Transfer Between SRF Programs for the Base Grant**

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

**Table 2 Amounts Available to Transfer Between SRF Programs for the BIL General Supplemental 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	\$6,948,150	\$0	\$0	\$6,948,150	\$6,948,150
2023	Transfer of 2023 DWSRF BIL 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		

**Interest rates and different types of assistance:**

The current market rate is calculated annually in March; the current market rate is 6.60 percent. The market rate is calculated using the Range of Yield Curve Scales, for Bonds with a rating of BAA for a twenty-year period.

During the past year the DWSRF 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 receiving the full amount of Principal Forgiveness they qualified for 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 DWSRF equivalency project for one of the State’s DWSRF 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 Public Water Systems in the State.
- When full Principal Forgiveness awards are not available the applicant will receive a 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 \$5 million up to \$7.5 million are eligible for a 0.75% Interest Rate.
  - Loans in the amount of \$7.5 million up to \$10 million are eligible for a 0.50% Interest Rate.
  - Loans in the amount of \$10 million or higher are eligible for a 0.25% Interest Rate.
- All eligible loans made for the emerging contaminants and lead service line 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 water 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 DWSRF program in the event that the amount the federal cap grants allow for administration of the program does 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 DWSRF program.

Loan terms for the DWSRF program are up to thirty (30) years on loans, but the term cannot exceed the useful design life of the project.

Both Additional Subsidization (Principal Forgiveness) and the GPR are discussed further in separate sections of this IUP.

**Project funding decisions and bypass procedures:**

Historically, the State has been able to fund all eligible funding applications, and it expects to be able to continue to do so during SFY2025, though no applicants will receive the full amount of Principal Forgiveness for which they qualify for under program rules. The DWSRF program has allocated principal forgiveness to all submitted projects that qualify for it under program rules and are part of the program's Project Priority List.

Overall the DWSRF program received 37 traditional DWSRF project submissions and 2 Lead Service Line Funding submissions during the SFY 2025 IUP project solicitation period. Of the traditional DWSRF projects 26 submissions qualified for principal forgiveness under the program rules, and have been placed on the DWSRF Project Priority List with partial principal forgiveness allocations and the lowest interest rate they qualify for under program rules. The other 11 traditional project submissions have been placed on the secondary funding list because they do not qualify for principal forgiveness. All the projects on the secondary funding list will receive the lowest interest rate that they qualify for under program rules, and the DWSRF program has available funds to close loans for all SFY 2025 submitted projects. Only projects on the priority list, secondary funding, lead service line, and emerging contaminants lists will be considered eligible for funding, except in the case of emergencies as described below.

**Non-emergency bypass procedures:**

Any projects listed on the Project Priority List that is not ready to proceed, or does not apply for funding, will be bypassed in favor of projects that actually apply. These determinations will be made at the time applications are received and presented to the SLIB. In addition, the State will do as much as possible to make bypassed projects ready to proceed in future years. This effort may include grant and loan seminars and video conferences to help applicants arrange funding for their projects.

**Emergency bypass procedures:**

If SLIB determines that immediate attention is required to protect public health, a project may be funded with DWSRF funds on an emergency basis, even if it is not on the IUP. Any eligible costs would be reimbursable after the project meets all other applicable DWSRF program requirements. An emergency for this purpose refers to a natural disaster or similar event that

causes damage or disrupts normal public water system operations and requires immediate action to protect public health and safety.

#### **Cash Draw Ratio:**

The DWSRF program in the past has used the grant-specific proportionality method for cash draws. The federal and state ratios for each open grant are calculated in Table 3. Currently the DWSRF program is using the FY2019 grant to pay for project payment requests.

**Table 3. Cash Draw Ratio Calculation**

<b>Year</b>	<b>Cap Grant</b>	<b>State Match</b>	<b>Set Aside Accounts</b>	<b>Federal</b>	<b>State</b>	<b>Total</b>	<b>Federal Portion</b>	<b>State Portion</b>
2014	\$8,845,000	\$1,769,000	\$530,700	\$8,314,300	\$1,769,000	\$10,083,300	82.46%	17.54%
2015	\$8,787,000	\$1,757,400	\$853,060	\$7,933,940	\$1,757,400	\$9,691,340	81.87%	18.13%
2016	\$8,312,000	\$1,662,400	\$498,720	\$7,813,280	\$1,662,400	\$9,475,680	82.46%	17.54%
2017	\$8,241,000	\$1,648,200	\$494,460	\$7,746,540	\$1,648,200	\$9,394,740	82.46%	17.54%
2019	\$11,004,000	\$2,200,800	\$660,240	\$10,343,760	\$2,200,800	\$12,544,560	82.46%	17.54%
2021	\$11,011,000	\$2,202,200	\$3,413,408	\$7,597,592	\$2,202,200	\$13,213,200	77.53%	22.47%

Starting in FY2024 the DWSRF program will no longer use the grant-specific proportionality method for cash draws. The State has decided that it will first use the State's match portion to make payments toward loan disbursements. Then once the State's match portion has been exhausted it 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 DWSRF grants.

#### **Data Entry:**

The State will perform monthly updates to the EPA SRF data system for recordkeeping of SRF projects. 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 by the grant conditions of awarded grants.

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## DWSRF Financial Status

**Table 4. DWSRF summary financial status as of 4/24/2024**

	Federal Grant	State Match (20%)	Total
Total of All Capitalization grants FY1997 through 2021	\$224,172,500	\$40,934,500	\$265,107,000
Capitalization grant FY2022 Base	\$7,008,000	\$1,401,600	\$8,409,600
Capitalization grant FY2022 BIL General	\$17,992,000	\$1,799,200	\$19,791,200
Capitalization grant FY2022 BIL Lead	\$28,350,000	\$0	\$28,350,000
Capitalization grant FY2022 BIL Emerging	\$7,555,000	\$0	\$7,555,000
Capitalization grant FY2023 Base	\$4,938,000	\$987,600	\$5,925,600
Capitalization grant FY2023 BIL General	\$21,055,000	\$2,105,500	\$23,160,500
FY2023 BIL General 33% Cap Grant Transfer to CWSRF Program to Fund Projects	-\$6,948,150	\$0	-\$6,948,150
Capitalization grant FY2024 BIL General (est)	\$22,985,000	\$4,597,000	\$27,582,000
Total into DWSRF Accounts	\$327,107,350	\$51,825,400	\$378,582,000
<b>Set-asides</b>			
- Administration - 4.0% of FY1997 through FY2011 grants			-\$3,671,741
- Administration - portion of reserved amounts from FY2008 through FY2013 grants*			-\$1,009,800
- Administration – 4.0% for FY2014 through FY2023 (est)			-\$3,134,480
- Administration BIL General – 4.0% for FY2022 through FY2024 (est)			-\$2,481,280
- Administration - reserved amounts from FY2022 BIL Lead Cap grant			-\$1,134,000
- Administration - reserved amounts from FY2022 BIL Emerging Contaminants Cap grant			-\$302,200
- Technical Assistance (closed out) – Amount used from FY2001 grant			-\$23,916
- Source Water Assessment (closed out) - Amount used from FY1997 grant			-\$936,086
- Small Systems Technical Assistance - <=2% of FY2011 through FY2023 grants			-\$1,871,320
- Small Systems Technical Assistance BIL General - <=2% FY2022 through FY2024 (est)			-\$1,240,640
- Small Systems Technical Assistance BIL Lead - <=2% FY2022 through FY2024 (est)**			-\$567,000
- Small Systems Technical Assistance BIL Emerging Contaminants - <=2% FY2022 through FY2024 (est)**			-\$151,100
-Local Assistance & Other State Programs 15% of FY2021 through FY2023 grants (est)			-\$3,693,400
-Local Assistance & Other State Programs BIL General 15% FY2022 through FY2024 (est)			-\$9,304,800
-Local Assistance & Other State Programs BIL Lead 15% FY2022 through FY2024 (est)**			-\$4,252,500
-Local Assistance & Other State Programs BIL Emerging Contaminants 15% FY2022 through FY2024 (est)**			-\$1,133,250
-State Program Management 10% of FY2021 through FY2023 grants (est)			-\$2,502,700

-State Program Management BIL General 10% of FY2022 through FY2024 (est)	<b>-\$6,203,200</b>
-State Program Management BIL Lead 10% of FY2022 through FY2024 (est)**	<b>-\$2,835,000</b>
-State Program Management BIL Emerging Contaminants 10% of FY2022 through FY2024 (est)**	<b>-\$755,500</b>
Sub-Total Set-asides	<b>-\$47,203,913</b>
Total Loan Principal Repayments	<b>\$153,190,138</b>
Total Loan Interest Payments	<b>\$43,423,417</b>
Investment Income earned	<b>\$43,631,405</b>
Loans (binding commitments)	<b>-\$386,966,141</b>
Estimated Fund Balance Available to Capital Construction With 2022 & 2023 Cap Grant(est)	<b>\$185,007,656</b>

**\* Program administration set-aside:** In previous IUPs, Wyoming reserved the authority to set aside an amount equal to four percent of each capitalization grant from FY2008 through FY2021, including ARRA 2009 (amount reserved from these grants=\$5,805,141). Wyoming took an administration set-aside totaling \$1,000,000, as part of its FY2022 Base and General Supplemental capitalization grants. The DWSRF as of 4/24/2024 has an administration set-aside balance of \$1,222,024, plus several grant years of banked administrative set-aside funds, for future program administration expenses.

**\*\* For the upcoming DWSRF 2023 & 2024 grant allotments the State intends on applying for the DWSRF Base 2023, BIL General 2023, and BIL General 2024 cap grants. The program at this time has decided not to apply for the 2023 BIL Lead & Emerging Contaminants Grant allotments. As the program has not received definitive 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 by monitoring activities throughout the 2024 calendar year to apply for the 2024 BIL Lead & Emerging Contaminants Grant allotments. The program has until September of 2025 to be awarded the 2024 grant allotments. The program intends on utilizing the above line item set asides from each grant type that is applied for. In the event that the program finds that it will not be able to utilize any of the set asides as intended. The Wyoming DWSRF program will reserve the right to access the 2%, 4%, and 10% set aside funds through a future Base, BIL General, Lead, and Emerging Contaminants Bi-Partisan Infrastructure Bill grants from 2024-2026. The 15 percent set-aside may not be reserved for later use per 40 CFR Part 3540(d)(2).**

A more detailed description of set-asides may be found later in this plan. Any unused administrative funds from a given State Fiscal Year are kept in the DWSRF admin account and used for administration in future years. After federal capitalization grants are no longer available the program must rely solely on loan origination fees and State funds for administrative costs.

The State program legislation and rules provide for the collection of a 0.5 percent loan origination fee which is to be set aside in a separate account to provide for future administration of the DWSRF program. All current and future fees will be placed into an administration account. The current balance of the DWSRF administration account from the loan origination fees is \$2,723,999.17.

## **Additional Subsidization**

Starting with the FY2010 federal capitalization grant, the State must use certain amounts of the capitalization grant to provide Additional Subsidization to eligible recipients. In addition to that requirement, the State also intends to take a 35 percent allowance from the FY2023

capitalization grant to provide Additional Subsidization to disadvantaged communities, as allowed under federal DWSRF rules. The 35 percent allowance is \$1,728,300.

For FY2023 and FY2024 the Bipartisan Infrastructure Law (BIL) allows for the State to utilize 49 percent of the General BIL and Lead BIL grants for Additional Subsidization to disadvantaged communities. For the Emerging Contaminants BIL grant the entire grant is to be awarded as 100 percent Additional Subsidization with 25 percent of the grant amount to be awarded to disadvantaged communities or public water systems serving fewer than 25,000 people.

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 actual amount of Principal Forgiveness awarded to individual projects based on criteria set forth in SLIB Rules and Regulations Chapter 16 see appendix 8. The rules base eligibility for Principal Forgiveness primarily on disadvantaged community criteria that are based on factors such as income data, municipal tax revenue, unemployment data, population, and system rate data. The rules also allow eligibility based only on income criteria in cases where Principal Forgiveness does not need to be linked to disadvantaged community 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	\$13,573,000	\$4,071,900	\$13,573,000
FY2011	\$9,418,000	\$2,825,400	\$9,418,000
FY2012	\$8,975,000	\$1,795,000	\$2,692,500
FY2013	\$8,421,000	\$1,684,200	\$2,526,300
FY2014	\$8,845,000	\$1,769,000	\$2,653,500
FY2015	\$8,787,000	\$1,757,400	\$2,636,100
FY2016	\$8,312,000	\$1,662,400	\$4,156,000
FY2017	\$8,241,000	\$1,648,200	\$4,120,500
FY2018	\$0.00	\$0.00	\$0.00
FY2019	\$11,004,000	\$2,200,800	6,052,200
FY2020	\$0.00	\$0.00	\$0.00
FY2021	\$11,011,000	\$1,541,540	\$5,395,390
FY2022 Base	\$7,008,000	\$981,120	\$2,452,800
FY2022 General	\$17,992,000	\$8,816,080	\$8,816,080
FY2023 Base	\$4,938,000	\$691,320	\$1,728,300
FY2023 General	\$21,055,000	\$10,316,950	\$10,316,950
FY2023 General Transfer Amount	-\$6,948,150	-\$3,404,593.50	-\$3,404,593.50
FY2024 General	\$22,985,000	\$11,262,650	\$11,262,650
Totals	\$163,616,850	\$49,619,366.50	\$84,395,676.50
Additional Subsidization under binding commitment			\$52,223,490
Additional Subsidization conditionally awarded or allocated to pending loan applications, binding commitment pending (includes additional amount awarded 4/4/2024)			\$0
Minimum Additional Subsidization still required (for FY2022 grant)			\$0
Maximum Additional Subsidization still available (through FY2022 grant)			\$0

## 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 which 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 project solicitation had 15 projects submit that the project had a green component associated with the project. The eligibility of green project benefits will be vetted and tracked by the program during the application process, and awarded upon loan closing for the projects that meet the definition. Other projects on the funding lists may be able to show, through a business case or other 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.

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

Federal Grant Year	Federal Grant Amount	Minimum GPR %	Minimum GPR
FY2010	\$13,573,000	20%	\$2,714,600
FY2011	\$9,418,000	20%	\$1,883,600
FY2012	\$8,975,000	0%	\$0
FY2013	\$8,421,000	0%	\$0
FY2014	\$8,845,000	0%	\$0
FY2015	\$8,787,000	0%	\$0
FY2016	\$8,312,000	0%	\$0
FY2017	\$8,241,000	0%	\$0
FY2018	\$0.00	0%	\$0
FY2019	\$11,004,000	0%	\$0
FY2020	\$0.00	0%	\$0
FY2021	\$11,011,000	0%	\$0
FY2022 Base	\$7,008,000	0%	\$0
FY2022 General	\$17,992,000	0%	\$0
FY2023 Base	\$4,938,000	0%	\$0
FY2023 General	\$21,055,000	0%	\$0
FY2023 General Transfer	-\$6,948,150	0%	\$0
FY2024 General (est)	\$22,985,000	0%	\$0
Totals			\$4,598,200
GPR amount under binding commitment			\$18,811,221
GPR amount conditionally awarded, binding commitment pending			\$215,000
Minimum GPR amount remaining			\$0

## Information on the Activities Since 2024 IUP

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 fifty percent (50%) out of water development accounts I or II created by W.S. 41-2-124(a) and fifty

percent (50%) from the federal mineral royalty capital construction account created by W.S. 9-4-604.

The program has introduced and continues to work on the roll out of its Lead Service Line Inventory technical assistance program. The technical assistance program was awarded to HDR Engineering Inc. of Gillette, WY. HDR has created an extensive team to assist any of the Public Water Systems in Wyoming to complete the initial records review to formulate their Lead Service Line inventories that will be due to the EPA on October 16, 2024. Public Water Systems interested in utilizing the State's Lead Service Line Inventory technical assistance should visit the following website addresses <https://leadfreewyoming.com/> or <https://www.wyriskit.com/>.

The DWSRF program has gone out to bid for an entity to complete Source Water Protection planning for the State. By the start of fiscal year 2025 a contract should be ready to award with the work to commence in state fiscal year 2025.

The SRF program completed changes to the program rules to incorporate all of the new funding opportunities from the Infrastructure Investment and Jobs Act. Additionally, the program developed an array of low interest rate packages as discussed earlier in the 2025 IUP to help and encourage the water systems with in the State to complete needed water infrastructure projects.

During the 2024 fiscal year the program worked with multiple municipalities that utilized our large loan interest rates to complete one DWSRF application for multiple projects that will be completed over a multiple year time period. This was accomplished by the municipalities reaching out to the SRF program to engage the program in the concept. These municipalities were able to utilize the large loan interest rates without having a singular project for the dollar amounts they were developed for. These municipalities had invested in themselves to have several projects developed or designed in order to put a funding package together under one application in order to take advantage of the large loan interest rates.

## **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 DWSRF 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 7. 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.

## Short-term Goals

1. To administer the DWSRF program in Wyoming.

2. To ensure the technical integrity of DWSRF projects through the review of compliance records; outreach efforts including presentations and training at Wyoming Association of Rural Water and Wyoming Water Quality and Pollution Control Association events and conferences; and review of planning, designs/specifications, and construction documents and activities.
3. To ensure the financial integrity of the DWSRF program through the review of the financial impacts of publicly owned public water supplies' loan applications, and the ability for loan repayment.
4. Continue to evaluate and revise, as needed, the DWSRF disadvantaged community definition.
5. Continue to evaluate the DWSRF's priority point system for project ranking commensurate with need. For the 2025 State Fiscal Year, the DWSRF 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 DWSRF program to better pinpoint loan applicants that will be applying for the loan funds in current fiscal year thereby, 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.
6. The program along with the new IUP project solicitation method has changed the application process in the timing of getting loans approved. In the 2025 fiscal year there will be four (4) meetings at which the State Lands and Investments Board will consider applications that request Principal Forgiveness from the Project Priority List. The projects listed on the secondary funding, lead service line, and emerging contaminant lists can apply to have their project funded at any SLIB meeting during SFY 2025 following the application deadlines listed on the OSLI website.

The program has also made some changes to the application in the normal question and answer portion of the application to account for the Lead Service Line and Emerging Contaminants funding. 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 DWSRF program, federal requirements, the applications, and time to field questions from the applicant.

7. The program will continue to foster the Lead Service Line Inventory technical assistant program introduced in FY2024 in order to help as many communities as practical to complete their initial inventories by the mandated EPA date of October 16, 2024.

## **Long-term Goals**

1. To build and maintain a permanent, self-sustaining State Revolving Fund program that will serve as a cost-effective, convenient source of financing for drinking water projects in Wyoming.
2. To provide a financing assistance program to help publicly owned public water supplies afford sustainable infrastructure and to assist them with funds to complete capital improvement projects to maintain and achieve compliance.
3. To work with other federal, state, and local assistance providers to bundle funding packages that address publicly owned public water supplies' most pressing needs.
4. To have the OSLI, the DEQ, and the WDO recommend priorities for financial assistance from the DWSRF program to the Wyoming SLIB.
5. To continue to work on and set up programs utilizing the DWSRF set a side programs to benefit the public water systems within the State.
6. To build a fully staffed and expertly trained SRF staff to help our public water systems build and maintain the water infrastructure within the State of Wyoming.

## **Set-Asides**

The DWSRF may fund certain provisions of the Federal Safe Drinking Water Act, through the use of “set-aside” accounts. The DWSRF Federal and State enabling legislation allows set-aside amounts of the federal drinking water capitalization grant for specific purposes. These set-asides each have different purposes and conditions. Wyoming currently uses an administration set-aside and a technical assistance set-aside. Other set-asides which may be established include state program management and local assistance. The State of Wyoming reserves its right to implement its option to fund allowable set-asides.

During the 2022 State Legislative session the, the Drinking Water State Revolving fund statutes changed to allow the DWSRF program to fully utilize all program set asides.

The State intends to apply for the DWSRF 2023 Base, BIL General 2023 and 2024 grant allotments. The program has not decided on applying for the BIL Lead 2023, and BIL Emerging Contaminants 2023 cap grants at this time. The program intends to utilize the line item set asides from each grant type as represented in Table 2 that are applied for. In the event that the program finds that it will not be able to utilize any of the set asides as intended, the Wyoming DWSRF program will reserve the right to access the 2 percent, 4 percent, and 10 percent, set aside funds through a future Base, BIL General, Lead, or Emerging Contaminants Bi-Partisan Infrastructure Bill grant from 2025-2026. The 15 percent set-aside amount may not be reserved for later use per 40 CFR Part 3540(d)(2).

### **Administration Set-Aside:**

Wyoming uses the 4 percent administration set-aside to pay for the overall program administrative duties, including program development, review of water system facilities plans, construction and bid documents, assistance and oversight during planning, design and construction, loan origination work, administering repayments, costs associated with the Select



Water Committee and the public comment process, staff salaries, loan software, third party program audit, and other associated costs to administer the program. The program estimates between the three departments that administer the operations of the DWSRF to have a budget of \$800,000 for the upcoming year.

Wyoming set aside 4 percent of the FY1997 - FY2007 capitalization grants for program administration. In previous IUPs, Wyoming reserved the authority to set aside an amount equal to 4 percent of each capitalization grant from FY2008 through FY2020, including ARRA 2009 (amount reserved from these grants=\$5,805,141). Wyoming took administration set-aside totaling \$1,000,000 as part of its FY2022 capitalization grant (2022 Base Grant \$280,320 and 2022 General Supplemental Grant \$719,680). As of 4/24/2024, the DWSRF program has an administration set-aside balance of \$1,222,024, plus banked administrative funds, for future program administration expenses. Wyoming reserves the ability to use the 4 percent set-aside for technical assistance as the state determines necessary.

Any funds that were set-aside for administration but not actually spent in the given State Fiscal Year will be held in the Drinking Water fund and used for administration of the program in future years. After federal capitalization grants are no longer available, the program must rely solely on origination fees and State funds. Spending such funds is subject to approval of the Wyoming Legislature, although federal restrictions will limit use of these funds to purposes related to this program.

#### **Technical Assistance for Small Systems Set-Aside:**

A state may use up to 2 percent of its capitalization grant to provide technical assistance to public water systems serving 10,000 people or fewer (section 1452(g)(2)). As part of the 2022 Cap Grants Wyoming took \$140,160 from the 2022 Base Cap Grant and \$359,840 from the 2022 General Supplemental Cap Grant for this purpose. If a state does not use the entire 2 percent for these activities, it can bank the excess balance and use it for the same activities in later years. If a state chooses to use funds under this set-aside, EPA encourages states to use available funds to support small system efforts to apply for DWSRF loans. A state may use these funds to support a technical assistance team or to contract with outside organizations to provide technical assistance.

Wyoming plans to continue using this set-aside to fund a contract with the Midwest Assistance Program to assist small systems. Traditionally the program has budgeted \$120,000 a year to go towards the 2% Technical assistance program. The program has decided to at least increase the yearly budget towards this effort to \$240,000 a year with the emphasis of the additional funding to go towards the Capacity Development of the Technical, Managerial, and Financial management of the small public water systems in the State. To help them to be in better position to be prepared to utilize the DWSRF program in the future.

#### **State Program Management Set-Aside:**

A state may use up to 10 percent of their annual capitalization grant to develop and implement water system Capacity Development, Operator Certification, and Source Water Protection (SWP). Wyoming is currently using this set-aside to develop and implement the following programs:

The program has designated \$1,000,000.00 from its 2021 Base grant to go towards the Lead Service Line Inventories project it has contracted with HDR Engineering Inc. of Gillette, WY. This program is set up to assist the communities in the State with compiling the initial historical reviews and compiling the inventories.

The program is currently developing a program to contract with several third parties within the State to create new or update existing Asset Management plans for all of the public water systems within the State. The program is budgeting from this set side approximately \$7,498,900.00 from the 2021 Base, 2022 (Base & BIL General), 2023 (Base & BIL General) and 2024 BIL General.

**Local Assistance and Other State Program Set-Aside:**

A state may use up to 15 percent of their annual capitalization grant to assist in development and implementation of other state programs. No more than 10 percent of the capitalization grant amount can be used for any one authorized activity.

Source Water Assessment Program- the program is currently working on negotiating with a third party on a contract to perform source water assessments for the public water systems water supplies. The program has designated \$835,000 from its DWSRF 2021 Base grant for this purpose.

Capacity Development Program- the program is currently developing a program to contract with several third parties within the State to create new or update existing Asset Management plans for all of the public water systems within the State. The program is budgeting from this set side approximately \$7,594,448 from the 2021 Base, 2022 (Base & BIL General), 2023 (Base & BIL General) and 2024 BIL General.

Capacity Development Program- the program is currently in negotiations with a third party to support technical assistance for non-transient non-community public water systems to achieve Capacity Development. The program has allocated \$120,000.00 a year to support this effort starting with the 2021 Base grant, and will continue on utilizing funding from all of the 15% Local Assistance Set Aside funds taken.

The program has allocated approximately \$500,000.00 from the 2021 Base grant to help in updating programmatic software that helps support an array of activities such as operator certification, asset management, and capacity development.

Wyoming DWSRF program will have approximately \$3,098,900 from the 2022 (Base & BIL General), 2023 (Base & BIL General) and 2024 BIL General that it has not specifically allocated to program. Staff are considering using these additional set-aside funds to:

- Develop a State-wide database of water systems thru the Asset Management project.
- Develop and implement a grant program to fund qualifying projects performed by Conservation Districts.

- Develop and implement a grant program to fund qualifying projects performed by public entities to address environmental concerns caused by facilities owned by private individuals.
- Develop a source water protection program that would fund or finance the replacement of leaking septic systems that are known to be impacting the quality of the waters of the United States. The program would include testing of the water before and after to gauge the benefits of the program.
- Evaluate program to pursue Source Water Protection of environmentally impacted areas for centralized community sewer systems to replace individual septic systems.
- Evaluate how the program can help in providing operator certification training online to encourage new operators to enter the field, and to make it easier for current operators to attain continuing education credits.

Any of the above noted programs to be considered may also utilize the 10 percent State Program Management Set-Aside, depending upon funding needs.

#### **Lead Service Line Set-Aside Activities:**

Currently the DWSRF program has taken \$567,000 in 2% Technical Assistance to Small Systems, \$2,835,000.00 in 10% State Program Management, and \$4,242,500.00 in 15% Local Assistance and Other State Program Set-Asides from the 2022 Lead Service Line grant allotment.

Of these funds the program has currently allocated \$2,835,000.00 to its Lead Service Line Inventories Technical Assistance program. To help assist all of the public water systems in the State to complete their initial lead service line inventories. The remaining set aside funds taken are earmarked for the next phases of the leads service line replacement process to take place after the inventory due date of October 16, 2024. Which will include updating the inventories by identifying the unknown service lines, and then going into developing lead service line replacement projects.

The program at this time has decided to not apply for the 2023 BIL Lead Grant allotment. 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 the how the lead service line inventories progress throughout the 2024 calendar year. To decide if 2024 allotment will be applied for. The program has until September of 2025 to be awarded the 2024 grant allotment. If the program decides to take the 2024 grant it does reserve the right to take the 2%, 4%, and 10% set asides from the future 2025 and 2026 grant allotments to pursue activities to support the development of projects to eliminate lead service lines.

#### **Emerging Contaminants Set-Aside Activities:**

Currently the DWSRF program has taken \$151,000 in 2% Technical Assistance to Small Systems, \$755,500.00 in 10% State Program Management, and \$1,133,250.00 in 15% Local

Assistance and Other State Program Set-Asides from the 2022 Emerging Contaminants grant allotment. Staff are currently working on the following activities:

- Develop a program that will utilize a third-party contract or supplement contracts that DEQ already has to test and monitor water sources for emerging contaminants.
- Develop a program to fund and replace firefighting foams (AFFF or Class B foam) containing emerging contaminants and determine appropriate disposal methods.

The program at this time has decided not to apply for the 2023 BIL Emerging Contaminants Grant allotment. 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 to decide on applying for the 2024 allotment. The program has until September of 2025 to be awarded the 2024 grant allotment. If the program decides to take the 2024 grant it does reserve the right to take the 2%, 4%, and 10% set asides from the future 2025 and 2026 grant allotments to pursue activities to support the development of projects to eliminate emerging contaminants.

### **Program Assurances**

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, WWDO 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.

**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.

**Timely expenditures** – As required by Section 1452(g)(3) of the SDWA, Wyoming will expend all funds in the revolving fund in an expeditious and timely manner.

**Federal Cross-cutters** – In accordance with 40 CFR 35.550(o), Wyoming will comply with all applicable Federal cross-cutting authorities in existence at the time the loan recipient receives a binding commitment.

**Capacity Development Strategies** – Per Section 1452(a)(3) of the SDWA, funds can't be used to provide assistance to a PWS that does not have the financial, managerial, and technical capability to ensure compliance with the requirements of the SDWA.

**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).

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Appendix 1 -DWSRF Project Priority List

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
1	45	Town of Dayton	5600202	900	Water Treatment Plant Replacement Project	Replacement of the WTP's existing infiltration gallery, raw water intake, filter tanks, and SCADA system.	\$2,016,750	\$969,587	0.75%	10/3/2024	No
2	35	Town of Opal	5600835	63	Backup power for water system	Install back up power for our water system in case of long-term outage.	\$150,000	\$108,173	0.50%	10/3/2024	No
3	34	Town of Ten Sleep	5600203	246	Replacement Water Main on CR 70	The current water main on County Road 70 was constructed in 1979, is undersized, consists of lightweight PVC and is bedded in river cobbles. This project will upsize the line, replace with 1750 If of C900 PVC. This project will also include connections to the Tensleep Creek water crossing and local stabilization along the streambank.	\$700,000	\$504,805	0.50%	2/6/2025	Yes
4	34	Town of Dixon	5600059	74	Dixon Water Treatment Plant Upgrades	The focus of this project is to provide upgrades to the existing water treatment plant for the Town of Dixon. The upgrades will focus on the replacement of the primary intake pump for the plant as well as reconditioning the infiltration gallery and riverbank.	\$442,000	\$318,748	0.50%	12/5/2024	Yes

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
5	33	South End Water Users I&S District	5600970	150	Lane 9 Waterline Extension Construction	This project consists of extending an 8" PVC domestic water line along BHC Lane 9 in Big Horn County, WY from the intersection of Lane 9 and Road 7, approximately 6 miles to the west. It would connect to an existing water line of SEWU that runs along Road 7. This new line will replace approximately one mile of a small, undersized line that dead ends on Lane 9. After extending 6 miles to the west, the line will turn North and run 1.1 miles and tie into the Town of Cowley's West End water line near the Town of Deaver. This West end line is currently a long dead end for the Town of Cowley. Tying the new water line in on both ends will create a loop that will maintain the quality and quantity of water desired. Since the Cowley West End line is connected to the Town of Deaver water system, this new water line will create a potential emergency connection for the Shoshone Municipal Pipeline and Northwest Rural Water system that will bypass the Town of Cowley that allows Cowley to maintain their independent water source as well. The extension of this waterline allows for approximately 27 new services along the route. The new water line will service a rural area of Big Horn County that the residents currently haul water for domestic use. The new line will increase the quality of life considerably for these new customers.	\$1,635,000	\$1,179,081	0.50%	10/3/2024	Yes
6	31	Town of Pine Bluffs	5600040	1,172	Miscellaneous Water System Components	PRV vault north and east of Booster Pump station as waterline loops to lower elevation users; sampling hydrant for distribution line at the tank to meet EPA requirements; looping water system across UPRR tracks and Highway 30 (eastern loop for redundancy); backup generators at Wells, 5,6 and 7; abandon 6 inch line south of 8th street to remove bacterial problem area	\$2,185,560	\$1,576,117	0.50%	2/6/2025	No

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
7	31	Town of Ten Sleep	5600203	246	Water System Improvements	This project will loop distribution mains between Wells 1 and 2, across Cottonwood Street and add water service to new subdivision south of Town. This project will improve fireflows and overall system pressure and will prevent bacteria growth within sections of the distribution system.	\$1,300,000	\$937,495	0.50%	12/5/2024	Yes
8	31	Town of Dubois	5600177	911	Town of Dubois Meckem Street Improvements	Replace old, deteriorated, and undersized water mains and appurtenances with cross contamination potential. (Install storm sewer to connect to WYDOT storm system under same project but funds for that portion of work would be through CWSRF).	\$1,450,000	\$1,045,668	0.50%	10/3/2024	Yes
9	29	City of Cody	5600207	10,224	Pressure Reducing Valve (PRV) Replacement and Upgrade Project	Based on the City's Water Master Plan (WMP), the replacement and upgrade of PRV's within the City's treated water distribution system was identified as the #2 Priority Project. The project will replace and/or upgrade up to 5 of the oldest PRV's within the City's system (out of 10 PRV's total).	\$2,000,000	\$480,767	1.00%	10/3/2024	No
10	28	Town of Fort Laramie	5600185	206	Water and Sewer Improvements Phase V-VI	Over the past 10 years the 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. The original distribution pipelines are comprised of asbestos cement, and have become increasingly difficult to maintain. The town has had to deal with numerous leaks in recent years and obtaining the necessary materials to address these repairs have become challenging. To this date, the town has completed three phased projects, each including the removal/abandonment of the old sanitary sewer and water pipelines with new modern PVC pipelines, and is currently in the design process of a fourth phase. This current project seeks to replace as much of the remaining outdated water pipelines in Town as possible to further complete the process of upgrading their water pipeline utilities to meet current industry standards.	\$2,947,501	\$2,125,591	0.50%	12/5/2024	Yes



Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
11	28	Town of Evansville	5600018	3,000	Evansville Water Treatment Plant Upgrades and Repairs	This project consists of rebuilding the two original (1978) filter trains. These filter trains are passed their life span and are in need of refurbishment and upgrades to new technology. They have drastically lost efficiency and require extensive maintenance to operate. The refurbishment will incorporate new technology in the filtration and back wash systems to mimic the design of the new filter train that was installed in 2014. Part of this requires new air piping to force air into the media during the backwash cycle.	\$1,516,538	\$729,101	0.75%	12/5/2024	Yes
12	28	City of Cody	5600207	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 planning 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, Vehicle Maintenance, Storm Drainage, 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 Water division (drinking water SRF) and Wastewater division (clean 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 (based on conceptual estimates in the Needs Study).	\$7,000,000	\$1,682,684	1.00%	12/5/2024	Yes

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
13	27	City of Torrington	5600164	6,119	East D Street - U.S. Highway 26 / 30th Avenue	Replace existing water lines on East D Street per WWDC Level I Study	\$2,700,000	\$649,035	1.00%	10/3/2024	No
14	26	City of Newcastle	5600256	3,374	2025 Improvements project	Replacement of aged water infrastructure.	\$2,100,000	\$504,805	1.00%	10/3/2024	Yes
15	25	Town of Cowley	5600206	762	Asbestos Cement Water Line Replacement Project	This project is to address the issues of the Town of Cowley's aging asbestos cement lines (AC lines). These lines, which are spread throughout the Town, will be replaced with C-900 pvc pipe so that the citizens can continue to enjoy a high level of water quality. By doing this, the project will also address the need for safety when the Town's personnel have to repair or modify the existing system. This would allow for approximately 6,000 feet of 6" PVC C-900, 38 water valves, and 12 hydrants to be replaced as well as all services that are currently connected in these areas of Town.	\$1,809,942	\$1,305,241	0.50%	10/3/2024	Yes
16	25	Town of Moorcroft	5600037	946	Powder River Watermain Phase III	This project phase III of a large watermain replacement project in the center of the Town of Moorcroft. The first phase of the project has been constructed, the second phase is funded to be constructed. The project is designed and ready to be applied for DEQ permit when funded. If funded, this will be the final phase of this project.	\$1,500,000	\$721,150	0.75%	2/6/2025	Yes
17	24	Town of Meeteetse	5600035	309	Meeteetse Water Storage Tank Project	This project is needed to provide supply redundancy to parts of the Town, improve water quality, correct deficiencies, and reduce potential health problems due to inadequate supply storage at the treatment plant and the accumulation of HAA5 and THHM upper-pressure zone. These goals would be partially achieved by replacing the Antelope Ridge Storage Tank with a mixer, installing a mixer in the main storage tank, and installing additional storage at the water treatment plant. The Town is currently looking for additional resources to help make this effort financially feasible.	\$2,328,000	\$1,678,838	0.50%	2/6/2025	Yes
18	21	City of Buffalo	5600005	4,415	Water Tank Repair	Replace ceiling structural steel and repaint tank inside/outside	\$600,000	\$288,460	0.75%	12/5/2024	Yes

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
19	19	City of Riverton	5600047	10,682	Main Street Water Transmission Main line	Install 18" water mainline, upgrading approximately 1200 feet of 14" line installed in 1952	\$2,440,000	\$586,536	1.00%	12/5/2024	Yes
20	18	Wright Water and Sewer District	5600136	1,644	Asbestos Cement Water Main Replacement	Project will replace existing asbestos-cement (AC) water main pipe and other aging water main. AC pipe poses potential health issues and breaks are difficult to repair. This is a critical line to service a large portion of Town.	\$1,400,000	\$336,537	0.00%	12/5/2024	Yes
21	18	Airbase Acres I&S District	5600080C	160	Replacement of AC Transmission Line	The Air Base Acres I&SD was formed in 1979 and is served through a transmission line from the Casper Regional Water System. The transmission line extends outside the district from the east line of the strict at Taxiway Dr. and extends east approximately 1,300 feet to 6 Mile Road. The transmission line was installed in 1958 and is Asbestos Cement Lined (AC) pipe. The transmission line has outlived it's design life and needs to be replaced: 1) The condition of the transmission line is a concern and from some parts is currently unknown, a comment from a recent waterline repair contractor indicated that the line may be de-laminating at the location of the repair. (2) The district is at the end of a 10" dead end transmission line which is the single water supply source to the district. (3) Repairing asbestos cement waterlines can be hazardous to the repair crew unless they are specifically trained for such repairs. (4) Repair parts for asbestos cement waterlines, clamps, gaskets, etc are very difficult to find. and (5) It is the District's goal to increase system reliability and minimize any future extended disruptions in the water supply due to breakage in the transmission line and or emergency replacement of an unrepairable main.	\$550,000	\$132,211	1.00%	10/3/2024	No

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
22	18	City of Evanston	5600150	12,000	Hwy 89 Water Main Replacement	Replace an old deteriorating 6-inch water main with a new water line. The old water line has been repaired many times and is in need of replacement. This will replace about 2,300 feet of water main on Hwy 89 and County Rd.	\$2,000,000	\$480,767	1.00%	12/5/2024	No
23	17	Sheridan Area Water Supply Joint Powers Board	5600052	5,000	SAWS Big Goose to Little Goose Transmission Main	This proposed Big Goose to Little Goose water transmission main project will connect the 20-inch Big Goose waterline to the 16-inch Big Horn Avenue waterline at the entrance to the State Girls School. It will provide a dependable water supply to and from the Big Goose and Little Goose portions of the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) of the City of Sheridan/SAWSJPB water system. The proposed Big Goose to Little Goose main will connect water supply sources from the Big Goose and Sheridan water treatment plants to the Little Goose and SE Sheridan service areas, a distance of 2 miles. The existing City of Sheridan "Airport" main provides the only transmission of water to and from the Big Goose and Little Goose areas of the joint City/SAWSJPB system for these two major service areas. This proposed Big Goose to Little Goose transmission main follows a new route through the Sheridan County airport property to provide important redundancy to the older City "Airport" waterline. This proposed Big Goose to Little Goose main benefits both the City portion of this regional water system and the SAWSJPB portion, however it benefits the SAWSJPB portion to a greater degree, being the sole water transmission main for 70% of its 2100 users, therefore this application for funding is by the SAWSJPB.	\$3,208,000	\$771,150	1.00%	10/3/2024	No
24	16	Town of Dayton	5600202	900	Asbestos Cement Water Transmission Main Replacement	Replacement of approximately 1,500 feet of 10" asbestos cement transmission main located within the Town's treated water distribution system.	\$428,740	\$206,124	0.75%	10/3/2024	No

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
25	16	Town of Wheatland	5600187	3,588	16th Street Reconstruction	16th Street Reconstruction Project - replace water lines and taps	\$1,500,000	\$721,150	0.75%	2/6/2025	Yes
26	6	Town of Wheatland	5600187	3,588	Replace Wheatland Well No. 3	Replace well # 3 which has been abandoned and disconnected from the system.	\$1,154,000	\$554,805	0.75%	2/6/2025	Yes
Funding Totals							\$47,062,031	\$20,594,626			

## Appendix 2 -DWSRF Secondary Funding List

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
1	33	City of Sheridan	5620010	19,625	Sheridan Water Main Replacement	Replace old, deteriorated and undersized water mains and appurtenances to prevent cross contamination and pollution.	\$4,500,000	\$0	1.25%	12/5/2024	Yes
2	25	Town of Jackson	5600213	10,760	Jackson Water Line Replacements	Replace system assets for one or more of the following reasons: aged, deteriorated, undersized, need to be routed off of private property, difficult to maintain, or other similar. May include pump house/booster station infrastructure. These projects reduce the likelihood of leaks, emergency maintenance, water shut-offs, and provide increased flows and reliability. Risk of contamination if not addressed. This specific project in multi-year planning replaces an old water main and pump house/system components and had been deferred the last few years despite being a priority project.	\$810,000	\$0	1.25%	12/5/2024	No
3	22	Town of Jackson	5600213	10,760	Jackson meter replacements	Replace very old meters, some malfunctioning, with AMR. This project aims to produce more accurate metering of usage for accurate billing, to reduce a currently significant gap in water produced versus billed. Additionally, as we replace meters we are collecting data to support lead/copper service line inventorying.	\$200,000	\$0	1.25%	12/5/2024	No
4	21	Teton Village Water & Sewer District	5600218C	1,000	Rachel Way & Michael Drive Waterline Replacement (2025)	Project will replace approximately 2670 L.F. of leaking CI water mains, service connections and fire hydrants installed in the 1960s and early 1970s.	\$1,850,000	\$0	1.25%	10/3/2024	Yes

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
5	18	GR/RS/SwCo-Joint Powers Water Board	5600050	23,500	Rock Springs SCADA Replacement	The Supervisory Control and Data Acquisition (SCADA) system throughout the water system in Rock Springs (RS) has become antiquated and needs replaced. The RS SCADA system contains 14 different sites, each is used to control its respective water system component using programmable logic controllers, data concentrators, radios and other communication assets. Much of the SCADA system was installed over 25 years ago and the hardware is no longer supported, and parts are scarce.	\$2,250,000	\$0	1.25%	2/6/2025	No
6	18	GR/RS/SwCo-Joint Powers Water Board	5600050	23,500	GR/RS/SwCo-JPWB Crossroads Pump Station Project	Increase capacity and provide redundancy to the pumping and transmission system for the "Windriver Service Zone" in Rock Springs. This zone delivers water to all area north of I-80 including three districts and Reliance. A WWDC Level II study was completion in 2018 and funding for a Level III project was awarded in 2019. Challenges in obtaining ROW's has delayed the project while cost estimates have increased. Final design is scheduled for late summer 2024.	\$6,900,000	\$0	0.75%	2/6/2025	No
7	14	Kemmerer Diamondville Water & Wastewater Joint Power Board	20320	2,974	Gateway Development	Potable water distribution for residential development	\$8,000,000	\$0	0.50%	10/3/2024	Yes
8	13	Kemmerer Diamondville Water & Wastewater Joint Power Board	20320	2,974	Canyon Road Commercial Development	Potable water distribution system for commercial development	\$14,800,000	\$0	0.25%	10/3/2024	Yes

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate	Estimated SLIB Award Date	Equivalency Project Volunteer
9	13	Kemmerer Diamondville Water & Wastewater Joint Power Board	5600028	2,974	Canyon Road Multi- Residential Development	Potable water distribution system	\$1,500,000	\$0	1.25%	10/3/2024	Yes
10	11	Board of Public Utilities for Cheyenne	5600011	65,000	Sherard Sodium Hypochlorite Conversion	Design and construction of a sodium hypochlorite (NaOCl) water disinfection system at the Sherard Water Treatment Plant (WTP) to replace the current chlorine gas water disinfection system.	\$4,000,000	\$0	1.25%	10/3/2024	Yes
11	7	GR/RS/SwCo-Joint Powers Water Board	5600050	39,000	GR/RS/SwCo-JPWB Stand-by Generators	The proposed project will add emergency Stand by Generators (2 gensets @ 1250kW each) to supply back up power to the Finished Water Pumping station at the WTP. Currently, if the utility power is lost, the WTP can only treat water for storage in the Clearwells but no water can be delivered. If utility power is lost for an extended period of time, all entities served by the WTP would not receive any water. Loss of water supply within the distribution systems can result in numerous problems and potential hazards. Those problems and hazards may include back siphonage of nonpotable water, collapsed lines, and loss of fire protection for the communities.	\$6,000,000	\$0	0.75%	2/6/2025	No
Funding Totals							\$50,810,000	\$0			



### Appendix 3 -DWSRF Lead Service Line Inventory/Replacement Project List

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
1	60	Jackson, Town of	5600213	10,760	Jackson lead/copper assessments and replacements	System inventory, assessments, and planning and implementation of necessary replacement of water system infrastructure to meet new lead/copper requirements.	\$2,000,000	Program Rules Will Dictate at Time of Award	0.00%
2	44	Evanston, City of	5600150	12,000	Lead Service Line Inventory and Replacement	Document all service lines in the City of Evanston for the Lead Service Line Inventory EPA requirements.	\$2,000,000	Program Rules Will Dictate at Time of Award	0.00%
3	36	Manderson, Town of	5600204	88	Manderson Lead Service Line Inventory	Inventory and investigate the presence of lead/galvanized water services.	\$160,000	Program Rules Will Dictate at Time of Award	0.00%
4	36	Glendo, Town of	5600231	237	Glendo Water Service Replacement	Replace water services and meters in conjunction with Water main replacement submitted under "Town of Glendo Water Main Replacement" This is to replace copper and or lead service lines and meters.	\$160,000	Program Rules Will Dictate at Time of Award	0.00%
5	31	Meeteetse, Town of	5600035	309	Meeteetse lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%
6	31	LaBarge, Town of	5600222	394	LaBarge lead Investigation	Lead survey and plan.	\$3,936,000	Program Rules Will Dictate at Time of Award	0.00%

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
7	31	Dubois, Town of	5600177	911	Dubois lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%
8	25	Kaycee, Town of	5600196	247	Kaycee lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%
9	25	Sundance, City of	5600055	1,032	Sundance lead & Copper Inventory	Inventorying the city's water system for lead & copper pipe and fittings.	\$350,000	Program Rules Will Dictate at Time of Award	0.00%
10	25	Basin, Town of	5600004	1,288	Basin lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%
11	25	Wheatland, Town of	5600187	3,588	Lead Service Lines and Plan for Replacement	We plan to identify all the lead service lines within the Town of Wheatland and make a plan for replacement.	\$500,000	Program Rules Will Dictate at Time of Award	0.00%
12	25	Torrington, City of	5600164	6,119	Torrington lead Service Line Replacements	Replacement of lead Service Lines as required by EPA	\$7,200,000	Program Rules Will Dictate at Time of Award	0.00%
13	25	Sheridan, City of	5600052	18,737	Sheridan lead waterline replacement project.	Replacement of any waterline that contains lead or galvanized materials.	\$3,000,000	Program Rules Will Dictate at Time of Award	0.00%
14	24	Pioneer W&S District	5600828	1,500	Pioneer lead and Copper Remediation	lead/Copper survey and remediation as needed.	\$200,000	Program Rules Will Dictate at Time of Award	0.00%
15	22	Sundance Meadows Water District	5601639	50	Sundance Meadows lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
16	22	Green Valley Estates Imp. District	5601245	140	Green Valley Estates lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%
17	22	Bennor Estates ISD	5601596	144	Bennor Estates lead Corrosion Control	Lead result above action level. Lead survey and plan.	\$100,000	Program Rules Will Dictate at Time of Award	0.00%
18	22	Aspens Pines WSD	5600220	1,400	Aspen Pines Waterline Replacement Project	Replace old leaking galvanized waterlines that have lead swing joints.	\$800,000	Program Rules Will Dictate at Time of Award	0.00%
19	22	Saratoga, Town of	5600061	1,702	Saratoga Town Lead Line Inventory and GIS mapping. Lead Service Line Replacement.	EPA required lead Service Line inventory. Lead Service Line replacement plan. Replace existing lead gooseneck connected water services with approved materials along with associated surface restoration.	\$2,100,000	Program Rules Will Dictate at Time of Award	0.00%
20	22	Lyman, Town of	5600033	2,135	Lyman lead Service Line Survey and Replacement	We plan to verify several services that are questionable for lead. It will be about 425 services and we plan to pothole 4 locations. In addition if they need replaced we will replace the lead components to remove them from the system.	\$3,014,000	Program Rules Will Dictate at Time of Award	0.00%
21	22	Bridger Valley JPB	5600757	4,978	Bridger Valley lead Service Line Verification	We have roughly half of our service lines that need to be verified that no lead exists. We plan to pothole in 4 places to verify each service line. There is approximately 600 service lines to check.	\$2,174,000	Program Rules Will Dictate at Time of Award	0.00%

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
22	22	Green River, City of	5601181	11,825	Green River Cast Iron Water Line Replacement Project	Replace old cast iron (lead fittings & gaskets) water lines in numerous locations within the City of Green River. (cross contamination and lead fitting potential).	\$2,000,000	Program Rules Will Dictate at Time of Award	0.00%
23	22	Gillette, City of	5600019	33,403	Gillette lead and Copper Rule Improvements	Perform lead line survey to meet the EPA's lead and copper rule. The City will need help with each phase of the project with outside contractors performing some or all of the work.	\$8,000,000	Program Rules Will Dictate at Time of Award	0.00%
24	22	Casper, City of	5601415	59,038	City of Casper lead Line Replacements	This project is to replace deteriorating CI and DIP water mains and lead service lines in areas of town containing known lead services.	\$6,000,000	Program Rules Will Dictate at Time of Award	0.00%
25	22	Cheyenne, City of	5600011	65,132	Lead and Copper Rule Survey	Lead Line Replacement Unkown Verification and Lead Line Replacement	\$15,000,000	Program Rules Will Dictate at Time of Award	0.00%
26	20	Upton, Town of	5600140	898	Lead and Copper Rule Survey	Funds to help perform the lead line inventory and purchase a vac trailer in order to help identify unkown lines.	\$200,000	Program Rules Will Dictate at Time of Award	0.00%
<b>Funding Totals</b>							<b>\$59,494,000</b>		

## Appendix 4 -DWSRF Emerging Contaminants Project List

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
1	40	Riverton, City of	5600047	10,682	Well Source Water Replacement Project	During Recent EPA EC testing the Riverton Well AP 2 tested positive for Eight different PFAS and PFOS. The well is located near the Riverton Airport, and a new well and location will be required.	\$3,500,000	Program Rules Will Dictate at Time of Award	0.00%
2	40	Jackson, Town of	5600213	10,760	Well Source Water Replacement Project	2023 EPA EC testing showed positive tests for PFOA and PFOS in a source water well.	\$3,500,000	Program Rules Will Dictate at Time of Award	0.00%
3	36	Dixon, Town of	5600059	74	Dolan Bridge Water Treatment Plant	Project will design and install a new water treatment plant located in proximity to the Dolan Bridge. Technology to address emerging contaminants will be evaluated as part of the new plants filtration process. This plant will be capable of supplying water on a regional scale.	\$3,500,000	Program Rules Will Dictate at Time of Award	0.00%
4	27	Turnerville WSD	5601115	90	Turnerville Water Supply Project	The Turnerville water source (Willow Creek Spring) has been determined by EPA to be under the influence of surface water. Construct treatment for the spring or develop a new water source for the town.	\$600,000	Program Rules Will Dictate at Time of Award	0.00%
5	25	Torrington, City of	5600164	6,119	Torrington Treatment for Emerging Contaminants	Install treatment system to improve drinking water quality at well locations with detected EPA emerging contaminants such as PFAS, Boron, Cobalt, Lithium, Manganese, Molybdenum, and Vanadium.	\$2,200,000	Program Rules Will Dictate at Time of Award	0.00%

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
6	11	Laramie, City of	5600029	31,407	WTP Upgrades- Emerging Contaminates	Possible upgrades to water treatment plant to address emerging contaminants including PFAS and PFOS chemicals and others.	\$1,500,000	Program Rules Will Dictate at Time of Award	0.00%
7	5	Shoshone Municipal Water JPB (SMP)	5601198	26,881	SMP Filter Valve and Filter Media Replacement Project	Replace all of the valves on our filters except for the wash water waste and the air backwash valves. There will be a total of 36 valves replaced ranging in size from 12" to 24". Replace filter media in all 9 filters. Filtration media that can address emerging contaminants are under consideration.	\$4,150,000	Program Rules Will Dictate at Time of Award	0.00%
8	2	Baggs, Town of	5600058	411	Baggs WTP Upgrades	Replace sodium hypochlorite generator, upgrade filtration to treat for PFAS, replace turbidimeter and control unit(s), install an emergency generator to maintain operation during frequent power outages, misc. electrical upgrades.	\$450,000	Program Rules Will Dictate at Time of Award	0.00%
9	2	Dayton, Town of	5600202	822	Dayton Water Treatment Plant Replacement	Replace 50-year old water treatment plant, which has exceeded its useful life. Technology to address emerging contaminants will be evaluated as part of the new plants filtration processes.	\$3,500,000	Program Rules Will Dictate at Time of Award	0.00%
10	2	Thermopolis, Town of	5600056	2,725	Thermopolis WTP Filter to Waste & Backwash Controls	Replacement of filter backwash controls/pumps, installation of a filter to waste line, and installation of necessary piping at the WTP to implement the changes required to address potential issues with cyanobacteria and other emerging contaminants.	\$1,900,000	Program Rules Will Dictate at Time of Award	0.00%

Rank	Needs Survey Points	Project Owner	PWS No.	Population	Project Name	Project Description	Requested Loan Amount	Principal Forgiveness Award	Interest Rate
11	2	Evanston, City of	5600150	11,747	Powder Activated Carbon System for Evanston Water Treatment Plant	Powdered Activated Carbon (PAC) is used in the potable water industry systems to maintain adequate potable water in high carbon events such as a forest fire in our water shed and have been shown to address emerging contaminants such as PFAS. This system would also be used in time when treatment and process levels become hard to maintain. This project would include a full system feed unit and a upgrade to existing plant infrastructure.	\$650,000	Program Rules Will Dictate at Time of Award	0.00%
12	2	Central WY Regional Water System	5600009	68,960	Convert gravity filter from anthracite to granular activated carbon to address potential PFAS issues/regulation.	Convert gravity filter from anthracite to granular activated carbon to address potential PFAS issues/regulation	\$2,000,000	Program Rules Will Dictate at Time of Award	0.00%
Funding Totals							\$27,450,000		

## Appendix 5 Projects Under Construction, Design, Loan Closing, or Application Process

Loan Number	Project Owner	Project Name	Loan Amount	Status
DW133	Cheyenne Board of Public Utilities	Hydro-Electric Generation Facility Project	\$7,400,000.00	Disbursing
DW193	City of Laramie	North Side Tank Project	\$10,356,000.00	Disbursing
DW198	Broken Wheel Ranch landS District	Broken Wheel Water System Upgrades	\$386,437.00	Disbursing
DW216	Melody Ranch I and S Dist	Water Supply & System Improvements Project	\$829,300.00	Disbursing
DW218	City of Newcastle	Newcastle 2018 well project	\$705,680.00	Disbursing
DW229	Cheyenne Board of Public Utilities	North City Zone Improvements	\$4,785,000.00	Disbursing
DW230	Northwest Rural Water District	Hydrant Replacement and Corrosion Protection	\$2,490,600.00	Disbursing
DW238	City of Sheridan	Airport Transmission Main Project	\$765,000.00	Disbursing
DW240	High Meadow Ranch Water District	Design for Phase III of Redoing Entire Water System	\$86,000.00	Disbursing
DW241	Town of Thayne	East Booster Pump Station Rehab and Back Up Generator	\$200,000.00	Disbursing
DW242	Town of Lusk	Phase II Utility Improvements	\$5,490,000.00	Disbursing
DW243	City of Sheridan	North Heights Neighborhood- Replace Entire Distribution System	\$2,730,000.00	Disbursing
DW245	Town of Hanna	Old Town WaterLine Rehabilitation Phase II	\$406,000.00	Disbursing
DW247	Skyline Improvement and Service District	Skyline ISD Metering Project	\$145,000.00	Disbursing
DW248	High Meadow Ranch Water District	HMRWD Phase 3	\$1,238,000.00	Disbursing
DW249	Board of Public Utilities	Crystal Bypass Pipeline	\$1,254,000.00	Disbursing
DW250	City of Sheridan	Main Street Dow to Burkitt Project	\$4,000,000.00	Disbursing
DW251	Town of Hudson	Water Treatment Plant and Distribution Upgrade	\$525,000.00	Disbursing
DW252	City of Sheridan	Terra Turner Water Main Replacement	\$2,000,000.00	Disbursing
DW253	Town of Pinedale	Shallow Main Waterline Replacement	\$1,258,000.00	Loan Closed
DW254	South End Water Users Improvement and Sewer District	Lane 9 Waterline Extension Design	\$167,000.00	Disbursing
DW255	Town of Pine Bluffs	North Well Field Development	\$1,875,000.00	Loan Closing
DW256	Town of Upton	Water Replacement Phase 1-3	\$5,130,000.00	Loan Closing
DW257	Town of Upton	Colorado Ave Water Line	\$364,389.00	Loan Closing



Loan Number	Project Owner	Project Name	Loan Amount	Status
TBD	Bridger Valley JPB	Storage Tank	\$701,414.00	Loan Closing
TBD	City of Gillette	Madison Water Transmission Main Pipeline Repair	\$10,000,000.00	Loan Closing
TBD	City of Lander	Multi Year Rehab	\$16,879,869.00	Loan Closing
TBD	Happy Valley I&S District	New Well	\$150,000.00	Loan Closing
TBD	Town of Byron	Rural Water System	\$2,512,500.00	Loan Closing
TBD	Big Horn Regional JPB	Big Horn Regional South Capacity Improvements	\$3,016,833.00	Application Process
TBD	Town of Meeteetse	2023 Water Treatment Plant and HAA/TTHM Upgrades	\$924,073.00	Application Process
TBD	City of Sheridan	Northeast Transmission Line	\$1,900,000.00	Application Process
TBD	Skyline Improvement Service District	Water Supply and Storage System Improvements	\$955,000.00	Application Process
Total Funding			<b>\$91,626,095.00</b>	

## Appendix 6 SFY 2025 DWSRF Needs Survey



DWSRF IUP - Google  
Forms.pdf

## **Appendix 7: 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. 17<sup>th</sup> St. 2<sup>nd</sup> 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 2:40 pm.

## Appendix 8: Chapter 16-Drinking Water State Revolving Fund Rules

### Chapter 16

#### Drinking Water State Revolving Fund Loans

**Section 1. Authority.** This Chapter is adopted pursuant to Wyoming Statute (W.S.) 16-1-303(b).

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

(e) “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 microplastics.

(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 adopted by the State Loan and Investment Board and submitted to the United States Environmental Protection Agency (USEPA) that describes how the state intends to use the money in the Drinking Water Revolving Loan Account, including the IJA Emerging Contaminants and Lead Service Line funding.

(i) “Infrastructure Investment and Jobs Act of 2021” (IIJA) means U.S. Public Law

117-58, signed November 15, 2021. The IJA established supplemental funding for eligible DWSRF projects, Emerging Contaminants and Lead Service Line funding.

(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) “Lead service lines” (LSL) means a service line made of lead, which connects the water main to the building inlet. A lead service line may be owned by the water system, owned by the property owner, or both. For the purposes of this Chapter, a galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material. If the only lead piping serving the home or building is a lead gooseneck, pigtail, or connector, and it is not a galvanized service line that is considered an LSL then the service line is not a lead service line. The lead gooseneck, pigtail, and connector are considered an eligible expense for replacement.

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

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

(n) “Priority List” means the list of projects found in the Intended Use Plan (IUP) expected to receive financial assistance under the Program, ranked in accordance with a priority system developed under Section 1452(b)(2)(A) of the Safe Drinking Water Act.

(o) “Select Water Committee” means a state legislative committee comprised of six (6) members from the Wyoming State Senate and six (6) members from the Wyoming House of Representatives (W.S. 21-11-101).

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

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

(r) “State Environmental Review Process (SERP)” means the review conducted by DEQ, pursuant to W.S. 16-1-304(a), of potential environmental impacts of projects receiving assistance from the Account.

(s) “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.

(t) “WWDO” means the Wyoming Water Development Office, which provides administrative and operational management of the programs administered by the Wyoming Water Development Commission.

- (u) “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, subject to the Select Water Committee’s review and recommendation of projects, 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) 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. To facilitate key provision of this Act, the Board will consider funding applications for:

- (i) Projects addressing Emerging Contaminants;
- (ii) Projects addressing lead service lines; and,
- (iii) Conventional safe drinking water projects.

### **Section 4. Base and Supplemental Funding Disadvantaged Community Eligibility.**

(a) OSLI shall determine if an applicant is disadvantaged by awarding 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. Applicants whose total points are nine (9) or greater are eligible for Additional Subsidies 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 Additional Subsidies 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 Additional Subsidies of up to twenty-five percent (25%) of their loan amount. Applicants whose total points are less than three (3) are not considered disadvantaged and are not eligible for Additional Subsidies.

(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 may 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 for 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 the relationship of the local unemployment rate to the state unemployment rate. Local and state unemployment rates shall be determined using the most recent quarter by county as published by the Wyoming Department of Workforce Services.

(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 the their AMHI.



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

#### **Section 5. Additional Subsidies and Special Program Requirements.**

(a) OS LI, DEQ and WWDO will assess, at least annually, the impacts of state and federal legislation on the Drinking Water State Revolving Fund loan program administered under this Chapter. OS LI 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 6. Base and Supplemental Loan and Additional Subsidies Eligibility.**

(a) Applicants. Publicly Owned Water Systems in Wyoming shall be eligible for loans under this Chapter. This includes eligibility for Additional Subsidies when available.

(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. Applicants whose total points are nine (9) or greater are eligible for Additional Subsidies 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 Additional Subsidies 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 Additional Subsidies 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 shall be awarded based on the applicant's population according to the last decennial census (or other available population data acceptable to OSLI if decennial census data is not available). If an applicant demonstrates its population has decreased to a different category since the last decennial census, its points shall be adjusted 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 shall be 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 for 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 shall be awarded based on the relationship between the local unemployment rate to the State unemployment rate. Local and State unemployment rates for the most recent quarter by county shall be based on data published by the Wyoming Department of Workforce Services.

(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 the 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 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 to eligible Publicly Owned Water Systems as authorized in W.S. 16-1-305. Eligible projects may consist of improvements to any components of a Water Supply System as appropriate and permitted by the Safe Drinking Water Act. 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.

(g) Project Eligibility. Only projects on the current Drinking 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 Drinking 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 allowed under federal law. 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 are ineligible;
- (v) Costs for preparation or presentation of grant or loan applications for any source of funding;
- (vi) Costs for transportation, meals, 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 or WWDO, 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, refinancing existing debt or in emergency circumstances;
- (xiii) Costs for change orders not approved by DEQ or WWDO, and OSLI;
- (xiv) Lump sum contracts unless approved by DEQ or WWDO, and OSLI ;
- (xv) Costs in excess of \$50.00, unless approved by DEQ or WWDO, 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 or WWDO, and OSLI;
- (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 or WWDO.

## **Section 7. 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 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 applications.

(c) Timing of Board Consideration. Applications must be received by the Director at least one hundred twenty (120) 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 8. Evaluation.**

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

(i) Whether the applicant has an appropriate project Priority List ranking as required in Section 1452(b)(3) of the Safe Drinking Water Act and is listed on the fundable portion of the Intended Use Plan;

(ii) Whether the applicant can demonstrate Capacity Development capabilities in compliance with Section 1420 of the Safe Drinking Water Act and the applicable requirements of DEQ;

(iii) Whether the applicant can obtain or ensure the certification of the Operators of the Publicly Owned Water System in accordance with DEQ rules and regulations prior to obtaining financial assistance approval;

(iv) Whether the applicant is current on all its repayment obligations to the Board;

(v) Whether the applicant's dedicated source of revenue is acceptable to the Board and will be sufficient to provide security to repay its requested loan;

- (vi) Whether the applicant is ready to proceed with construction or implementation of the project;
- (vii) Whether the applicant has established an adequate operations and maintenance costs fund for the project for which applicant seeks funding;
- (viii) Whether the applicant has made a significant commitment of funding resources for the project for which it seeks funding;
- (ix) The percentage of the applicant's population directly served by the project;
- (x) The project's priority rank on the current intended use plan (IUP); and
- (xi) 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 and WWDO through the review of applications for loans and Additional Subsidies and provide comments to the Director for Board consideration. The Board shall request the DEQ and the WWDO to provide the services required under W.S. 16-1-301 through W.S. 16-1-308.

#### **Section 9. Board Consideration.**

(a) The Board shall consider each complete application and allow for comments from the applicant, the Director, DEQ and WWDO. The Board shall also establish loan amounts and terms. Loan terms for applicants that are not considered disadvantaged shall not exceed what is allowable by the federal and state regulations, or the useful life of the project, whichever is less. For applicants that are considered disadvantaged, loan terms shall not exceed thirty (30) years, or the useful life of the project, whichever is less.

**Section 10. Interest Rates.** The interest rate for all loans made under this Chapter shall be pursuant to Chapter 14 of these rules.

#### **Section 11. Repayment.**

(a) Annual payments for all loans shall begin one (1) 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 12. 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 disbursement. 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 WWDO.

(b) Owners of any project that spans more than one (1) construction season shall submit an updated timeline to OSLI and WWDO for the project not less than annually.

## **Section 13. 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.

(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 14. Reports.**

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

## **Section 15. Program Compliance.**

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

## **Section 16. 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. 16-1-303(d).

**Section 17. 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 this 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 are eligible 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) 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 18. IIJA Lead Service Line Replacement Funding.** The Board may award funding from IIJA funds under this Section for projects that replace LSL. 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 LSL replacement funding 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 are eligible for Principal Forgiveness, contingent on compliance with federal requirements. OSLI shall award points based on population trend, income data, and unemployment data, enterprise system rate management, and the prior year's propriety tax and four percent (4%) sales tax collections, as set forth in Section 6 of this Chapter. Applicants whose total points are nine (9) or greater are eligible for Additional Subsidies of up to one hundred percent (100%) of their loan amount. Applicants whose total points are equal to or greater than six (6) but less than nine (9) are eligible for Additional Subsidies of up to seventy five percent (75%) of their loan amount. Applicants whose total points are equal to or greater than three (3) but less than six (6) are eligible for Additional Subsidies of up to fifty percent (50%) of their loan amount. Applicants whose total points are less than three (3) are eligible for Additional Subsidies of up to twenty-five percent (25%) of their loan amount.

(iii) Disadvantaged Community Eligibility. All entities with identified areas meeting the LSL definition in Section 2(k) are considered disadvantaged under this section and qualify for Principal Forgiveness. OSLI shall determine if an applicant is disadvantaged by awarding points based on population trend, income data, and unemployment data, enterprise system rate management, and the prior year's propriety tax and four percent (4%) sales tax collections, as set forth in Section 4 of this Chapter. Applicants whose total points are nine (9) or greater are eligible for Additional Subsidies 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 Additional Subsidies 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 Additional Subsidies of up to twenty-five percent (25%) of their loan amount. Applicants whose total points are less than three (3) are not considered disadvantaged and are not eligible for Additional Subsidies.

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

(i) Complete removal of LSL, including all public and privately owned portions, or service lines made of galvanized iron or galvanized steel that are currently or have previously been downstream of lead components and replacement with a pipe that meets the federal program requirements and that complies with state and local plumbing codes and or building codes.

(ii) Removal of lead or galvanized goosenecks, pigtails, and connectors, and replacement with an acceptable material that meets the federal program requirements and that complies with state and local plumbing codes and or building codes.

(iii) Replacement of curb stops, curb stop boxes, and other service line appurtenances that are removed as part of full LSL replacement.

(iv) Site restoration, including landscaping, sidewalks, driveways, if the removal was necessary to replace the LSL.

(v) Permit fees, if the fees are normal, required, and specific to the LSL replacement.

(vi) Temporary pitcher filters or point-of-use devices certified by an American National Standards Institute accredited certifier to reduce lead during or for a short time period after LSL projects.

(vii) Development or updating of lead service line inventories, including locating and mapping lead service lines. Methods of investigation to develop inventories could include visual observation, water quality sampling for non-compliance, excavation, vacuum or hydro-excavation, statistical analysis, or other emerging technologies

(viii) Planning and design for infrastructure projects listed above.

(ix) Non-routine lead sampling, if not for compliance purposes, as part of a LSL replacement project.

**Section 19. 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.