

**ACTION:** Notice of availability.

**SUMMARY:** We are advising the public that we have prepared a pest risk analysis that evaluates the risks associated with importation of fresh figs (*Ficus carica*) from Peru into the continental United States. Based on the analysis, we have determined that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh figs from Peru. We are making the pest risk analysis available to the public for review and comment.

**DATES:** We will consider all comments that we receive on or before May 13, 2016.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0011>.

- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2016–0011, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0011> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

**FOR FURTHER INFORMATION CONTACT:** Ms. Claudia Ferguson, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, Imports, Regulations, and Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737–1231; (301) 851–2352; [Claudia.Ferguson@aphis.usda.gov](mailto:Claudia.Ferguson@aphis.usda.gov).

**SUPPLEMENTARY INFORMATION:** Under the regulations in “Subpart—Fruits and Vegetables” (7 CFR 319.56–1 through 319.56–74, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) prohibits or restricts the importation of fruits and vegetables into the United States from certain parts of the world to prevent plant pests from being introduced into or disseminated within the United States.

Section 319.56–4 contains a performance-based process for approving the importation of certain

fruits and vegetables that, based on the findings of a pest risk analysis, can be safely imported subject to one or more of the five designated phytosanitary measures listed in paragraph (b) of that section.

APHIS received a request from the national plant protection organization (NPPO) of Peru to allow the importation of fresh figs (*Ficus carica*) into the continental United States. As part of our evaluation of Peru’s request, we have prepared a pest risk assessment (PRA) to identify pests of quarantine significance that could follow the pathway of importation of figs into the continental United States from Peru. Based on the PRA, a risk management document (RMD) was prepared to identify phytosanitary measures that could be applied to the figs to mitigate the pest risk. We have concluded that figs can be safely imported from Peru to the continental United States using one or more of the five designated phytosanitary measures listed in § 319.56–4(b). These measures are:

- The figs must be imported as commercial consignments only;
- Each consignment of figs must be accompanied by a phytosanitary certificate issued by the NPPO of Peru;
- Each consignment of figs must be treated in accordance with 7 CFR part 305; and
- Each consignment of figs is subject to inspection upon arrival at the port of entry to the United States.

Therefore, in accordance with § 319.56–4(c), we are announcing the availability of our PRA and RMD for public review and comment. The documents may be viewed on the Regulations.gov Web site or in our reading room (see **ADDRESSES** above for a link to Regulations.gov and information on the location and hours of the reading room). You may request paper copies of the PRA and RMD by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. Please refer to the subject of the analysis you wish to review when requesting copies.

After reviewing any comments we receive, we will announce our decision regarding the import status of fresh figs from Peru in a subsequent notice. If the overall conclusions of our analysis and the Administrator’s determination of risk remain unchanged following our consideration of the comments, then we will authorize the importation of fresh figs from Peru into the continental United States subject to the requirements specified in the RMD.

**Authority:** 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 9th day of March 2016.

**Michael C. Gregoire,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2016–05669 Filed 3–11–16; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### Notice of Solicitation of Applications for Loan Guarantees Under the Section 538 Guaranteed Rural Rental Housing Program for Fiscal Year 2016

**AGENCY:** Rural Housing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Rural Housing Service (RHS), an agency within Rural Development, announces that it is soliciting competitive applications under its Section 538 Guaranteed Rural Rental Housing Program (GRRHP) pursuant to 7 CFR 3565.4 for Fiscal Year (FY) 2016. The Consolidated Appropriations Act, 2016, Public Law 114–113 (December 18, 2015) appropriated \$150 million for FY 2016. The commitment of program dollars will be made first to approved and complete applications from prior years’ notices, then to applicants of selected responses in the order they are ranked under this Notice that have fulfilled the necessary requirements for obligation. Successful applications will be selected by the Agency for funding and subsequently awarded to the extent that funding may ultimately be made available to the Agency through appropriations.

Expenses incurred in developing applications will be at the applicant’s risk. The following paragraphs outline the timeframes, eligibility requirements, lender responsibilities, and the overall response and application processes.

Eligible lenders are invited to submit responses for new construction and acquisition with rehabilitation of affordable rural rental housing. The Agency will review responses submitted by eligible lenders, on the lender’s letterhead, and signed by both the prospective borrower and lender. Although a complete application is not required in response to this Notice, eligible lenders may submit a complete application concurrently with the response. Submitting a complete application will not have any effect on the respondent’s response score.

**DATES:** Eligible responses to this Notice will be accepted until December 31, 2017, 12:00 p.m. Eastern Time. Selected

responses that develop into complete applications and meet all Federal eligibility requirements prior to September 30, 2016, will receive conditional commitments until all FY 2016 funds are expended. Selected responses to this Notice that are deemed eligible for further processing after September 30, 2016, will be funded to the extent an appropriations act provides sufficient funding in the fiscal year the response is selected. Responses are subject to the fee structure in effect in the fiscal year they are selected for funding, for example, a response that receives a Notice to Proceed Letter in FY 2015 will be subject to all fees in effect in FY 2015.

Eligible lenders mailing a response or application must provide sufficient time to permit delivery to the appropriate *submission address* below on or before the closing deadline date and time. Acceptance by a U.S. Post Office or private mailer does not constitute delivery. Postage due responses and applications will not be accepted.

**Submission Address:** Eligible lenders will send responses to the Multi-Family Housing Program Director of the State Office where the project will be located. USDA Rural Development State Offices, their addresses, and telephone numbers, may be found at <http://www.rd.usda.gov/contact-us/state-offices>.

**Note:** Telephone numbers listed there are not toll-free.

**FOR FURTHER INFORMATION CONTACT:** Tammy Daniels, Financial and Loan Analyst, USDA Rural Development Guaranteed Rural Rental Housing Program, Multi-Family Housing Guaranteed Loan Division, U.S. Department of Agriculture, South Agriculture Building, Room 1263-S, STOP 0781, 1400 Independence Avenue SW., Washington, DC 20250-0781 or email: [tammy.daniels@wdc.usda.gov](mailto:tammy.daniels@wdc.usda.gov). Telephone: (202) 720-0021. This number is not toll-free. Hearing or speech-impaired persons may access that number by calling the Federal Information Relay Service toll-free at (800) 877-8339.

### Overview

**Federal Agency:** Rural Housing Service  
**Solicitation Opportunity Title:**

Guaranteed Multi-Family Housing Loans

**Announcement Type:** Initial Solicitation Announcement

**Catalog of Federal Domestic Assistance:**  
10.438

**Dates:** Response Deadline: December 31, 2017, 12:00 p.m. Eastern Time

### I. Funding Opportunity Description

The GRRHP is authorized by Section 538 of the Housing Act of 1949, as amended (42 U.S.C. 1490p-2) and operates under 7 CFR part 3565. The purpose of the GRRHP is to increase the supply of affordable rural rental housing through the use of loan guarantees that encourage partnerships between the Agency, private lenders, and public agencies.

**Eligibility of Prior Year Selected Responses:** Prior fiscal year response selections that did not develop into complete applications within the time constraints stipulated by the corresponding State Office have been cancelled. Applicants have been notified of the cancellation by the State Office. A new response for the project may be submitted subject to the conditions of this Notice.

Prior years' responses that were selected by the Agency, with a complete application submitted by the lender within 90 days from the date of notification of response selection (unless an extension was granted by the Agency), will be eligible for FY 2016 program dollars without having to complete a FY 2016 response. A complete application includes all Federal environmental documents required by 7 CFR part 1940, subpart G, and a Form RD 3565-1, "Application for Loan and Guarantee." Any approved applications originating from FY 2015 and previous fiscal years (outstanding prior years approved applications) that are obligated between January 2, 2016, and December 31, 2017, however, are subject to the fees in the "PROGRAM FEES" section in this Notice. Outstanding prior years approved applications will be obligated to the extent of available funding in order of priority score with the highest scores obligated first. The scores the applications received under the Notice the year the application was submitted will be used for the ranking. In the case of tied scores, the project with the greatest leveraging (lowest loan to cost ratio) will receive selection priority. Once the outstanding prior years approved applications have been funded, the Agency will select FY 2016 responses for further processing in rank order as determined by the scoring criteria set forth in this Notice to the extent that funds remain available.

### II. Award Information

Anyone interested in submitting an application for funding under this program is encouraged to consult the Rural Development Web site <http://www.rd.usda.gov/programs-services/>

*multi-family-housing-loan-guarantees* periodically for updated information regarding the status of funding authorized for this program.

**Qualifying Properties:** Qualifying properties include new construction for multi-family housing units and the acquisition of existing structures with a minimum per unit rehabilitation expenditure requirement in accordance with 7 CFR 3565.252. The Agency does not finance acquisition only deals.

Also eligible is the revitalization, repair, and transfer (as stipulated in 7 CFR 3560.406) of existing direct Section 515 housing and Section 514/516 Farm Labor Housing (FLH) (transfer costs are subject to Agency approval and must be an eligible use of loan proceeds as listed in 7 CFR 3565.205), and properties involved in the Agency's Multifamily Preservation and Revitalization (MPR) program. Equity payment, as stipulated in 7 CFR 3560.406, in the transfer of existing direct Section 515 and Section 514/516 FLH, is an eligible use of guaranteed loan proceeds. In order to be considered, the transfer of Section 515 and Section 514/516 FLH and MPR projects must need repairs and undergo revitalization of a minimum of \$6,500 per unit.

**Eligible Financing Sources:** Any form of Federal, State, and conventional sources of financing can be used in conjunction with the loan guarantee, including Home Investment Partnerships Program (HOME) grant funds, tax exempt bonds, and Low Income Housing Tax Credits (LIHTC).

**Types of Guarantees:** The Agency offers three types of guarantees which are set forth at 7 CFR 3565.52(c). The Agency's liability under any guarantee will decrease or increase, in proportion to any decrease or increase in the amount of the unpaid portion of the loan, up to the maximum amount specified in the Loan Note Guarantee. Penalties incurred as a result of default are not covered by any of the program's guarantees. The Agency may provide a lesser guarantee based upon its evaluation of the credit quality of the loan.

**Energy Conservation:** All new multi-family housing projects financed in whole or in part by the USDA, are encouraged to engage in sustainable building development that emphasizes energy-efficiency and conservation. In order to assist in the achievement of this goal, any GRRHP project that participates in one or all of the programs included in priority 7 under the "Scoring of Priority Criteria for Selection of Projects" section of this Notice may receive a maximum of 25 additional points added to their project

score. Participation in these nationwide initiatives is voluntary, but strongly encouraged.

*Interest Credit:* There will be no interest credit.

*Program Fees:* The Consolidated Appropriations Act, 2016, Public Law 114–113 (December 18, 2015) continued the provision “That to support the loan program level for Section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 *et seq.*), and the interest on such loans may not be subsidized.” The following fees have been determined necessary to cover the projected cost of such loan guarantees. These fees may be adjusted in future years to cover the projected costs of loan guarantees in those future years or additional fees may be charged. These fees are also applicable to all outstanding prior years’ responses funded with funds under this NOSA. The fees are as follows:

1. Initial guarantee fee. The Agency will charge an initial guarantee fee equal to 1 percent of the guarantee principal amount. For purposes of calculating this fee, the guarantee amount is the product of the percentage of the guarantee times the initial principal amount of the guaranteed loan.

2. Annual guarantee fee. An annual guarantee fee of 50 basis points (1/2 percent) of the outstanding principal amount of the loan as of December 31 will be charged each year or portion of a year that the guarantee is outstanding.

3. As permitted under 7 CFR 3565.302(b)(5), there is a non-refundable service fee of \$1,500 for the review and approval of a lender’s first request to extend the term of a guarantee commitment beyond its original expiration (the request must be received by the Agency prior to the commitment’s expiration). For any subsequent extension request, the fee will be \$2,500.

4. As permitted under 7 CFR 3565.302(b)(5), there is a non-refundable service fee of \$3,500 for the review and approval of a lender’s first request to reopen an application when a commitment has expired. For any subsequent extension request to reopen an application after the commitment has expired, the fee will be \$3,500.

5. As permitted under 7 CFR 3565.302(b)(4), there is a non-refundable service fee of \$1,500 in connection with

a lender’s request to approve the transfer of property or a change in composition of the ownership entity.

6. There is no application fee.

7. There is no lender application fee for lender approval.

8. There is no surcharge for the guarantee of construction advances.

### III. Eligibility Information

*Eligible Lenders:* An eligible lender for the Section 538 GRRHP as required by 7 CFR 3565.102 must be a licensed business entity or Housing Finance Agency (HFA) in good standing in the State or States where it conducts business. Lender eligibility requirements are contained in 7 CFR 3565.102. Please review that section for a complete list of all of the criteria. The Agency will only accept responses from GRRHP eligible or approved lenders as described in 7 CFR 3565.102 and 3565.103 respectively.

Lenders whose responses are selected will be notified by the Agency to submit a request for GRRHP lender approval within 30 days of notification. Lenders who request GRRHP approval must meet the standards in 7 CFR 3565.103.

Lenders that have received GRRHP lender approval that remain in good standing in accordance with 7 CFR 3565.105, do not need to reapply for GRRHP lender approval. A lender making a construction loan must demonstrate an ability to originate and service construction loans, in addition to meeting the other requirements of 7 CFR part 3565, subpart C.

*Submission of Documentation for GRRHP Lender Approval:* All lenders that have not yet received GRRHP lender approval must submit a complete lender application to: Director, Multi-Family Housing Guaranteed Loan Division, Rural Development, U.S. Department of Agriculture, Room 1263–S, STOP 0781, 1400 Independence Avenue SW, Washington, DC 20250–0781. Lender applications must be identified as “Lender Application—Section 538 Guaranteed Rural Rental Housing Program” on the envelope.

### IV. Application and Submission Information

Responses to this NOSA can be submitted either electronically using the Section 538 electronic response form found at: <http://www.rd.usda.gov/programs-services/multi-family-housing-loan-guarantees> or in hard copy and submitted to the appropriate Rural Development State Office where the project will be located. USDA Rural

Development State Offices, their addresses, and telephone numbers may be found at <http://www.rd.usda.gov/contact-us/state-offices>. **Note:** Telephone numbers listed are not toll-free. Applicants are strongly encouraged, but not required, to submit the NOSA response electronically.

The electronic form contains a button labeled “Send Form.” By clicking on the button, the applicant will see an email message window with an attachment that includes the electronic form the applicant filled out as a data file with an .fdf extension. In addition, an auto-reply acknowledgement will be sent to the applicant when the electronic NOSA Response form is received by the Agency unless the sender has software that will block the receipt of the auto-reply email. The State Office will record NOSA responses received electronically by the actual date and time when all attachments are received at the State Office.

Submission of the electronic Section 538 NOSA response form does not constitute submission of the entire application package which requires additional forms and supporting documentation.

*Content of Responses:* All responses require lender information and project specific data as set out in this Notice. Incomplete responses will not be considered for funding. Lenders will be notified of incomplete responses no later than 30 calendar days from the date of receipt of the response by the Agency. Complete responses are to include a signed cover letter from the lender, on the lender’s letterhead. The lender must provide the requested information concerning the project, to establish the purpose of the proposed project, its location, and how it meets the established priorities for funding. The Agency will determine the highest ranked responses based on priority criteria and a threshold score.

(1) Lender Certification: The lender must certify that the lender will make a loan to the prospective borrower for the proposed project, under specified terms and conditions subject to the issuance of the GRRHP guarantee. Lender certification must be on the lender’s letterhead and signed by both the lender and the prospective borrower.

(2) Project Specific Data: The lender must submit the project specific data below on the lender’s letterhead, signed by both the lender and the prospective borrower:

Data element	Information that must be included
Lender Name .....	Insert the lender's name.
Lender Tax ID # .....	Insert lender's tax ID number.
Lender Contact Name .....	Name of the lender contact for loan.
Mailing Address .....	Lender's complete mailing address.
Phone # .....	Phone number for lender contact.
Fax # .....	Insert lender's fax number.
E-mail Address .....	Insert lender contact e-mail address.
Borrower Name and Organization Type .....	State whether borrower is a Limited Partnership, Corporation, Indian Tribe, etc.
Equal Opportunity Survey .....	Optional Completion.
Tax Classification Type .....	State whether borrower is for profit, not for profit, etc.
Borrower Tax ID # .....	Insert borrower's tax ID number.
Borrower DUNS# .....	Insert DUNS number.
Borrower Address, including County .....	Insert borrower's address and county.
Borrower Phone #, fax # and e-mail address .....	Insert borrower's phone number, fax number and e-mail address.
Principal or Key Member for the Borrower .....	Insert name and title. List the general partners if a limited partnership, officers if a corporation or members of a Limited Liability Corporation.
Borrower Information and Statement of Housing Development Experience.	Attach relevant information.
New Construction, Acquisition With Rehabilitation .....	State whether the project is new construction or acquisition with rehabilitation.
Revitalization, Repair, and Transfer (as stipulated in 7 CFR 3560.406 of Existing Direct Section 515 and Section 514/516 FLH or MPR.	Yes or No (Transfer costs, including equity payments, are subject to Agency approval and must be an eligible use of loan proceeds in 7 CFR 3565.205).
Project Location Town or City .....	Town or city in which the project is located.
Project County .....	County in which the project is located.
Project State .....	State in which the project is located.
Project Zip Code .....	Insert Zip Code where the project is located.
Project Congressional District .....	Congressional District for project location.
Project Name .....	Insert project name.
Project Type .....	Family, senior (all residents 55 years or older), or mixed.
Property Description and Proposed Development Schedule .....	Provide as an attachment.
Total Project Development Cost .....	Enter amount for total project.
# of Units .....	Insert the number of units in the project.
Ratio of 3–5 bedroom units to total units .....	Insert percentage of 3–5 bedroom units to total units.
Cost Per Unit .....	Total development cost divided by number of units.
Rent .....	Proposed rent structure.
Median Income for Community .....	Provide median income for the community.
Evidence of Site Control .....	Attach relevant information.
Description of Any Environmental Issues .....	Attach relevant information.
Loan Amount .....	Insert the loan amount.
Borrower's Proposed Equity .....	Insert amount and source.
Tax Credits .....	Have tax credits been awarded?
Other Sources of Funds .....	If tax credits were awarded, submit a copy of the award/evidence of award with your response.
Loan to Total Development Cost .....	If not, when do you anticipate an award will be made (announced)?
Debt Coverage Ratio .....	What is the [estimated] value of the tax credits?
Percentage of Guarantee .....	Letters of application and commitment letters should be included, if available.
Collateral .....	List all funding sources other than tax credits and amounts for each source, type, rates and terms of loans or grant funds.
Colonia, Tribal Lands, or State's Consolidated Plan or State Needs Assessment.	Guaranteed loan divided by the total development costs of project.
Is the Property Located in a Federally Declared Disaster Area? .....	Net Operating Income divided by debt service payments.
Population .....	Percentage guarantee requested.
What type of guarantee is being requested, Permanent only (Option 1), Construction and Permanent (Option 2) or Continuous (Option 3).	Attach relevant information.
Loan Term .....	Colonia, on an Indian Reservation, or in a place identified in the State's Consolidated Plan or State Needs Assessment as a high need community for multi-family housing.
Participation in Energy Efficient Programs .....	If yes, please provide documentation (i.e., Presidential Declaration document).
Minimum 25-year term.	Provide the population of the county, city, or town where the project is or will be located.
Maximum 40-year term (includes construction period).	Enter the type of guarantee.
May amortize up to 40 years.	Minimum 25-year term.
Balloon mortgages permitted after the 25th year.	Maximum 40-year term (includes construction period).
Initial checklist indicating prerequisites to register for participation in a particular energy efficient program. All checklists must be accompanied by a signed affidavit by the project architect stating that the goals are achievable. If property management is certified for green property management, the certification must be provided.	May amortize up to 40 years.
	Balloon mortgages permitted after the 25th year.
	Initial checklist indicating prerequisites to register for participation in a particular energy efficient program. All checklists must be accompanied by a signed affidavit by the project architect stating that the goals are achievable. If property management is certified for green property management, the certification must be provided.

*(3) The Proposed Borrower Information:*

(a) Lender certification that the borrower or principals of the owner are not barred from participating in Federal housing programs and are not delinquent on any Federal debt.

(b) Borrower's unaudited or audited financial statements.

(c) Statement of borrower's housing development experience.

*(4) Lender Eligibility and Approval Status:* Evidence that the lender is either an approved lender for the purposes of the GRRHP or that the lender is eligible to apply for approved lender status. The lender's application package requesting approved lender status can be submitted with the NOSA response. If a lender has not yet been approved by the Agency submits a NOSA response and receives a "Notice to Proceed with Application Processing" letter from the State Office, the lender approval application must be submitted to the National Office within 30 calendar days of the lender's receipt of the "Notice to Proceed with Application Processing" letter. The Agency will not issue a loan note guarantee until the lender is approved by the Agency.

*(5) Competitive Criteria:* Information that shows how the proposal is responsive to the selection criteria specified in this Notice.

**V. Application Review Information**

*Scoring of Priority Criteria for Selection:* All responses received under this NOSA will be scored based on the criteria set forth below to establish their priority for further processing. Per 7 CFR 3565.5 (b), priority will be given to projects: In smaller rural communities, in the most needy communities having the highest percentage of leveraging, having the lowest interest rate, or having the highest ratio of 3–5 bedroom units to total units. In addition, as permitted in 7 CFR 3565.5(b), in order to meet important program goals, priority points will be given for projects that include LIHTC funding and projects that are participating in specified energy efficient programs.

The eight priority scoring criteria for projects are listed below.

*Priority 1*—Projects located in eligible rural communities with the lowest populations will receive the highest points.

Population size	Points
0–5,000 .....	30
5,001–10,000 people .....	15
10,001–15,000 people .....	10
15,001–20,000 people .....	5
20,001–35,000 people .....	0

*Priority 2*—The neediest communities as determined by the median income from the most recent census data published by the United States Department of Housing and Urban Development (HUD), will receive points. The Agency will allocate points to projects located in communities having the lowest median income. Points for median income will be awarded as follows:

Median income (dollars)	Points
Less than \$45,000 .....	20
\$45,000—less than \$55,000 ....	15
\$55,000—less than \$65,000 ....	10
\$65,000—less than \$75,000 ....	5
\$75,000 or more .....	0

*Priority 3*—Projects that demonstrate partnering and leveraging in order to develop the maximum number of units and promote partnerships with State and local communities will also receive points. Points will be awarded as follows:

Loan to total development cost ratio (percentage %)	Points
Less than 25 .....	60
Less than 50 to 25 .....	30
Less than 70 to 50 .....	10
70 or more .....	0

*Priority 4*—Responses that include equity from low income housing tax credits will receive an additional 50 points.

*Priority 5*—The USDA Rural Development will award points to projects with the highest ratio of 3–5 bedroom units to total units as follows:

Ratio of 3–5 bedroom units to total units	Points
More than 50% .....	10
21%–50% .....	5
Less than 21%—more than 0%	1

*Priority 6*—Responses for the revitalization, repair, and transfer (as stipulated in 7 CFR 3560.406) of existing direct Section 515 and Section 514/516 FLH and properties involved in the Agency's MPR program (transfer costs, including equity payments, are subject to Agency approval and must be an eligible use of loan proceeds listed in 7 CFR 3565.205) will receive an additional 10 points. If the transfer of existing Section 515 and Section 514/516 FLH properties includes equity payments, 0 points will be awarded.

*Priority 7—Energy Efficiency*

(A) Projects that are energy-efficient and registered for participation in the

following programs will receive points as indicated up to a maximum of 25 points. Each program has an initial checklist indicating prerequisites for participation. Each applicant must provide a checklist establishing that the prerequisites for each program's participation will be met. Additional points will be awarded for checklists that achieve higher levels of energy efficiency certification as set forth below. All checklists must be accompanied by a signed affidavit by the project architect stating that the goals are achievable. Points will be awarded for the listed programs as follows. Because Energy Star for Homes is a requirement within other programs such as LEED and Green Communities, points will only be awarded separately for Energy Star for Homes if it is the only program in which the project is enrolled, excluding local programs that do not require participation in Energy Star for Homes:

- *Energy Star for Homes*—5 points;
- *Green Communities* by the Enterprise Community Partners ([www.enterprisefoundation.org](http://www.enterprisefoundation.org))—10 points;
- *LEED for Homes* program by the U.S. Green Building Council (USGBC) ([www.usgbc.org](http://www.usgbc.org))—Certified (10 points), Silver (12 points), Gold (15 points), or Platinum (25 points);
- *Home Innovation's National Green Building Standard™* (NGBS) certification program ([www.homeinnovation.com/green](http://www.homeinnovation.com/green))—Bronze (10 points), Silver (12 points), Gold (15 points), or Emerald (25 points);

or

- A State or local green building program—2 points

(B) Projects that will be managed by a property management company that are certified green property management companies will receive 5 points. Applicants must provide proof of certification. Certification may be achieved through one of the following programs:

- National Apartment Association, Credential for Green Property Management (CGPM); [www.naahq.org/EDUCATION/DESIGNATIONPROGRAMS/OTHER/Pages/default.aspx](http://www.naahq.org/EDUCATION/DESIGNATIONPROGRAMS/OTHER/Pages/default.aspx);
- National Affordable Housing Management Association (NAHMA), Credential for Green Property Management (CGPM); [www.nahma.org/content/greencred.html](http://www.nahma.org/content/greencred.html); or
- U.S. Green Building Council (USGBC), Green Building Certification Institute (GBCI) LEED AP (any discipline) or LEED Green Associate; [www.gbci.org](http://www.gbci.org).

(C) *Energy Generation* (maximum 5 points). Pre-applications for new construction or purchase and rehabilitation of non-program multi-family projects which participate in the Energy Star for Homes V3 Program, Green Communities, LEED for Homes or NAHB's National Green Building Standard (ICC-700) 2008, receive at least 8 points for Energy Conservation measures (if limited rehabilitation only) in the point allocations above are eligible to earn additional points for installation of on-site renewable energy sources. In order to receive more than 1 point for this energy generation section, an accurate energy analysis prepared by an engineer will need to be submitted with the pre-application. Energy analysis of preliminary building plans using industry-recognized simulation software must document the projected total energy consumption of the building, the portion of the building consumption which will be satisfied through on-site generation and the building's Home Energy Rating System (HERS) score.

Projects with an energy analysis of the preliminary or rehabilitation building plans that propose a 10 percent to 100 percent energy generation commitment (where generation is considered to be the total amount of energy needed to be generated on-site to make the building a net-zero consumer of energy) will be awarded points as follows:

- (a) 0 to 9 percent commitment to energy generation receives 0 points;
- (b) 10 to 29 percent commitment to energy generation receives 1 point;
- (c) 30 to 49 percent commitment to energy generation receives 2 points;
- (d) 50 to 69 percent commitment to energy generation receives 3 points;
- (e) 70 to 89 percent commitment to energy generation receives 4 points;
- (f) 90 percent or more commitment to energy generation receives 5 points.

#### *Priority 8—Promise Zones/Persistent Poverty Areas*

Additional 10 points will be awarded to projects located in Promise Zones and/or persistent poverty counties. A county is considered persistently poor if 20 percent or more of its population was living in poverty over the last 30 years (measured by the 1980, 1990, and 2000 decennial censuses and 2007–2011 American Community Survey 5-year estimates), as determined by the Agency.

*Notifications:* Responses will be reviewed for completeness and eligibility. The Agency will notify those lenders whose responses are selected via a Notice to Proceed with Application Processing letter. The

Agency will request lenders without GRRHP lender approval to apply for GRRHP lender approval within 30 days upon receipt of notification of selection.

Lenders will also be invited to submit a complete application to the USDA Rural Development State Office where the project is located.

*Submission of GRRHP Applications:* Notification letters will instruct lenders to contact the USDA Rural Development State Office immediately following notification of selection to schedule required agency reviews.

USDA Rural Development State Office staff will work with lenders in the development of an application package. The deadline for the submission of a complete application is 90 calendar days from the date of notification of response selection. If the application is not received by the appropriate State Office within 90 calendar days from the date of notification, the selection is subject to cancellation, thereby allowing another response that is ready to proceed with processing to be selected. The Agency may extend this 90 day deadline for receipt of an application at its own discretion.

#### **VI. Award Administration Information**

*Obligation of Program Funds:* The Agency will only obligate funds to projects that meet the requirements for obligation under 7 CFR part 3565 and this NOSA, including having undergone a satisfactory environmental review in accordance with the National Environmental Protection Act (NEPA) and completed Form RD 3565–1 for the selected project.

The Agency will prioritize the obligation requests using the highest score and the procedures outlined as follows. The Agency will select the responses that meet eligibility criteria and invite lenders to submit complete applications to the Agency. Once a complete application is received and approved, the Agency's State Office will submit a request to obligate funds to the Agency's National Office. Starting on the Friday following the date the NOSA is published; obligation requests submitted to the National Office will be accumulated, but not obligated throughout the week until midnight Eastern Time every Thursday. To the extent that funds remain available, the Agency will obligate the requests accumulated through the weekly request deadline of the previous week by the following Tuesday (*i.e.*, requests received from Friday, May 13, 2016, to Thursday, May 19, 2016, will be obligated by Tuesday, May 24, 2016). In the event of a tie, priority will be given to the request for the project that: 1st—

has the highest percentage of leveraging (lowest Loan to Cost) and in the event there is still a tie;—is in the smaller rural community.

*Conditional Commitment:* Once the required documents for obligation are received and all NEPA and regulatory requirements have been met, the USDA Rural Development State Office will issue a conditional commitment, which stipulates the conditions that must be fulfilled before the issuance of a guarantee, in accordance with 7 CFR 3565.303.

*Issuance of Guarantee:* The USDA Rural Development Office will issue a guarantee to the lender for a project in accordance with 7 CFR 3565.303. No guarantee can be issued without a complete application, review of appropriate certifications, satisfactory assessment of the appropriate level of environmental review, and the completion of any conditional requirements.

#### *Non-Discrimination Statement*

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, familial/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.*, Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720–2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form,

call (866) 632-9992, submit your completed form or letter to USDA by: *Mail*: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250-9410; *Fax*: (202) 690-7442; or, *email*: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

Dated: March 3, 2016.

**Tony Hernandez,**

*Administrator, Housing and Community Facilities Programs.*

[FR Doc. 2016-05610 Filed 3-11-16; 8:45 am]

**BILLING CODE 3410-XV-P**

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Telecommunications Program: Notice of Availability of a Programmatic Environmental Assessment

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Notice of Availability of a Programmatic Environmental Assessment of USDA Rural Utilities Service's Financial Support for Deployment of the Telecommunications Programs to Rural America.

**SUMMARY:** The Rural Utilities Service (RUS, Agency), an agency of the United States Department of Agriculture, issued a Programmatic Environmental Assessment (PEA) for the development of a more efficient and effective environmental review process for the RUS Telecommunications Program on March 1, 2016. The Notice of Availability of a Programmatic Environmental Assessment was published on March 2, 2016, in the *Federal Register* at 81 FR 10575. The PEA provides a broad environmental analysis of the Agency's preliminary decisions and includes a tiered, site-specific analysis at the project level that would be completed before Agency dispersal of funds and/or applicant construction. Since publication of the Agency's Environmental Policies and Procedures (7 CFR part 1970) in the *Federal Register* (81 FR 11000) on March 2, 2016, RUS has updated the PEA with citations to the Agency's new environmental rule. These changes are administrative and not substantive, therefore supplementation of the PEA is not required.

**DATES:** Written comments on the PEA must be received on or before March 31, 2016.

**ADDRESSES:** Please submit written comments by physical mail or electronic mail to: Mr. Richard Fristik, Senior

Environmental Protection Specialist, Water and Environmental Programs/Engineering and Environmental Staff, Rural Utilities Service, 1400 Independence Ave. SW., Mail Stop 1571, Room 2240, Washington, DC 20250, *fax*: (202) 690-0649, or *email*: [Richard.Fristik@wdc.usda.gov](mailto:Richard.Fristik@wdc.usda.gov).

To obtain copies of the PEA or for further information, contact: Mr. Richard Fristik at the contact information provided in this Notice. A copy of the PEA is available for downloading through the Rural Development homepage at: <http://www.rd.usda.gov/publications/environmental-studies/assessments/programmatic-environmental-assessment>. Additional information about the Agency and its programs is available on the Internet at <http://www.rd.usda.gov/>.

**FOR FURTHER INFORMATION CONTACT:** For information on the PEA, please contact Mr. Richard Fristik, Senior Environmental Protection Specialist, Water and Environmental Programs/Engineering and Environmental Staff, Rural Utilities Service, 1400 Independence Ave. SW., Mail Stop 1571, Room 2240, Washington, DC 20250, *telephone*: (202) 720-5093, *fax*: (202) 690-0649, or *email*: [Richard.Fristik@wdc.usda.gov](mailto:Richard.Fristik@wdc.usda.gov). Parties wishing to be placed on the PEA's mailing list for future information and to receive copies of the PEA should also contact Mr. Fristik.

**SUPPLEMENTARY INFORMATION:** RUS issued a PEA for the development of a more efficient and effective environmental review process for its Telecommunications Program on March 1, 2016. The PEA provides a broad environmental analysis of the Agency's preliminary decisions and includes a tiered, site-specific analysis at the project level that would be completed before Agency dispersal of funds and/or applicant construction. Since publication of the Agency's Environmental Policies and Procedures (7 CFR part 1970) on March 2, 2016, RUS has updated the PEA with citations to the Agency's new environmental rule. These changes are administrative and not substantive, therefore supplementation of the PEA is not required.

The RUS Telecommunications Program provides a variety of loans and grants to build and expand broadband networks in rural America. Loans to build broadband networks and deliver service to households and businesses in rural communities provide a necessary source of capital for rural telecommunications companies. Grant

funding is awarded based on a number of factors relating to the benefits to be derived from the proposed broadband network project, as specified in applicable program regulations.

Eligible applicants for RUS loans and grants include for-profit and non-profit entities, tribes, municipalities, and cooperatives. The Agency particularly encourages investment in tribal and economically disadvantaged areas. Through low-cost funding for telecommunications infrastructure, rural residents can have access to services that will close the digital divide between rural and urban communities. Once funds are awarded, RUS monitors the projects to make sure they are completed in accordance with program conditions and requirements.

The application process for requesting financial assistance for the various Telecommunications programs varies slightly from a competitive grant program, individual project proposals, or multi-year "loan design" applications. The Agency seeks to synchronize and create environmental review efficiencies for future project-level environmental review compliance for the various programs, commensurate with the potential environmental impacts. The Agency also seeks to establish proper sequencing of certain agency preliminary decisions (*i.e.*, obligation of funds and/or approval of interim financing requests) with subsequent tiered, site-specific project environmental reviews.

The PEA is intended to expedite the funding, deployment, and expansion of broadband infrastructure in rural America. The PEA includes detailed descriptions and analyses of the direct, indirect, and cumulative impacts associated with broadband infrastructure technologies and construction methods, such as impacts to water resources, terrestrial resources, historic and cultural resources, air and climate resources, noise, threatened and endangered species, electromagnetic radiation, and Environmental Justice issues. Use of the PEA analyses thereby saves project-level processing time, ensuring consistent and accurate environmental evaluations while avoiding unnecessary duplication and repetition in project-level planning and evaluation. Use of the PEA enables project-level compliance with the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), and other requirements to focus on the remaining relevant site-specific issues, expediting planning, analysis, compliance,