

Section 6: Assurances and Specific Proposals

WIFA intends to comply with the following:

- WIFA will comply and will notify its borrowers of the requirement to comply with the Civil Rights Act requirements outlined in the Capitalization Grant Terms and Conditions;
- WIFA will comply with its environmental review policy as approved by EPA;
- WIFA will notify its borrowers of the requirement to comply with the Federal Flood Risk Management Standard (equivalency requirement);
- WIFA will notify its borrowers of the requirement to comply with the Davis-Bacon requirements outlined in the Capitalization Grant Terms and Conditions;
- WIFA will notify its borrowers of the requirement to comply with the American Iron and Steel requirements outlined in the Capitalization Grant Terms and Conditions;
- WIFA will notify its borrowers of the requirement to comply with the Build America, Buy American Act requirement outlined in the Capitalization Grant Terms and Conditions (equivalency requirement); and
- WIFA will strive to comply with applicable EPA guidance.
- A minimum of 10 percent of the FFY 2025 Capitalization Grant will be provided for green projects (water efficiency, energy efficiency, green stormwater infrastructure or other environmentally innovative activities).

WIFA has made, and continues to make, a good faith effort to solicit projects to meet the green project reserve (GPR) requirement. The Clean Water Project Priority List currently has two projects totaling \$10,026,700 which will fulfill the GPR requirements for FFY 2025.

Section 7: Disadvantaged Community Program

WIFA is committed to providing assistance to wastewater systems serving Disadvantaged Communities.

In June of 2022 WIFA revised the definition of disadvantaged community in in [WIFA Policy III.6](#) in response to EPA BIL Guidance. WIFA intends to provide 40 percent of the Base Capitalization Grant in additional subsidy as forgivable principal (unless the grant requirement is higher, in which case this percentage will be adjusted accordingly) to communities who cannot otherwise afford projects (including disadvantaged communities). WIFA's Disadvantaged Policy allows for forgivable principal, a reduced interest rate or a combination thereof. WIFA's Additional Subsidy Procedure (III.20.1) for clean water projects allows for up to 100% forgivable principal for disadvantaged communities who are resolving nonpoint source pollution problems and project costs are \$250,000 or less.

Table 2. Grant amounts, forgivable principal amounts, and forgivable principal eligibility

Grant	Grant Amount*	% Available as Forgivable Principal	Dollar Amount of Forgivable Principal
Base	\$10,716,000	40% (only for disadvantaged or green projects)	\$4,286,400
BIL – Supplemental	\$16,639,000	49% (only for disadvantaged or green projects)	\$8,153,110
BIL – Emerging Contaminant	\$1,528,000	100%	\$1,528,000
Total	\$28,883,000		\$13,967,510

**The BIL Emerging Contaminant Grant includes re-allotment amounts from a past Capitalization Grant.*

Section 8: Criteria and Methods for Distribution of Funds (Priority Setting Criteria)

- **Project Priority List and Fundable Range**

- **Project Priority List (PPL):** On an annual basis, following a statewide solicitation for projects, WIFA develops a statewide priority list of projects. Projects are scored and ranked on the list based upon the financial need of the applicant and the water quality benefits of the project (i.e. resolving permit violations, protecting water quality of groundwater and surface water, or resolving nonpoint source pollution problems). Additional points are added for projects that are septic to sewer or create cluster on-site systems, and for projects that have water or energy efficiency components. Currently, WIFA's CW PPL has 11 applications totaling \$168,185,857 (see table below). Staff are in discussions with several communities with potential CW projects to be added to the PPL during the year.
- **Fundable Range:** The Fundable Range includes the applicants ready to receive design or construction financial assistance. Projects are added to the Fundable Range as they become ready to proceed throughout the year.
- **Project Priority List Updates**
The CW PPL may be updated throughout the year with additions or removals of projects or adjusting the fundable range for design or construction projects. The decision to update the CW PPL may be based on a project's readiness to proceed, availability of other funding sources or other new information affecting the expansion or contraction of the PPL and Fundable Range. The Board adopts the updated CW PPL at a public meeting and the updates are posted on WIFA's website.

Table 3. Grant amounts compared to PPLs received

Grant	Grant Amount*	Number of PPL Applications	Dollar Amount of PPL Applications
Base & BIL – Supplemental*	\$27,355,000	10	\$166,749,857
BIL – Emerging Contaminant	\$1,528,000	1	\$1,436,000
Total	\$28,883,000	11	\$168,185,857

**The Base Grant and BIL Supplemental have the same eligibility and therefore have been grouped together.*

Section 9: Bypass Procedures

The Fundable Range process is used to bypass projects that are not ready to proceed. In determining which projects may be included on the Fundable Range, WIFA evaluates each project for evidence of debt authorization, the completeness of the PPL application, the applicant's technical, managerial, financial, and legal capability to be eligible for an SRF loan, the project timeline and design/engineering progress, and other documentation requested by staff. If sufficient funds are not available to fund all projects that are ready to proceed, WIFA will use tie breaking procedures established in A.A.C. R18-15-204.