

certification services must be sent to the USDA contact listed above. Applications from candidates of higher education, research institutions, and 501(c)(3) organizations must be sent to the DOL contact listed above.

#### Member Selection

The requested applications will assist U.S. Government agencies in making appointments to the Consultative Group. Other qualified individuals may be considered in addition to those who submit applications in response to this notice.

Signed at Washington, DC, on April 17, 2009.

**Patricia R Sheikh,**

*Acting Administrator, Foreign Agricultural Service.*

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**BILLING CODE 3410-10-P**

## DEPARTMENT OF AGRICULTURE

### Rural Housing Service

#### Notice of Funding Availability (NOFA) for the Section 515 Rural Rental Housing Program for New Construction in Fiscal Year 2009

**AGENCY:** Rural Housing Service (RHS), USDA.

**ACTION:** Notice.

**SUMMARY:** This NOFA announces the timeframe to submit initial applications for Section 515 Rural Rental Housing (RRH) loan funds, including applications for the nonprofit set-aside for eligible nonprofit entities, the set-aside for the most Underserved Counties and Colonias (Cranston-Gonzalez National Affordable Housing Act), and the set-aside for Empowerment Zones and Enterprise Communities (EZ/ECs) and Rural Economic Area Partnership (REAP) zones, and a designated reserve for States with rental assistance programs. This document describes the methodology that will be used to distribute funds, the application process, submission requirements, and areas of special emphasis or consideration.

**DATES:** The deadline for receipt of all applications in response to this NOFA is 5 p.m., local time for each United States Department of Agriculture (USDA) Rural Development State Office on June 29, 2009. The initial application closing deadline is firm as to date and hour. USDA Rural Development will not consider any initial application that is received after the closing deadline. Applicants intending to mail initial applications must provide sufficient

time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX) and postage due applications will not be accepted.

**ADDRESSES:** Applicants wishing to apply for assistance must contact the USDA Rural Development State Office serving the place in which they desire to submit an application for rural rental housing to receive further information and copies of the initial application package. USDA Rural Development will date and time stamp incoming applications to evidence timely receipt, and, upon request, will provide the applicant with a written acknowledgment of receipt. A listing of USDA Rural Development State Offices, their addresses, telephone numbers, and person to contact follows:

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

Alabama State Office, Suite 601, Sterling Centre, 4121 Carmichael Road, Montgomery, AL 36106-3683, (334) 279-3618, TDD (334) 279-3495, Van McCloud.  
 Alaska State Office, 800 West Evergreen, Suite 201, Palmer, AK 99645, (907) 761-7740, TDD (907) 761-8905, Deborah Davis.  
 Arizona State Office, Phoenix Courthouse and Federal Building, 230 North First Ave., Suite 206, Phoenix, AZ 85003-1706, (602) 280-8768, TDD (602) 280-8706, Carol Torres.  
 Arkansas State Office, 700 W. Capitol Ave., Room 3416, Little Rock, AR 72201-3225, (501) 301-3250, TDD (501) 301-3063, Greg Kemper.  
 California State Office, 430 G Street, #4169, Davis, CA 95616-4169, (530) 792-5821, TDD (530) 792-5848, Debra Moreton.  
 Colorado State Office, 655 Parfet Street, Room E100, Lakewood, CO 80215, (720) 544-2923, TDD (800) 659-2656, Mary Summerfield.  
 Connecticut, Served by Massachusetts State Office.  
 Delaware and Maryland State Office, 1221 College Park Drive, Suite 200, Dover, DE 19904, (302) 857-3615, TDD (302) 857-3585, Pat Baker.  
 Florida & Virgin Islands State Office, 4440 N.W. 25th Place, Gainesville, FL 32606-6563, (352) 338-3465, TDD (352) 338-3499, Elizabeth M. Whitaker.  
 Georgia State Office, Stephens Federal Building, 355 E. Hancock Avenue, Athens, GA 30601-2768, (706) 546-2164, TDD (706) 546-2034, Wayne Rogers.  
 Hawaii State Office, (Services all Hawaii, American Samoa, Guam, and

Western Pacific), Room 311, Federal Building, 154 Waiianuenue Avenue, Hilo, HI 96720, (808) 933-8305, TDD (808) 933-8321, Donald Estes.  
 Idaho State Office, Suite A1, 9173 West Barnes Dr., Boise, ID 83709, (208) 378-5630, TDD (208) 378-5644, Miriam Haylett.  
 Illinois State Office, 2118 West Park Court, Suite A, Champaign, IL 61821-2986, (217) 403-6222, TDD (217) 403-6240, Barry L. Ramsey.  
 Indiana State Office, 5975 Lakeside Boulevard, Indianapolis, IN 46278, (317) 290-3100 (ext. 423), TDD (317) 290-3343, Stephen Dye.  
 Iowa State Office, 210 Walnut Street Room 873, Des Moines, IA 50309, (515) 284-4493, TDD (515) 284-4858, Heather Honkomp.  
 Kansas State Office, 1303 SW First American Place, Suite 100, Topeka, KS 66604-4040, (785) 271-2721, TDD (785) 271-2767, Virginia M. Hammersmith.  
 Kentucky State Office, 771 Corporate Drive, Suite 200, Lexington, KY 40503, (859) 224-7325, TDD (859) 224-7422, Paul Higgins.  
 Louisiana State Office, 3727 Government Street, Alexandria, LA 71302, (318) 473-7962, TDD (318) 473-7655, Yvonne R. Emerson.  
 Maine State Office, 967 Illinois Ave., Suite 4, PO Box 405, Bangor, ME 04402-0405, (207) 990-9110, TDD (207) 942-7331, Bob Nadeau.  
 Maryland, Served by Delaware State Office.  
 Massachusetts, Connecticut, & Rhode Island State Office, 451 West Street, Amherst, MA 01002, (413) 253-4333, TDD (413) 253-4590, Arlene Nunes.  
 Michigan State Office, 3001 Coolidge Road, Suite 200, East Lansing, MI 48823, (517) 324-5192, TDD (517) 337-6795, Julie Putnam.  
 Minnesota State Office, 375 Jackson Street Building, Suite 410, St. Paul, MN 55101-1853, (651) 602-7812, TDD (651) 602-7830, Nancy Schmidt.  
 Mississippi State Office, Federal Building, Suite 831, 100 W. Capitol Street, Jackson, MS 39269, (601) 965-4325, TDD (601) 965-5850, Darnella Smith-Murray.  
 Missouri State Office, 601 Business Loop 70 West, Parkade Center, Suite 235, Columbia, MO 65203, (573) 876-0990, TDD (573) 876-9480, Colleen James.  
 Montana State Office, 900 Technology Blvd. Suite B, Bozeman, MT 59718, (406) 585-2515, TDD (406) 585-2562, Deborah Chorlton.  
 Nebraska State Office, Federal Building, Room 152, 100 Centennial Mall N, Lincoln, NE 68508, (402) 437-5734, TDD (402) 437-5093, Linda Anders.

Nevada State Office, 1390 South Curry Street, Carson City, NV 89703-5146, (775) 887-1222 (ext. 25), TDD (775) 885-0633, Angilla Denton.

New Hampshire State Office, Concord Center, Suite 218, Box 317, 10 Ferry Street, Concord, NH 03301-5004, (603) 223-6050, TDD (603) 229-0536, Robert McCarthy.

New Jersey State Office, 5th Floor North Suite 500, 8000 Midlantic Dr., Mt. Laurel, NJ 08054, (856) 787-7740, TDD (856) 787-7784, George Hyatt, Jr.

New Mexico State Office, 6200 Jefferson St., NE, Room 255, Albuquerque, NM 87109, (505) 761-4944, TDD (505) 761-4938, Susan Ellzey.

New York State Office, The Galleries of Syracuse, 441 S. Salina Street, Suite 357 5th Floor, Syracuse, NY 13202, (315) 477-6419, TDD (315) 477-6447, George N. Von Pless.

North Carolina State Office, 4405 Bland Road, Suite 260, Raleigh, NC 27609, (919) 873-2066, TDD (919) 873-2003, Beverly Casey.

North Dakota State Office, Federal Building, Room 208, 220 East Rosser, PO Box 1737, Bismarck, ND 58502, (701) 530-2049, TDD (701) 530-2113, Kathy Lake.

Ohio State Office, Federal Building, Room 507, 200 North High Street, Columbus, OH 43215-2477, (614) 255-2409, TDD (614) 255-2554, Cathy Simmons.

Oklahoma State Office, 100 USDA, Suite 108, Stillwater, OK 74074-2654, (405) 742-1070, TDD (405) 742-1007, Ivan S. Graves.

Oregon State Office, 1201 NE Lloyd Blv., Suite 801, Portland, OR 97232, (503) 414-3325, TDD (503) 414-3387, Sherryl Gleason.

Pennsylvania State Office, One Credit Union Place, Suite 330, Harrisburg, PA 17110-2996, (717) 237-2281, TDD (717) 237-2261, Martha Eberhart.

Puerto Rico State Office, 654 Munoz Rivera Avenue, IBM Plaza, Suite 601, Hato Rey, PR 00918, (787) 766-5095 (ext. 249), TDD (787) 766-5332, Lourdes Colon.

Rhode Island, Served by Massachusetts State Office.

South Carolina State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Room 1007, Columbia, SC 29201, (803) 253-3432, TDD (803) 765-5697, Larry D. Floyd.

South Dakota State Office, Federal Building, Room 210, 200 Fourth Street, SW., Huron, SD 57350, (605) 352-1132, TDD (605) 352-1147, Roger Hazuka or Pam Reilly.

Tennessee State Office, Suite 300, 3322 West End Avenue, Nashville, TN 37203-1084, (615) 783-1375, TDD (615) 783-1397, Don Harris.

Texas State Office, Federal Building, Suite 102, 101 South Main, Temple, TX 76501, (254) 742-9765, TDD (254) 742-9712, Scooter Brockette.

Utah State Office, Wallace F. Bennett Federal Building, 125 S. State Street, Room 4311, Salt Lake City, UT 84147-0350, (801) 524-4325, TDD (801) 524-3309, Janice Kocher.

Vermont State Office, City Center, 3rd Floor, 89 Main Street, Montpelier, VT 05602, (802) 828-6021, TDD (802) 223-6365, Heidi Setien.

Virgin Islands, Served by Florida State Office.

Virginia State Office, Culpeper Building, Suite 238, 1606 Santa Rosa Road, Richmond, VA 23229, (804) 287-1596, TDD (804) 287-1753, CJ Michels.

Washington State Office, 1835 Black Lake Blvd., Suite B, Olympia, WA 98512, (360) 704-7730, TDD (360) 704-7760, Robert Lund.

Western Pacific Territories, Served by Hawaii State Office.

West Virginia State Office, Federal Building, 75 High Street, Room 320, Morgantown, WV 26505-7500, (304) 284-4872, TDD (304) 284-4836, David Cain.

Wisconsin State Office, 4949 Kirschling Court, Stevens Point, WI 54481, (715) 345-7676, TDD (715) 345-7614, Cheryl Halverson.

Wyoming State Office, PO Box 11005, Casper, WY 82602, (307) 233-6715, TDD (307) 233-6733, Alan Brooks.

**FOR FURTHER INFORMATION CONTACT:** For general information, applicants may contact Sue Harris-Green, Deputy Director, Multi-Family Housing Preservation and Direct Loan Division, Rural Housing Service, United States Department of Agriculture, Stop 0781, 1400 Independence Avenue, SW., Washington, DC 20250, telephone (202) 720-1660 (voice) (this is not a toll free number), (800) 877-8339 (TDD-Federal Information Relay Service), or via e-mail, [Susie.Harris@wdc.usda.gov](mailto:Susie.Harris@wdc.usda.gov).

**SUPPLEMENTARY INFORMATION:**

**Programs Affected**

The RRH program is listed in the Catalog of Federal Domestic Assistance under Number 10.415, Rural Rental Housing Loans. Rental Assistance is listed in the Catalog under Number 10.427, Rural Rental Assistance Payments.

**Discussion of Notice**

*I. Authority and Distribution Methodology*

**A. Authority**

Section 515 of the Housing Act of 1949, as amended, (42 U.S.C. 1485) provides USDA Rural Development with the authority to make loans to any individual, corporation, association, trust, Indian tribe, public or private nonprofit organization, which may include a faith-based or community organization, consumer cooperative, or partnership to provide rental or cooperative housing and related facilities in rural areas for very-low, low, or moderate income persons or families, including elderly persons and persons with disabilities. Rental assistance (RA) is a tenant subsidy for very-low and low-income families residing in rural rental housing facilities with USDA Rural Development financing. It is anticipated that RA will not be available for new construction in Fiscal Year (FY) 2009.

**B. Distribution Methodology**

The total amount available for FY 2009 for section 515 is \$69,511,661.80, of which \$13,902,332 is available for new construction as follows:

Non-Restricted .....	\$1,904,373
Set-aside for nonprofits .....	5,237,026
Set-aside for Underserved Counties and Colonias .....	2,856,560
Set-aside EZ, EC, and REAP Zones .....	2,000,000
Designated Reserve for States with Rental Assistance Programs .....	1,904,373

**C. Section 515 New Construction Funds**

For Fiscal Year 2009, the Administrator has determined that it would not be practical to allocate funds to States because of funding limitations; therefore, Section 515 new construction funds will be distributed to States based on a National competition, as follows:

1. Applications will be divided by State. States will accept, review, score, and rank requests in accordance with 7 CFR Section 3560.56. The scoring factors are:

(a) The presence and extent of leveraged assistance for the units that will serve USDA Rural Development income-eligible tenants at basic rents as defined in 7 CFR 3560.11, comparable to those rents if USDA Rural Development provided full financing, computed as a percentage of the USDA Rural Development total development cost (TDC). Loan proposals that include leveraged/secondary funds which have been requested but have not yet been

committed will be processed as follows: The proposal will be scored based on the requested secondary funds, provided (1) the applicant includes evidence of a filed application for the funds; and (2) the funding date of the requested funds will permit processing of the loan request in the current funding cycle, or, if the applicant does not receive the requested funds, will permit processing of the next highest ranked proposal in the current year. Points will be awarded in accordance with the following table. Percentages will be rounded to the next higher whole number. (0 to 20 points)

Percentage of leveraging	Points
75 or more .....	20
70-74 .....	19
65-69 .....	18
60-64 .....	17
55-59 .....	16
50-54 .....	15
45-49 .....	14
40-44 .....	13
35-39 .....	12
30-34 .....	11
25-29 .....	10
20-24 .....	9
15-19 .....	8
10-14 .....	7
5-9 .....	6
0-4 .....	0

(b) The units to be developed are in a colonia, tribal land, EZ, EC, or Rural Economic Area Partnership (REAP) community, or in a place identified in the State Consolidated Plan or State Needs Assessment as a high need community for multifamily housing. (20 points)

(c) Pursuant to 7 CFR Section 3560.56(c)(1)(iii), this year there will be a National Office initiative whereby preference points will be awarded to loan requests that meet the selection criteria as follows: in *States* where USDA Rural Development has an ongoing formal working relationship, agreement, or Memorandum of Understanding (MOU) with the *State* to provide *State* financial resources (*State* funds, *State* RA, HOME funds, Community Development Block Grant (CDBG) funds, or Low-Income Housing Tax Credits (LIHTC)) for USDA Rural Development proposals; or where the *State* provides preference or points to USDA Rural Development proposals in awarding such *State* resources, 20 points will be provided to loan requests that include such *State* resources in an amount equal to at least 5 percent of the TDC. Native American Housing and Self Determination Act (NAHASDA) funds may be considered a *State* resource if the tribal plan for NAHASDA funds contains provisions for partnering with

USDA Rural Development for multi-family housing. The applicant can contact its USDA Rural Development *State* office on whether a particular *State* falls into this initiative.

(d) The loan request includes donated land meeting the provisions of 7 CFR Section 3560.56(c)(1)(iv). (5 points)

(e) Pursuant to 7 CFR 3560.56(c)(1)(iii), in an effort to implement USDA's nationwide initiative to promote renewable energy and energy conservation, USDA Rural Development has adopted incentives for energy generation and energy conservation. Participation in these nationwide initiatives is voluntary, but is strongly encouraged.

*Energy Generation.* Applicants will be awarded points if the proposal requires the installation of energy generation systems, which will be funded by a third party. The proposal must include an overview of the energy generation system being proposed. Evidence that an energy generation system has been funded by a third party and that it has a quantifiable positive impact on reducing energy consumption will be required. (10 points)

*Energy Conservation.* Applicants will be awarded points to construct (or substantially rehabilitate) housing that earns the *Energy Star* label for new residential construction. Units earning the *Energy Star* label must be independently verified to meet guidelines for energy efficiency as set by the U.S. Environmental Protection Agency. All procedures used in verifying a unit for the *Energy Star* label must comply with national Home Energy Ratings System (HERS) guidelines. *Energy Star* guidelines for residential construction apply to homes that are three stories or less and single or low-rise multi-family residential buildings.

The Applicant will include in the summary an explanation of how it plans to incorporate *Energy Star*. Construction plans pertaining to energy efficiency must be developed with, reviewed, and accepted by a HERS certified rater, the contractor, and the owner. Progress inspections must be made at appropriate times by a HERS certified rater to ensure that the housing is being constructed or rehabilitated according to *Energy Star* specifications. In order to receive final payment, applicants will be required to submit the appropriate rating reports from the HERS rater to USDA Rural Development as evidence that the housing has been constructed to meet the standards of *Energy Star*. In the event that housing does not meet *Energy Star* guidelines for new residential construction, USDA Rural Development

shall, at its discretion, deduct 5 points from future funding proposals. For further information about *Energy Star*, see <http://www.energystar.gov> or call the following toll-free numbers: (888) 782-7937 or (888) 588-9920 (TTY). (5 points)

(f) Pursuant to 7 CFR 3560.56(c)(1)(iii), this year there will be a National Office initiative whereby points will be awarded if the property is constructed in a Presidentially declared disaster area. For further information on Presidentially declared disaster areas, see <http://www.rurdev.usda.gov/rd/disasters/>. (10 points)

2. The National Office will rank all requests nationwide and distribute funds to *States* from any FY 2009 appropriations to *States* in rank order, within funding limits. If insufficient funds remain for the next ranked proposal, USDA Rural Development will select the next ranked proposal that falls within the remaining levels. Point score ties will be handled in accordance with 7 CFR 3560.56(c)(2).

D. Applications for New Construction RA

For FY 2009, \$2,030,000 is available for New Construction rural rental assistance. The market study for proposals must clearly demonstrate a need and demand for the units by prospective tenants at income levels that can support the proposed rents. The proposed units must offer amenities that are typical for the market area at rents that are comparable to conventional rents in the market for similar units.

E. Set-asides

Loan requests will be accepted for the following set-asides:

1. Nonprofit set-aside. An amount of \$5,237,026 has been set aside for nonprofit applicants as defined in 7 CFR Section 3560.11. All loan proposals must be in designated places in accordance with 7 CFR Section 3560.57. A *State* or jurisdiction may fund one proposal from this set-aside, which cannot exceed \$1 million. A *State* could get additional funds from this set-aside if any funds remain after funding one proposal from each participating *State*. The National Office will inform the *State* offices if additional funds are available. If additional set-aside funds remain, each *State's* second highest scoring proposal will be funded. This method will also be used if additional funds are available to fund more than one loan proposal per *State* where there are insufficient funds to fund a second or more proposal for each *State*. If there are insufficient funds to fund one loan

request from each participating *State*, selection will be determined nationally by point score on each *State's* highest ranking proposal. This method will also be used if additional funds are available to fund more than 1 loan proposal per *State* where there are insufficient funds to fund a second or more proposal for each *State*. If there are any funds remaining, they will be handled in accordance with 42 U.S.C. 1485(w)(3). Funds from this set-aside will be available only to nonprofit entities, which may include a partnership that has as its general partner a nonprofit entity or the nonprofit entity's for-profit subsidiary which will be receiving low-income housing tax credits authorized under section 42 of the Internal Revenue Code of 1986. To be eligible for this set-aside, the nonprofit entity must be an organization that:

(a) Will own an interest in the project to be financed and will materially participate in the development and the operations of the project;

(b) Is a private organization that has nonprofit, tax exempt status under section 501(c)(3) or section 501(c)(4) of the Internal Revenue Code of 1986;

(c) Has among its purposes the planning, development, or management of low-income housing or community development projects; and

(d) Is not affiliated with or controlled by a for-profit organization.

2. Underserved counties and colonias set-aside. An amount of \$2,856,560 has been set-aside for loan requests to develop units in the 100 most needy underserved counties or colonias as defined in section 509(f) of the Housing Act of 1949, as amended.

3. EZ, EC, and REAP Set-aside. An amount of \$2,000,000 has been set-aside to develop units in an EZ, EC, or REAP zone. Loan requests that are eligible for this set-aside are also eligible for regular Section 515 funds. Thus, requests for this set-aside exceed available funds, selection will be made in accordance with 7 CFR Section 3560.56(c) and ranking as described earlier in this NOFA.

4. \$1,904,373 is available nationwide in a reserve for *States* with viable *State* RA programs. In order to participate, *States* are to submit specific written information about the *State* RA program, *i.e.*, a memorandum of understanding, documentation from the provider, etc., to the National Office.

## II. Funding Limits

A. Individual loan requests may not exceed \$1 million. This applies to regular section 515 funds and set-aside funds. The Administrator may make an exception to this limit in cases where a

*State's* average total development costs exceed the national average by 50 percent or more.

B. No *State* may receive more than 20% of the total available for new construction, including set-aside funds.

## III. Rental Assistance (RA)

In addition to the *State* Matching RA program as described in Section I.E. of this Notice and subject to its availability, new construction RA will be held in the National Office for use with section 515 Rural Rental Housing New Construction loans. In addition, preferential consideration for RA will be given to projects: (1) Where a subsidy for rent is provided from within the *State* jurisdiction; and (2) where the least amount of RA is needed to make the project feasible, calculated as a percentage. New construction RA may not be used in conjunction with a transfer or subsequent loan for repairs or rehabilitation, preservation purposes or for inventory property sales.

## IV. Application Process

All initial applications for section 515 new construction funds must be filed with the appropriate Rural Development *State* Office and must meet the requirements of 7 CFR 3560.56, as well as comply with the provisions of Section V. of this NOFA. Incomplete applications will not be reviewed and will be returned to the applicant. No application will be accepted after 5 p.m., local time, on the application deadline previously mentioned unless that date and time is extended by a Notice published in the **Federal Register**.

## V. Application Submission Requirements

A. Each application shall include the information, documentation, forms and exhibits required by 7 CFR 3560.56, as well as comply with the provisions of this NOFA.

Information required in initial application package:

- I. To establish applicant eligibility:
  - A. Form SF 424, Application for Federal Assistance.
  - B. Form RD 400-4, Assurance Agreement.
  - C. Form RD 410-9, Statement Required by the Privacy Act (for individuals only).
  - D. Form HUD 2530, Previous Participation Certification.
  - E. Current (within 6 months) financial statements with the following paragraph certified by someone with the legal authority to do so:
 

"I/we certify the above is a true and accurate reflection of my/our financial condition as of the date stated herein. This statement is given for the purpose of inducing the United States of America to

make a loan or to enable the United States of America to make a determination of continued eligibility of the applicant for a loan as requested in the loan application of which this statement is a part."

F. Check for \$28 from individual applicants and \$40 from corporate applicants made out to United States Department of Agriculture. This will be used to pay for credit reports obtained by the USDA Rural Development.

G. Statement signed by applicants that they will pay any cost overruns.

H. Proposed limited partnership agreement and certificates of limited partners, if applicable. (USDA Rural Development requirements should be contained in one section of the agreement and their location identified by the applicants or their attorney in a cover sheet.)

I. If a nonprofit organization:

1. Tax-exempt ruling from the IRS designating them as a 501(c)(3) or 501(c)(4) organization. If the designation is pending, a copy of the designation request must be submitted.

2. Purpose statement, including the provision of low income housing.

3. Evidence of organization under *State* and local law, or copies of pending applications.

4. List of Board of Directors.

J. If a limited liability company, proposed operating agreement and the authorized agent who has the authority to complete the loan application and loan closing documents.

K. If a trust, organizational documents and attorney opinion letter that the trust is validly formed and identifying the authorized representative to act on the trust's behalf.

II. To Establish Project Feasibility:

A. Market feasibility documentation: Either a market study or a market survey, as appropriate.

B. Type of project and structures proposed (total number of units by bedroom size, size of each unit type, size and type of other facilities).

C. Schematic drawings:

1. Site plan, including contour lines;
2. Floor plan of each living unit type and other spaces, such as laundry facilities, community rooms, stairwells, etc.;
3. Building exterior elevations;
4. Typical building exterior wall section; and

5. Plot plan.

D. Description and justification of related facilities, schedule of separate charges for related facilities. Related facilities include community rooms that can be used by tenants and management at no additional charge to the tenants.

E. Type and method of construction (owner builder, negotiated bid, or contractor method).

F. Statement of estimated costs (Form RD 1924-13, Estimate and Certificate of Actual Costs).

G. Statement of proposed management.

H. Congregate services package/plan (if applicable).

I. Statement of support from other Government services providers to the project (congregate only).

J. Response to the Uniform Relocation Assistance Act (if applicable).

III. To Establish Project Financing:

A. Statement of budget and cash flow (applicant completes Form RD 3560-7, Multiple Family Housing Project Budget/Utility Allowance), including type of utilities and utility allowance, if applicable and contribution to reserves.

B. Congregate services charges (if applicable).

C. Status of efforts to obtain leveraged funds.

D. Proposed construction financing (interim or multiple advance; if interim financing, letter of interest from intended lender).

IV. Environmental and Site Information:

A. Environmental information (applicant completes Form RD 1940-20, Request for Environmental Information).

B. Evidence of compliance with Executive Order 12372 (A-95) (if applicable) Form SF 424 is sent to a clearinghouse for intergovernmental review.

C. Provide an American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment to cover environmental due diligence. The ASTM Phase I Environmental Site Assessment will be obtained from the company or person who performs the environmental site assessment.

D. Map showing location of community services such as schools, hospitals, fire and police departments, shopping malls and employment centers.

E. Evidence of submission of project description to State Housing Preservation Office with request for comments.

F. The applicant's comments regarding relevant offsite conditions.

G. The applicant's explanation of any proposed energy efficiency components.

Forms to be included in initial application package may be found at the following links:

1. Form SF 424, Application for Federal Assistance, which can be found online at <http://apply07.grants.gov/apply/forms/sample/SF424-V2.0.pdf>;

2. Form RD 1940-20, Request for Environmental Information, which can be found online at [http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD1940-0020\\_060400V01.pdf](http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD1940-0020_060400V01.pdf);

3. Form RD 3560-7, Multiple Family Housing Project Budget/Utility Allowance, which can be found online at [https://formsadmin.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD3560-0007\\_060500V01.pdf](https://formsadmin.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD3560-0007_060500V01.pdf);

4. Form HUD 2530, Previous Participation Certification, which can be found online at <http://www.hud.gov/offices/adm/hudclips/forms/files/2530.pdf>

5. Form RD 1924-13, Estimate and Certificate of Actual Costs, which can be found online at <http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD1924-0013.pdf>;

6. Form RD 400-4, Assurance Agreement, which can be found online at [http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD0400-0004\\_970300V01.pdf](http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD0400-0004_970300V01.pdf);

7. Form RD 410-9, Statement Required by the Privacy Act (for individuals only), which

can be found online at <https://formsadmin.sc.egov.usda.gov/efcommon/eFileServices/Forms/RD0410-0009.pdf>;

Applicants are encouraged, but not required, to include a checklist and to have their applications indexed and tabbed to facilitate the review process. The Rural Development *State* office will base its determination of completeness of the application and the eligibility of each applicant on the information provided in the application. All applicants will receive a letter notifying them of their selection or rejection. Applicants that are selected will be given instructions on how to proceed, following the procedures established in 7 CFR part 3560. Applicants that are rejected will be notified and given appeal rights under 7 CFR part 11.

B. Applicants are advised to contact the Rural Development *State* office serving the place in which they desire to submit an application for the following:

1. Questions pertaining to the application process; and
2. List of designated places for which applications for new section 515 facilities may be submitted.

VI. Areas of Special Emphasis or Consideration

Pursuant to 7 CFR 3560.56(c)(1)(iii), USDA Rural Development encourages the use of funding from other sources in conjunction with Rural Development loans through its national office initiative, outlined in Section I.C.1(c) of this Notice.

VII. Non-Discrimination Statement

U.S. Department of Agriculture prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's Target Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD). "USDA is an equal opportunity provider, employer, and lender."

Dated: April 14, 2009.

**Thomas E. Hannah,**

*Acting Administrator, Rural Housing Service.*

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**BILLING CODE 3410-XV-P**

**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

[Doc. No. AMS-FV-09-0018; FV09-996-1 N]

**Peanut Standards Board**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice; request for nominations.

**SUMMARY:** The Farm Security and Rural Investment Act of 2002 requires the Secretary of Agriculture to establish a Peanut Standards Board (Board) for the purpose of advising the Secretary on quality and handling standards for domestically produced and imported peanuts. The initial Board was appointed by the Secretary and announced on December 5, 2002. USDA seeks nominations for individuals to be considered for selection as Board members for terms of office ending June 30, 2011, and June 30, 2012. Selected nominees sought by this action would fill two currently vacant industry representative positions for the remainder of terms of office ending June 30, 2011, and six producer and industry representatives who are currently serving for the term of office that ends June 30, 2009. The Board consists of 18 members representing producers and industry representatives.

**DATES:** Written nominations must be received on or before May 29, 2009.

**ADDRESSES:** Nominations should be sent to Dawana J. Clark, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, Unit 155, 4700 River Road, Riverdale, MD 20737; Telephone: (301) 734-5247; Fax: (301) 734-5275; e-mail: [Dawana.Clark@usda.gov](mailto:Dawana.Clark@usda.gov).

**SUPPLEMENTARY INFORMATION:** Section 1308 of the Farm Security and Rural Investment Act of 2002 (Farm Bill) requires the Secretary of Agriculture to establish a Peanut Standards Board (Board) for the purpose of advising the Secretary regarding the establishment of quality and handling standards for all domestic and imported peanuts marketed in the United States. The Farm Bill requires the Secretary to consult with the Board before the Secretary establishes or changes quality and handling standards for peanuts.

The Farm Bill provides that the Board consist of 18 members, with three