**Larry M’s edits to recommendations by Larry Knudsen from 7/7/09**

(1) Funds will be offered to an applicant on the project priority list in rank order, subject to eligibility.  A project is not eligible unless all required documentation is complete and appropriate environmental review, including any required notice and opportunity for public comment, has been completed.

(2) The department will determine the amount of funding to be provided to an applicant, but the amount of any loan may not exceed $ 5 million per applicant, except as provided in Section (3) below.

(3) If there are no applicants on the project priority list currently eligible for a loan under the Act, a borrower that has received partial funding under the Act may be allocated additional funding. The department may allocate the remaining funds to a borrower based on rank order not to exceed 25 percent of the remaining fundsor $2 million, whichever is greater. If funds still remain after reallocation, the balance of any remaining funds must be allocated to borrowers in rank order. [Note: This assumes the projects and rank order are frozen as of the date the initial IUP. Is that correct?]

(4) The funds of projects not able to meet the loan agreement, including the requirement to be under construction or contract by February 17, 2010, will be recovered from those projects and be provided as an increase to other Act funded projects. This transfer of funds will occur by December 31, 2009 and the funds will be offered to partially funded projects in rank order. [Note:  this is broader now and would include any basis for ineligibility.]