



THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE (CDLAC)

APPLICATION FOR AN ALLOCATION OF THE STATE CEILING ON QUALIFIED PRIVATE ACTIVITY BONDS FOR AN EXEMPT FACILITY PROJECT

Applicant (Issuer): _____

Project Sponsor: _____

PROJECT NAME: _____

PROPOSED MEETING DATE: _____

CDLAC Applicant Certification

We, the undersigned, hereby make an Application to the California Debt Limit Allocation Committee ("CDLAC") for the purpose of providing exempt facility as described herein.

We agree it is our responsibility to provide CDLAC an electronic Application, accompanied by a check made payable to CDLAC in the amount of **\$1,500**. We also understand that a completed **Performance Deposit Certification Form and proof of Performance Deposit payment must be submitted online with the electronic Application**. We understand that succinct answers providing the requested information are required. We understand that if additional space is required, each additional page will be clearly labeled. We agree that it is also our responsibility to provide all information that is deemed by CDLAC to be necessary to evaluate our Application. We understand that CDLAC may verify the information provided and analyze materials submitted as well as conduct its own investigation to evaluate the Application. We recognize that we have a duty to inform CDLAC when any information in the Application or supplemental materials is no longer true and to supply CDLAC with accurate information.

We represent that we have read all Government Code sections relevant to the CDLAC Regulations Implementing the Allocation of the State Ceiling on Qualified Private Activity Bonds ("Regulations"). We acknowledge that CDLAC recommends that we seek advice from bond counsel.

We acknowledge that all materials and requirements are subject to change by enactment of federal or state legislation.

In carrying out the development and operation of the proposed project, we agree to comply with all applicable federal and state laws regarding unlawful discrimination and will abide by all CDLAC program requirements.

We acknowledge that our Application will be evaluated based on federal and state statutes and regulations pertaining to Qualified Private Activity Bonds for Exempt Facility Projects and the CDLAC Regulations, which identify the minimum requirements, evaluation criteria, priorities, and other standards that will be employed to evaluate Applications. We acknowledge that the information submitted to CDLAC in this Application or supplemental thereto may be subject to the Public Records Act or other disclosure. We understand that CDLAC may make such information public after a final decision by CDLAC has been made on the Application. CDLAC will maintain as confidential, certain financial information, but cannot guarantee confidentiality.

The Project Sponsor declares under penalty of perjury that the information contained in the Application, exhibits, attachments, and any further or supplemental documentation is true and correct to the best of its knowledge and belief. The Applicant declares that the information in the Application is true and correct to the best of its

knowledge and belief, and as to information contained in the Application, exhibits, attachments, and further or supplemental documentation provided by the Project Sponsor, the Applicant is not aware of any information that would cause the Applicant to believe that the Application contains any untrue information or omits to state any material information. We understand that misrepresentation may result in the cancellation of an Allocation, and other actions which CDLAC is authorized to take.

The Project Sponsor certifies that the project can be completed within the development budget and the development timetable set forth in our Application. The Project Sponsor further certifies that the proposed project can be operated in the manner proposed within the operating budget set forth in the Application.

The Applicant certifies that it is in compliance with all applicable statutes, laws, rules, and regulations necessary for the transaction of its business.

We agree to hold CDLAC, its members, officers, agents, and employees harmless from any matters arising out of or related to the awarded Allocation.

Payments and due date: We acknowledge that all Application materials are to be submitted via the Online Application System no later than 5:00 pm (PST) of the posted application deadline. In addition, a check made payable to CDLAC for \$1,500 (application filing fee) must be mailed and postmarked by 5:00 pm (PST) of the posted application deadline.

CDLAC
901 P Street, Suite 213A
Sacramento, CA 95814

Signature of CDLAC Applicant's (the Issuer's) Senior Official or Designee

Print Name

Title

Date

Signature of Project Sponsor Officer

Print Name

Title

Date

Submit the CDLAC Application Certification (Attachment 00-A1) and the Performance Deposit Certification Form and Proof of Performance Deposit (00-A2 & 00-A3) via Online Application System.

Payment Information

Application Fee Payments can be submitted electronically or mailed in. See the instructions below.

Electronic Payment Link:	Mail Check to:	Additional Info:
https://www.treasurer.ca.gov/cdlac/payment.asp	CDLAC 901 P Street, Suite 213A Sacramento, CA 95814	<ul style="list-style-type: none">• Check made payable to CDLAC for \$1,500• Ensure mailed Application fee check has the corresponding project name and WEB ID application number.

Additional CDLAC information may be obtained as follows:

CDLAC web site: <http://www.treasurer.ca.gov/cdlac/>

CDLAC main line: (916) 653-3255

The California Debt Limit Allocation Committee complies with the Americans with Disabilities Act (ADA). If you need additional information or assistance, please contact the Committee at the phone number listed above, or TDD 916/654-9922.

Part I – Financing Teams Information

1. Name of CDLAC Applicant (Entity Issuing Bonds): _____

Mailing Address: _____

City, State, Zip Code: _____

Federal Identification No.: _____

For mailing of official documents:

Name of Applicant's Senior Official: _____

Telephone #: _____

Title of Senior Official: _____

Fax #: _____

E-mail: _____

For questions concerning application:

Name of CDLAC Applicant's Staff Contact Person: _____

Title of Contact Person: _____ Telephone #: _____

Mailing Address: _____ Fax #: _____

City, State, Zip Code: _____ E-mail: _____

For questions concerning compliance:

Name of CDLAC Applicant's Staff Contact Person: _____

Title of Contact Person: _____ Telephone #: _____

Mailing Address: _____ Fax #: _____

City, State, Zip Code: _____ E-mail: _____

2. Name of Bond Counsel Firm: _____

Name of Attorney: _____ Telephone #: _____

Mailing Address: _____ Fax #: _____

City, State, Zip Code: _____ E-mail: _____

3. Name of Bond Underwriter Firm: _____

Name of Agent: _____ Telephone #: _____

Mailing Address: _____ Fax #: _____

City, State, Zip Code: _____ E-mail: _____

4. Name of Private Placement Agent Firm: _____

Name of Agent: _____ Telephone #: _____

Mailing Address: _____ Fax #: _____

City, State, Zip Code: _____ E-mail: _____

5. Name of Private Placement Bond Purchaser #1 (if applicable): _____

Name of Agent: _____ Telephone #: _____
Mailing Address: _____ Fax #: _____
City, State, Zip Code: _____ E-mail: _____

6. Name of Private Placement Bond Purchaser #2 (if applicable): _____

Name of Agent: _____ Telephone #: _____
Mailing Address: _____ Fax #: _____
City, State, Zip Code: _____ E-mail: _____

7. Name of Credit Enhancement Provider (if applicable): _____

Name of Agent: _____ Telephone #: _____
Mailing Address: _____ Fax #: _____
City, State, Zip Code: _____ E-mail: _____

8. Name of Project Sponsor (Borrower entity): _____

Name of Senior Officer: _____ Telephone #: _____
Title of Senior Officer: _____ Fax #: _____
Mailing Address: _____ E-mail: _____
City, State, Zip Code: _____

Name of Contact Person (if different from Senior Officer): _____

Title of Contact Person: _____ Telephone #: _____
Fax #: _____
E-mail: _____

9. Financial Advisor/Consultant Firm Name (if applicable): _____

Name of Agent: _____ Telephone #: _____
Mailing Address: _____ Fax #: _____
City, State, Zip Code: _____ E-mail: _____

PART II – ALLOCATION/BOND & PROJECT FINANCING INFORMATION

ALLOCATION INFORMATION

1. Amount of tax-exempt bond allocation requested: \$ _____
2. Date of project inducement: _____
Submit a copy of the adopted inducement resolution labeled as **Attachment A**. Applications submitted without this documentation will be deemed incomplete. See Section 5033(b)(4) of the CDLAC Regulations.
3. Have the CDLAC Applicant's (Issuer) Issuance and Compliance policies been approved within the past 10 years, been submitted to CDLAC? (See Section 5031(c) of the CDLAC Regulations.) _____

If no, please explain:

BOND ISSUE INFORMATION

4. Indicate anticipated bond issuance date: _____
5. Indicate whether bonds will be sold as:
 - a public offering with credit enhancement
 - a private placement
 - a cash collateralized public offering
6. If a fixed rate, what is the fixed interest rate? _____ %

If bonds carry a variable rate:

Identify the index: _____ %

Identify the variable rate (or underwritten rate) at time of application: _____ %

Is there a feature to allow a conversion to a fixed rate at some time in the future?

Under what conditions and when? _____

7. Anticipated bond rating: (See Sections 5061 of the CDLAC Regulations): _____

	<u>Rating</u>	<u>Date Rating Anticipated</u>
Fitch		
Moody's		
Standard & Poor's		

If the anticipated bond rating is BBB or less or is unrated, does the Applicant favor an award requiring an Investment Representation Letter or with minimum denomination requirements?

- Investment Representation Letter
- Minimum Denomination Requirements
- None

8. Will the bond proceeds finance the acquisition of property: _____

If yes, complete the information below (a-c):

a. Name of Property Seller: _____
Business Street Address: _____
City: _____
State: _____
Zip code: _____
Telephone number: _____

b. Principals, business addresses and telephone numbers of each partner comprising the Seller:

c. When is sale of property expected to close escrow? _____

FINANCING INFORMATION

9. Indicate by a "YES" or "NO" whether the bond issuance will be used to convert taxable debt to tax-exempt debt: _____

If "YES", provide the date, if applicable, on which the proposed Project will lose its ability to use tax-exempt bond financing: _____

10. Indicate the amount of taxable bonds and other means of financing, in addition to the cash equity required by the Credit Enhancer, that will be utilized in conjunction with the requested allocation of tax-exempt bonds. (See Section 5433 of the CDLAC Regulations).

\$ _____

11. Indicate by a "YES" or "NO" whether the Exempt Project been awarded any public funds or received public contribution for the development costs: _____

If "YES", provide the amount of public funding: \$ _____

12. In **Attachment B**, briefly describe the financing/bond structure or private placement transaction (include, at a minimum, the construction or interim financing, if applicable, the amount, closing deadlines, security/collateral provided, guaranties, anticipated closing date, etc.)

13. For commitment letters, in sequential order as “**Attachment C-1, C-2**”, etc. The credit enhancement commitment or commitment to purchase privately placed bonds. (See Sections 5061- 5064 of the CDLAC Regulations.)

(If there will be no Credit Enhancement for the bonds, CDLAC staff may require that the Project Sponsor submit an engineering or economic feasibility study, or both. In cases where the Project Sponsor has completed such studies, the CDLAC staff may request that a review by an independent consultant, who has been approved by the CDLAC Executive Director, be completed. The Project Sponsor shall pay the fees of such independent consultant.)

14. In **Attachment D**, provide documentation demonstrating that the proceeds of the taxable bonds and other means of financing, in addition to the cash equity required by the Credit Enhancer, will be used towards project expenses that are directly related to the acquisition, construction/rehabilitation, equipment purchase/installment, or operation of the proposed Project.

15. Prior Bond Default or Bankruptcy

See Section 5066 of the CDLAC Regulations.

Project Sponsors and Bond Issuers may submit an appeal for a waiver of the Bond Sale Structure restrictions associated with a prior Bond Default or bankruptcy in **Attachment E**.

“Not Applicable, or “N/A” is not an acceptable answer to 15A and 15B. If the answer is none, indicate “None”.

A. Indicate any prior Bond Defaults or bankruptcies on behalf of a Project Sponsor or Borrower within the last 3 years (N/A is not an acceptable response):

B. Indicate any prior Bond Defaults in the last 5 years on behalf of the Bond Issuer/Applicant (N/A is not an acceptable response):

PART III – PROJECT SPONSOR INFORMATION

1. Please answer the following questions for both the Project Sponsor (“Borrower”) and the user of the facility, if different:
 - A. Official business name, address, telephone number, fax number, e-mail address and contact person:

	Borrower	User
Street Address	_____	_____
City, State, Zip	_____	_____
Phone	_____	_____
Fax	_____	_____
Email	_____	_____
Contact Name	_____	_____

- B. Any “Doing Business As” names:

- C. Address of Project Sponsor’s headquarters, if different from address in “A” above:

- D. Other operating locations in California:

- E. The legal structure of the Project Sponsor i.e. (corporation, partnership or sole proprietorship):

Complete the appropriate section below:

Corporation

- 1) Officers of the Corporation, include Officers' Titles: _____

- 2) Major Shareholders (10% or more): _____

- 3) Date and place of incorporation: _____
- 4) For publicly held corporations, stock exchange on which the company is listed. If traded over the counter or on NASDAQ, please indicate the market makers.

Partnership

- 1) Names and addresses of general and limited partners, and share of ownership:

- 2) Date of partnership: _____

Sole Proprietorship

- 1) Date and place of establishment: _____
- F. Federal Tax Identification Number for Project Sponsor and user, including IRS Office where tax returns are filed: _____
- G. In **Attachment F**, provide a description of present physical facilities, including size and use of facility.
- H. In **Attachment G**, provide tax-exempt financings currently outstanding.
2. Is the Project Sponsor or user an owner, subsidiary or affiliated directly or indirectly with any other business or organization? _____
If yes, indicate the relationship: _____

PART IV – PROJECT INFORMATION

1. Project Name: _____

Project Street Address: _____

City: _____

County: _____

Zip Code: _____

The zip code must be included. If the project site does not yet have a street address, contact the local United States Post Office for an approximate zip code.

2. Legislative Districts and Census Tract

a. Federal Congressional District in which the proposed Project is located:		
b. State Senate District in which the proposed Project is located:		
c. State Assembly District in which the proposed Project is located:		
d. Census Tract in which the proposed Project is located:		

3. Prior Tax-Exempt Allocation Award

	YES	NO
Has the proposed Project received a CDLAC allocation in the past?	<input type="checkbox"/>	<input type="checkbox"/>
Was the allocation used to issue the bonds for the project?	<input type="checkbox"/>	<input type="checkbox"/>
Have bond proceeds been used or drawn down?	<input type="checkbox"/>	<input type="checkbox"/>
If "YES" to the Project receiving a CDLAC allocation in the past, submit a narrative explanation of the circumstances surrounding the prior allocation and why additional allocation is being requested as Attachment H .		

4. Description of Proposed Project:

Submit a narrative description of the proposed project construction/renovation as **Attachment I**. The description must contain, at a minimum, the following details:

- a. The type of operation or processes that will be conducted at the proposed facility;
- b. The end product or consumer services to be provided;
- c. The number of acres of the site and/or will be acquired;
- d. The amount of square footage to be constructed/renovated;
- e. A description of the surrounding neighborhood;
- f. The targeted population/communities for the project;
- g. The expected start and completion date of construction/renovation;
- h. Physical features of the project (i.e., description of building(s), grounds, amenities, etc.);
- i. A description of any new equipment or vehicles to be installed or purchased, and construction, retrofits or modification that will occur if Project receives allocation; and
- j. If applicable, any other special feature (i.e. advanced technology) of the proposed Project description of other unique features of the project.

5. Submit photos/images of the subject property or schematics of the proposed Project as **Attachment J**.

6. Costs of the Project

State the total costs associated with the acquisition of the site and construction of the proposed project, including any utilities and proposed machinery and equipment purchases. Separate the costs based on their financing sources: the left column should total the bond amount; the sum of both columns should equal the total project costs.

	To Be Paid From Bond Proceeds	To Be Paid From All Other Sources
Acquisition of Land	\$ _____	\$ _____
Acquisition of Existing Buildings	_____	_____
Fees and Other Charges Related to Sale	_____	_____
Rehabilitation of Existing Building(s)	_____	_____
Site Preparation	_____	_____
Construction of New Building(s)	_____	_____
Utilities Connection	_____	_____
Acquisition and Installation of Used Equipment	_____	_____
Acquisition and Installation of New Equipment	_____	_____
(a) Invoice	_____	_____
(b) Installation	_____	_____
(c) Other (please explain)	_____	_____
Engineering/Architecture	_____	_____
Legal, Permits, etc.	_____	_____
Bond Issuance Expenses (including discount)	_____	_____
Letter of Credit or Bond Insurance Fee	_____	_____
Interest During Construction	_____	_____
From _____ to _____	_____	_____
Interest Income During Construction	_____	_____
From _____ to _____	_____	_____
Other (please explain)	_____	_____
	Total Bond Amount	Total Other Costs
	\$ _____	\$ _____

PART V – MINIMUM REQUIREMENTS

Applicants are advised to read Sections 5420-5423 of the CDLAC Regulations regarding Exempt Facility Projects when answering the following questions.

1. In **Attachment K**, provide evidence that the use of tax-exempt bond financing will create more public benefits than any other means of financing available to the Project Sponsor. At a minimum, the documentation must compare tax-exempt bond financing with other means of financing available to the Project Sponsor, such as bank loans, lines of credit, taxable bonds and other instruments.
2. In **Attachment L**, a copy of the California Environmental Quality Act (CEQA) final Notice of Decision or a certification from the appropriate planning agency attesting to the filing of the final Notice of Decision.

What is the date by which an appeal to the Final Notice of Decision may be filed? _____

If an appeal has been filed, include **Attachment M** narrative providing the following information:

1. What is the nature of the appeal?
2. Has appellant posted a bond?
3. Has appellant sought injunctive relief?
4. What was the outcome of the litigation at the trial court level?

3. In **Attachment N**, if more than one attachment, label each attachment in sequential order as “**N-1, N-2, etc.**” - Evidence of all relevant approvals or permits relating to the project (i.e. solid waste facilities permit, air discharge permit, conditional use permit, zoning variances, etc.) from federal, state or local planning agencies other than ministerial approvals in one or more of the following forms:
 - A. Copies of local land use approvals, which allow the discretion of local elected officials to be applied (General Plan amendments, rezoning, conditional use permits, etc.)
 - B. Documentation by a local agency that clearly demonstrates the agency’s intentions to acquire the Project Site, or a portion of the Project Site, through eminent domain proceedings.
 - C. A copy of the permit certification letter submitted to the California Pollution Control Financing Authority (CPCFA) (if used, the form should be labeled **Attachment O**).
4. For Applicants other than the CPCFA, the Committee will perform a formal policy review prior to award of Allocation to new industries that apply for Exempt Facility bond authority. The Committee will establish a process for evaluating requests for Allocation for technologies that are unfamiliar to the Committee and for industries that have not previously or recently requested an award of Allocation from the Committee. When such Applicants request Allocation, the Committee will conduct a review of the technology, the industry, and the state of environmental or other regulations. The Committee may request assistance of other federal, state, and local agencies when conducting this review. The Applicant and/or Project Sponsor may be asked to provide additional information relevant to the Committee’s review. The review process shall result in a written policy concerning the new area of business.

PART VI – EVALUATION CRITERIA

Applicants are advised to read Section 5430 and 5440 of the CDLAC Regulations regarding Exempt Facility Projects when answering the following questions.

Section 5400 of the CDLAC Regulations defines a “**First Tier Business**” as a business that (a) is primarily engaged in the collection, recycling, transportation, and/or disposal of solid waste, (b) is a privately-held or employee-owned entity whose ownership interests are not available to members of the public, and (c) has fewer than 3,000 employees (together with affiliates), based on the average employees per pay period during the most recent twelve (12) months before submittal of an Application; or (2) a business which is not primarily engaged in the collection, recycling, transportation, and/or disposal of solid waste that is classified as a small business under regulations of the California Pollution Control Financing Authority (Title 4, California Code of Regulations, Sections 8001-*et seq.*).

Section 5400 of the CDLAC Regulations defines a “**Regulatory Mandate**” as a local, state or federal government mandate such as California Public Resources Code, Section 40000 *et seq.*, a local public health department notice and order, a Regional Water Quality Control Board issued cease and desist order, or similar directive.

1. Answer “**YES**” or “**NO**” to A thru D:

A. The Project Sponsor is a “First Tier Business Under Regulatory Mandate” as defined above pursuant to Section 5400 of the CDLAC Regulations: _____

If “**YES**” to above, include **Attachment P**, a letter from the Project Sponsor’s accountant or legal counsel that (1) cites the regulatory mandate and (2) certifies and provides documentation that the Project Sponsor meets the characteristics enumerated in the above definition of a “First Tier Business” as applicable to the proposed Project.

B. The Project Sponsor is a “First Tier Business Not Under Regulatory Mandate” as defined above pursuant to Section 5400 of the CDLAC Regulations: _____

C. The Project Sponsor is not a First Tier Business, but is under a Regulatory Mandate (5400 of the CDLAC Regulations): _____

If “**YES**” to above, include **Attachment Q**, a letter from the Project Sponsor’s accountant or legal counsel that (1) cites the regulatory mandate and (2) how the Project or Application is in direct response to a Regulatory Mandate.

D. The proposed Project is other than a solid waste disposal facility as described in A through C, above, and is eligible for tax-exempt bond financing pursuant to Section 5400 of the CDLAC Regulations:

If “**YES**”, identify the type of exempt facility from the list below that describes the proposed Project (Section 5400 of the CDLAC Regulations): _____

- i. Bonds will be issued by a government agency to acquire any property from an investor-owned utility;
- ii. A Sewage facility;
- iii. A facility for the furnishing of water;
- iv. A facility for the local furnishing of electric energy or gas;
- v. A qualified hazardous waste facility;
- vi. A mass commuting facility;
- vii. A local district heating or cooling facility;
- viii. Environmental enhancements of hydroelectric generating facility;
- ix. A high-speed inter-city rail facility;
- x. An Enterprise Zone Facility Bond project; or
- xi. An Equipment Only Purchase Program for solid waste disposal facilities administered by the California Pollution Control Financing Authority.

2. Public Benefits of the Proposed Project (Section 5430 of CDLAC Regulations)

Answer “**YES**” or “**NO**” to each of the following to indicate whether the proposed Project will provide such public benefit.

- A. Improved air quality: _____
- B. Improved water quality: _____
- C. Improved energy efficiency: _____
- D. Recycling of commodities (glass, aluminum and other marketable materials) and greenwaste (composting and other organic wastes): _____
- E. Safe disposal of solid waste that is in compliance with all applicable state and federal environmental regulations regarding solid waste disposal: _____
- F. Consumer cost savings or efficiencies: _____

In **Attachment R**, provide a narrative describing the above public benefits of the proposed Project. At a minimum, the narrative should include one or more of following, whichever are applicable:

- A. The measures taken by the Project Sponsor to mitigate the impact on air quality as a result of the proposed Project or to improve the air quality in the community in which the proposed Project is located.
- B. The extent to which energy savings will result from (1) the utilization of designs, materials, or techniques that will reduce energy usage during the construction or rehabilitation of the proposed Project according to recognized efficiency standards, such as those promulgated by the California Energy Commission, or (2) the installation of new equipment that will reduce energy usage compared to the equipment formerly used by the Project Sponsor.
- C. The measures taken by the Project Sponsor to (1) mitigate the impact on water quality as the result of the proposed Project’s discharge of waste into groundwater and surface water sources, (2) prevent pollution of environmentally sensitive wetland and coastal land areas that are in close proximity to the proposed Project, or (3) improve the water quality in the community in which the proposed Project is located.
- D. The capacity of the proposed Project to recycle commodities (glass, aluminum, plastic, and other marketable materials) or greenwaste and reuse of such commodities or greenwaste in the manufacture of environmentally sensitive products.
- E. The past performance of the Project Sponsor or entity which will operate the proposed Project regarding compliance with all applicable regulations governing solid waste disposal.
- F. A description of the projected capacity of a materials recovery component of a proposed Project to assist in waste stream diversion.
- G. The extent to which the proposed Project will provide cost benefits to the consumers residing in the communities served by the Project, such as the prevention of fee increases for solid waste disposal or water or energy services.

3. Leverage (Section 5433 of CDLAC Regulations)

Applications will be evaluated based on information provided in **Attachment “D”** required by Item #11 in PART II of this Application.

4. Local Government Support (Section 5434 of CDLAC Regulations)

In **Attachment S**, evidence of local government support for the proposed Project. Such evidence must be documentation from a regulatory agency or other local government entity that clearly demonstrates government support and the proposed Project’s ability to support and contribute to local waste management policy, environmental policy, and planning. Such documentation may include the identification of the proposed Project in the applicable elements of an approved County Integrated Waste Management Plan or Regional Agency Waste Management Plan.

PART VII – LEGAL STATUS

Legal Disclosure:

Disclosures should include civil or criminal cases filed in state or federal court; civil or criminal investigations by local, state, or federal law enforcement authorities; and enforcement proceedings or investigations by local, state or federal regulatory agencies. The information provided must include relevant dates, the nature of the allegation(s), charters, complaint or filing, and the outcome. For a publicly-traded company, the relevant sections of the company's 10K, 8K, and 10Q most recently filed with the Securities and Exchange Commission may be attached in response to question #1. With respect to a response for question #2, previous 10K, 8K, and 10Q filings of the company may be attached if applicable.

- 1.** Disclose material information relating to any legal or regulatory proceeding or investigation in which the project sponsor is or has been a party and which might have a material impact on the financial viability of the project or the project sponsor. Such disclosures should include any parent, subsidiary, or affiliate of the project sponsor that is involved in the management, operation, or development of the project.
- 2.** Disclose any civil, criminal, or regulatory action in which the project sponsor, or any current board members (not including volunteer board members of non-profit entities), partners, limited liability corporation members, senior officers, or senior management personnel has been named a defendant in such action in the past ten years involving fraud or corruption, or matters involving health and safety where there are allegations of serious harm to employees, the public, or the environment.

A. Does the Applicant, Project Sponsor or any partners have anything to Disclose: _____

If “YES” to above, include **Attachment T**, a disclosure narrative.